

UNITED STATES STATUTES AT LARGE

CONTAINING THE

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

1946

AND

PROCLAMATIONS, TREATIES, INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES,
AND REORGANIZATION PLANS

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AND

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PUBLIC LAWS

PUBLIC LAWS

ENACTED DURING THE

SECOND SESSION OF THE SEVENTY-NINTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Monday, January 14, 1946, and adjourned sine die on Friday, August 2, 1946

HARRY S. TRUMAN, President; KENNETH MCKELLAR, President of the Senate *pro tempore*; SAM RAYBURN, Speaker of the House of Representatives.

[CHAPTER 2]

AN ACT

To provide for adjustment between the proper appropriations, of unpaid balances in the pay accounts of naval personnel on the last day of each fiscal year, and for other purposes.

February 9, 1946
[S. 1467]
[Public Law 294]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon certification to the Comptroller General and the Secretary of the Treasury by the Bureau of Supplies and Accounts on transfer and counterwarrants of the net amount of the unpaid and overpaid balances occurring in the individual pay accounts of naval personnel on the last day of any fiscal year, such net amount shall be charged against the appropriation for the fiscal year in which such balances occurred, and from which such amount was payable, and shall be credited to and payable from the corresponding appropriation for the next succeeding fiscal year.

Naval personnel.
Pay accounts.

Approved February 9, 1946.

[CHAPTER 3]

AN ACT

To amend section 2 (b) of the Act entitled "An Act extending the classified executive civil service of the United States", approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such Act.

February 12, 1946
[S. 102]
[Public Law 295]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 2 of the Act entitled "An Act extending the classified executive civil service of the United States", approved November 26, 1940 (54 Stat. 1212; U. S. C., title 5, sec. 631 (b)), is amended by adding at the end of such subsection a new sentence as follows: "In the case of an individual who shall have held such a position in the legislative branch for at least two years and who shall have been separated from such position for the purpose of entering the military

Civil service.
Status of certain
legislative employees.

5 U. S. C. § 631b (b).

or naval service, such individual shall be deemed, for the purposes of this subsection, to have held such position during the period within which he shall have served in the military or naval forces.”

Approved February 12, 1946.

[CHAPTER 4]

AN ACT

February 12, 1946
[S. 765]
[Public Law 296]

Concerning the establishment of meteorological observation stations in the Arctic region of the Western Hemisphere, for the purpose of improving the weather forecasting service within the United States and on the civil international air transport routes from the United States.

Meteorological re-
porting stations.
Post, p. 944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to improve the weather forecasting service of the United States and to promote safety and efficiency in civil air navigation to the highest possible degree, the Chief of the Weather Bureau, under the direction of the Secretary of Commerce, shall, in addition to his other functions and duties, take such action as may be necessary in the development of an international basic meteorological reporting network in the Arctic region of the Western Hemisphere, including the establishment, operation, and maintenance of such reporting stations in cooperation with the State Department and other United States governmental departments and agencies, with the meteorological services of foreign countries and with persons engaged in air commerce.

Appropriation au-
thorized.
Post, p. 474.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved February 12, 1946.

[CHAPTER 5]

AN ACT

February 12, 1946
[S. 1545]
[Public Law 297]

To amend article 38 of the Articles for the Government of the Navy.

Navy.
General courts-mar-
tial.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That article 38 of the Articles for the Government of the Navy (Rev. Stat., sec. 1624, art. 38), as amended or superseded by the Act approved February 16, 1909, chapter 131, section 10 (35 Stat. 621), as amended by the Act approved August 29, 1916, chapter 417 (39 Stat. 586), is amended and reenacted to read as follows:

34 U. S. C. § 1200,
art. 38.

“ART. 38. CONVENING AUTHORITY.—General courts-martial may be convened:

“First. By the President, the Secretary of the Navy, the commander in chief of a fleet, and the commanding officer of a naval station or a larger shore activity beyond the continental limits of the United States; and

“Second. When empowered by the Secretary of the Navy, by the commanding officer of a division, squadron, flotilla, or other naval force afloat, and by the commandant or commanding officer of any naval district, naval base, or naval station, and by the commandant, commanding officer, or chief of any other force or activity of the Navy or Marine Corps, not attached to a naval district, naval base, or naval station.”

Approved February 12, 1946.

[CHAPTER 6]

AN ACT

To provide for the payment on a commuted basis of the costs of transportation of dependents of certain persons entitled to such transportation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 12 of the Missing Persons Act (Act of March 7, 1942; 56 Stat. 143, 146), as amended (50 App. U. S. C. 1012), is hereby further amended by inserting before the period at the end thereof the following: “: *Provided further*, That in lieu of transportation authorized by this section for dependents, the head of the department concerned may authorize the payment in money of amounts equal to such commercial transportation costs for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed”.

February 12, 1946
[S. 1631]
[Public Law 298]

Transportation for dependents.
Payment in money.
50 U. S. C., Supp. V, app. § 1012.

Personnel reported dead, etc.

(b) This amendment shall take effect as of September 8, 1939.

SEC. 2. (a) The first section of the Act of October 14, 1942 (56 Stat. 786; 50 App. U. S. C. 831), is hereby amended by inserting before the period at the end of such section the following: “: *Provided further*, That in lieu of transportation authorized by this section for dependents, the Secretary of the Navy may authorize the payment in money of amounts equal to such commercial transportation costs for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed”.

50 U. S. C., Supp. V, app. § 831.

Navy personnel under secret orders.

(b) This amendment shall take effect as of October 1, 1940.

SEC. 3. (a) The Act of November 28, 1943 (57 Stat. 593; 50 App. U. S. C. 833a), is hereby amended by inserting the following new section and by renumbering the present section 5 as section 6:

50 U. S. C., Supp. V, app. §§ 833a-833e.

“SEC. 5. In lieu of transportation authorized by this Act for dependents, the Secretary of the Navy may authorize the payment in money of amounts equal to such commercial transportation costs for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed.”

Navy personnel assigned to new stations.

(b) This amendment shall take effect as of December 7, 1941.

SEC. 4. Section 4 of the Act of June 5, 1942 (56 Stat. 314, 315; 50 App. U. S. C. 763, 764), is hereby amended by inserting after subsection (d) the following subsection (e):

50 U. S. C., Supp. V, app. § 764.

“(e) In lieu of transportation authorized by subsections 3 (b), 3 (c), 4 (a), 4 (b), and 4 (c) of this Act for dependents, the Secretary of War may authorize the payment in money of amounts equal to such commercial transportation costs for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed: *Provided*, That the provisions of this subsection shall be applicable to travel performed by dependents on and after the respective effective dates of the afore-mentioned subsections.”

Certain civilian and military personnel.
50 U. S. C., Supp. V, app. § 763 (b), (c).

Approved February 12, 1946.

[CHAPTER 22]

JOINT RESOLUTION

Making an additional appropriation for the fiscal year 1946 for readjustment benefits, Veterans' Administration.

February 14, 1946
[H. J. Res. 316]
[Public Law 299]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated,

Veterans.
Readjustment benefits, appropriation.

58 Stat. 287, 291, 295.
38 U. S. C., Supp. V,
§ 701 (f), note foll.
§ 735, §§ 694-694e, 696-
696m.
Post, p. 934.

\$500,000,000 for the fiscal year 1946 for the payment of benefits to or on behalf of veterans as authorized by titles II, III, and V, of the Servicemen's Readjustment Act of 1944, to remain available until expended.

Approved February 14, 1946.

[CHAPTER 28]

JOINT RESOLUTION

February 18, 1946
[S. J. Res. 105]
[Public Law 300]

To provide for proceeding with certain rivers and harbors projects heretofore authorized to be prosecuted after the termination of the war.

Rivers and harbors
projects.

59 Stat. 11.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 2, 1945 (Public Law 14, Seventy-ninth Congress), is amended by striking out the following: "That no project herein authorized shall be appropriated for or constructed until six months after the termination of the present wars in which the United States is engaged unless the construction of such project has been recommended by an authorized defense agency and approved by the President as being necessary or desirable in the interest of the national defense and security, and the President has notified the Congress to that effect: *Provided further*,".

Approved February 18, 1946.

[CHAPTER 30]

AN ACT

February 18, 1946
[H. R. 5158]
[Public Law 301]

Reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes.

First Supplemental
Surplus Appropriation
Rescission Act,
1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriations and contractual authorizations of the departments and agencies available in the fiscal year 1946, and prior year unreverted appropriations, are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

TITLE I—EXECUTIVE OFFICE OF THE PRESIDENT,
INDEPENDENT OFFICES, AND EXECUTIVE DEPART-
MENTS

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

59 Stat. 416.

Foreign Economic Administration:

Salaries and expenses, \$3,884,400, and limitations under this head are hereby decreased as follows: (1) Travel within continental United States from "\$234,000" to "\$180,000", (2) reimbursement to employees for emergency or extraordinary expenses from "\$75,000" to "\$47,500", and (3) expenses of a confidential character from "\$1,200,000" to "\$100,000".

Penalty mail costs, \$12,440.

National War Labor Board:

Salaries and expenses, \$1,566,500.

59 Stat. 473.
Post, p. 221.

Office of Defense Transportation:

59 Stat. 474.

Salaries and expenses, \$3,075,000, and limitations under this head are hereby decreased as follows: (1) Traveling expenses from "\$452,500" to "\$150,000", (2) printing and binding from "\$47,500" to "\$14,000" (of which the amount available outside continental United States is decreased from "\$1,800" to "\$500"), and (3) penalty mail costs from "\$118,900" to "\$53,000".

Post, p. 264.

Office of Economic Stabilization:

59 Stat. 475.

Salaries and expenses, \$53,780, and limitations under this head are hereby decreased as follows: (1) Penalty mail costs from "\$2,250" to "\$1,500", (2) traveling expenses from "\$4,500" to "\$4,000", and (3) printing and binding from "\$2,000" to "\$1,600".

Office of Inter-American Affairs:

59 Stat. 476.

Salaries and expenses, \$1,500,000.

Office of Scientific Research and Development:

59 Stat. 475.

Salaries and expenses, \$56,101,792.

Post, pp. 221, 624.

Office of War Information:

59 Stat. 477

Salaries and expenses, \$6,912,558, and limitations under this head are hereby decreased as follows: (1) Temporary employment in the United States by contract or otherwise without regard to the civil-service and classification laws from "\$45,800" to "\$28,750", (2) travel within continental United States from "\$267,500" to "\$237,500", (3) printing and binding within continental United States from "\$1,000,000" to "\$587,500", and (4) to meet emergencies of a confidential character from "\$250,000" to "\$47,500".

War Manpower Commission:

59 Stat. 380, 381.

General administration, \$71,194.

Apprentice training service (national defense), \$131,500, and the balance to remain available until December 31, 1945.

Training Within Industry Service (national defense), \$125,000, and the balance to remain available until December 31, 1945.

Migration of workers, \$479,000.

War Production Board:

59 Stat. 479.

Salaries and expenses, \$10,000,000, and limitations under this head are hereby decreased as follows: (1) Travel expenses from "\$1,944,000" to "\$954,000", (2) penalty mail costs from "\$210,000" to "\$105,000", (3) printing and binding from "\$648,000" to "\$346,000", and (4) salary of the head of the agency from "\$15,000" to "\$12,000", except that so long as the position is held by the present incumbent the salary shall remain at \$15,000.

Post, p. 68.

War Shipping Administration:

59 Stat. 480.

Revolving fund, \$195,452,000.

Post, pp. 221, 624.

Maritime training fund, \$25,000,000.

Marine and war risk insurance fund, revolving fund, \$91,000,000.

Office of Censorship: Salaries and expenses, \$8,200,000.

59 Stat. 482.

Office of Price Administration:

Post, p. 221.

59 Stat. 414.

Salaries and expenses, \$25,929,000, and limitations under this head are hereby decreased as follows: (1) Printing and binding from "\$1,470,000" to "\$961,064", (2) traveling expenses from "\$7,949,700" to "\$6,780,000", and (3) penalty mail costs from "\$5,210,550" to "\$3,085,000".

Office of Strategic Services:

59 Stat. 483.

Salaries and expenses, \$9,500,000, and limitations under this head are hereby decreased as follows: (1) Expenditures without regard to provisions of law and regulations from "\$10,500,000" to "\$3,000,000", and (2) expenditures for objects of a confidential nature from "\$10,000,000" to "\$2,750,000".

59 Stat. 483.
Post, p. 221.

Petroleum Administration for War:

Salaries and expenses, \$1,800,000, and limitations under this head are hereby decreased as follows: (1) Personal services without regard to civil-service and classification laws from "\$250,000" to "\$125,000", and (2) travel expenses from "\$263,700" to "\$100,000".

Total.

In all, Office for Emergency Management, \$440,794,164.

EMERGENCY FUNDS APPROPRIATED TO THE PRESIDENT

59 Stat. 414.
59 Stat. 429.
Post, pp. 221, 624.

Emergency fund for the President, national defense, \$45,000,000.
Defense aid—lend-lease:

(1) Ordnance and ordnance stores, supplies, spare parts, and materials, \$57,990,000.

(2) Aircraft and aeronautical material, \$85,705,000.

(3) Tanks, armored cars, automobiles, trucks, and other automotive vehicles, spare parts, and accessories, \$24,461,000.

(4) Vessels, ships, boats, and other watercraft, \$76,080,000.

(5) Miscellaneous military equipment, supplies and materials, \$8,963,000.

(6) Facilities and equipment for the manufacture or production of defense articles, by construction or acquisition, \$17,937,000.

59 Stat. 429.

(7) Agricultural, industrial, and other commodities and articles, \$1,351,216,000, and the \$500,000,000 made available by title II of the Second Deficiency Appropriation Act, 1945, as a reserve for expenditure for postwar price support of agriculture shall be paid to the Commodity Credit Corporation and continued as a reserve fund for expenditure, as and when necessary, for the postwar price support of agriculture.

(7b) For testing, inspecting, proving, repairing, outfitting, reconditioning, or otherwise placing in good working order any defense articles for the government of any country whose defense the President deems vital to the defense of the United States, \$73,266,000.

(7d) For necessary services and expenses for carrying out the purposes of such Act not specified or included in the foregoing, \$43,943,000.

Total.

In all, emergency funds appropriated to the President, \$1,784,561,000.

Post, pp. 12, 221, 625.

INDEPENDENT OFFICES

59 Stat. 108.

Civil Service Commission: Salaries and expenses, Civil Service Commission (national defense), \$2,032,000.

59 Stat. 377.

Employees' Compensation Commission: Employees' compensation fund, \$1,761,644.

59 Stat. 110.

Federal Communications Commission: Salaries and expenses, Federal Communications Commission (national defense), \$465,000.

59 Stat. 111.

Federal Power Commission: National defense activities, \$17,628.

59 Stat. 120.

National Advisory Committee for Aeronautics: Advisory Committee for Aeronautics, \$2,000,000.

59 Stat. 484.

Selective Service System: Salaries and expenses, \$2,957,500.

59 Stat. 127.

49 Stat. 1987.

46 U. S. C. § 1116;
Supp. V, § 1116 notes.

United States Maritime Commission: Construction fund, Act June 29, 1936, revolving fund, \$496,500,000.

FEDERAL SECURITY AGENCY

59 Stat. 368.

Public Health Service:

Post, p. 221.

Health and sanitation activities, war and defense areas (national defense), \$392,568.

Malaria and diseases of tropical origin (national defense), \$1,862,501.

Training for nurses (national defense), \$15,557,000, and the limitation on the amount which may be expended for administrative expenses is hereby decreased from "\$788,255" to "\$611,322".

FEDERAL WORKS AGENCY

Post, pp. 221, 222.

Office of the Administrator: War public works (community facilities), \$13,700,000.

59 Stat. 419.

Public Buildings Administration:

59 Stat. 113.

Emergency safeguarding of public buildings and property, \$750,000.

Construction of temporary office buildings, Washington, District of Columbia, unobligated balance.

Public Roads Administration: Flight strips (national defense), \$318,008.

59 Stat. 115.

NATIONAL HOUSING AGENCY

Office of the Administrator:

War housing, \$74,355,000.

59 Stat. 82.

War housing in and near the District of Columbia, \$3,372,000.

Reserves: From the reserve account established by the National Housing Administrator in the Treasury pursuant to section 303 of Public Law 849, Seventy-sixth Congress, approved October 14, 1940, as amended, \$50,000,000.

55 Stat. 363.
42 U. S. C., Supp. V, § 1543.
Infra.

Section 303 of the Act of October 14, 1940, as amended (42 U. S. C. 1521), is hereby amended by inserting "(a)" after the figures "303", and adding the following new subsections:

42 U. S. C., Supp. V, § 1543.

"(b) Moneys derived by the National Housing Administrator from the disposition of property, or from the removal of temporary housing, acquired or constructed under the provisions of this Act, of Public Laws Numbered 9, 73, and 353, Seventy-seventh Congress, and of section 201 of the Second Supplemental National Defense Appropriation Act, 1941, as amended, shall be available for expenses of disposition and removal, including the establishment of necessary reserves therefor and administrative expenses in connection therewith: *Provided*, That moneys derived by said Administrator from the disposition of any such property or the removal of any such temporary housing may be deposited in a common fund account or accounts in the Treasury: *And provided further*, That except for necessary reserves authorized by this Act or by section 201 of the Second Supplemental National Defense Appropriation Act, 1941, as amended, the unobligated balances of the moneys deposited into the Treasury from the disposition of any such property or the removal of any such temporary housing shall be covered at the end of each fiscal year into miscellaneous receipts.

Availability of designated moneys.

55 Stat. 14, 197, 810.
42 U. S. C., Supp. V, § 1523 note.

54 Stat. 883.

Deposits.

54 Stat. 883.

"(c) Moneys in the reserve account established by the National Housing Administrator pursuant to subsections (a) and (b) of this section 303 shall not exceed \$25,000,000 at any time: *Provided*, That all moneys in said account shall be covered into miscellaneous receipts not later than two years after the President shall have declared that the emergency declared by him on September 8, 1939, has ceased to exist."

Moneys in reserve account.

Supra.

54 Stat. 2643.
50 U. S. C. app., note prec. § 1.

In all, independent offices, \$666,040,849.

Total.

EXECUTIVE DEPARTMENTS

[Non-War]

DEPARTMENT OF AGRICULTURE

59 Stat. 152.

Emergency rubber project, \$1,649,790, and the balance remaining shall be used to liquidate such project, including the elimination of the remaining plantations, the rehabilitation and return of leased lands to the owners and the disposal of other property according to law, and for the continuation of the production, breeding, and disease phases of guayule research on indicator plots and experimental areas until June 30, 1946: *Provided*, That any balances remaining shall be available until December 31, 1946, for completing the liquidation of the emergency rubber project.

59 Stat. 152.

War Food Administration: Salaries and expenses, \$3,116,894.

Post, p. 222.

Emergency supplies for Territories and possessions, \$25,000,000.

The following appropriations shall be so administered as to avoid the incurrence of deficiencies therein except for such added expense occasioned by the Federal Employees Pay Act of 1945 as it may not be practicable to absorb, namely:

59 Stat. 295.
5 U. S. C., Supp. V,
§ 901 note.
Post, p. 216 et seq.
59 Stat. 140.

Bureau of Agricultural Economics, salaries and expenses (crop and livestock estimates).

59 Stat. 140.

Office of Foreign Agricultural Relations, salaries and expenses.

59 Stat. 141.

Agricultural Research Administration:

Bureau of Animal Industry, salaries and expenses (meat inspection);

Bureau of Plant Industry, Soils, and Agricultural Engineering, salaries and expenses (fruit, vegetable, and specialty crops);

Bureau of Entomology and Plant Quarantine, salaries and expenses (foreign plant quarantine).

Forest Service:

Salaries and expenses (national forest protection and management);

Forest-fire cooperation.

DEPARTMENT OF COMMERCE

59 Stat. 188.

Office of the Secretary: Salaries and expenses, National Inventors Council Service Staff, \$11,000.

59 Stat. 190.

Office of Administrator of Civil Aeronautics: Development of landing areas, \$5,000,000.

The following appropriations shall be so administered as to avoid the incurrence of deficiencies therein except for such added expense occasioned by the Federal Employees Pay Act of 1945 as it may not be practicable to absorb, namely:

59 Stat. 295.
5 U. S. C., Supp. V,
§ 901 note.
Post, p. 216 et seq.
59 Stat. 191.
59 Stat. 192.
59 Stat. 194.

Coast and Geodetic Survey, salaries and expenses, departmental;

Patent Office, salaries;

Weather Bureau, salaries and expenses.

DEPARTMENT OF THE INTERIOR

59 Stat. 319.

Post, p. 12.

Office of the Secretary: Salaries and expenses, Division of Geography, \$13,000.

59 Stat. 485.

War Relocation Authority: Salaries and expenses, War Relocation Authority, Department of the Interior, \$2,500,000.

59 Stat. 321.

Post, p. 222.

59 Stat. 321.

Office of Fishery Coordination: Salaries and expenses, \$57,000.

Solid Fuels Administration for War:

Transfer of funds.

Salaries and expenses, \$275,000, and on April 1, 1946, the sum of \$150,000 of said appropriation shall be transferred to the appropriation "Economics of mineral industries", Bureau of Mines, and

the limitation in said latter appropriation for personal services in the District of Columbia shall be increased from “\$397,500” to “\$529,000”.

Bureau of Mines

59 Stat. 345.

Enforcement of Federal Explosives Act, \$27,900.

Investigation of raw-material resources for steel production (national defense), \$180,000.

Construction and equipment of helium plants, \$260,000.

Manganese beneficiation pilot plants and research (national defense), \$50,000.

Production of alumina from low-grade bauxite, aluminum clays and alunite (national defense), \$200,000.

Investigation of bauxite and alunite ores and aluminum clay deposits (national defense), \$350,000.

Magnesium pilot plants and research (national defense), \$150,000.

Investigation of deposits of critical and essential minerals in the United States and its possessions (national defense), \$420,000.

GOVERNMENT IN THE TERRITORIES

Emergency fund, Territories and island possessions (national defense), \$332,000.

Post, p. 625.

DEPARTMENT OF JUSTICE

Post, p. 222.

Legal activities and general administration: Salaries and expenses, War Division, \$100,000.

59 Stat. 182.

Federal Bureau of Investigation: Salaries and expenses, detection and prosecution of crimes (emergency), \$1,240,000.

59 Stat. 184.

DEPARTMENT OF LABOR

Office of the Secretary:

59 Stat. 361.

Salaries and expenses (national defense), \$1,388.

Salaries and expenses, safety and health program (national defense), \$60,000.

Children's Bureau:

Grants to States for emergency maternity and infant care (national defense), \$8,113,600: *Provided*, That such reduced amount shall not affect the amount to be allotted to the States for administrative expenses as authorized in the Department of Labor Appropriation Act, 1946.

59 Stat. 364.

State allotments.

59 Stat. 361.

WAR DEPARTMENT

The Panama Canal: Maintenance and operation of the Panama Canal, \$5,000,000.

59 Stat. 42.

In all, executive departments, \$54,107,572.

Total.

In all, title I, \$2,945,503,585.

Miscellaneous Provisions, Title I

REDUCTIONS IN CONTRACT AUTHORIZATIONS

Contract authorizations of the departments and agencies available in the fiscal year 1946 are hereby reduced in the sums hereinafter set forth:

EXECUTIVE OFFICE OF THE PRESIDENT

Emergency funds appropriated to the President: Defense aid—lend-lease, \$600,000,000.

59 Stat. 414, 420.

INDEPENDENT OFFICES

59 Stat. 127.
49 Stat. 1987.
46 U. S. C. § 1116;
Supp. V, § 1116 notes.
Post, p. 222.

United States Maritime Commission: Construction fund, Act June 29, 1936, revolving fund, \$325,900,000.

FEDERAL WORKS AGENCY

59 Stat. 117.
59 Stat. 117.

Public Roads Administration:
Strategic highway network, \$1,484,363.
Access roads, \$2,576,845.

REDUCTIONS IN LIMITATIONS ON ADMINISTRATIVE EXPENSES

Limitations on amounts from funds of corporations and other agencies for administrative expenses are hereby reduced in the following sums:

EXECUTIVE OFFICE OF THE PRESIDENT

59 Stat. 418.
Post, p. 222.

Office for Emergency Management: Foreign Economic Administration, Rubber Development Corporation, \$249,500.

59 Stat. 480.

War Shipping Administration:
Revolving fund, \$4,312,000.
Maritime training fund, \$519,357.

INDEPENDENT OFFICES

59 Stat. 479.

Smaller War Plants Corporation:
Administrative expenses, \$1,550,000, and the limitation under this head on the amount of penalty-mail costs is hereby decreased from "\$50,000" to "\$40,000".

59 Stat. 127.
49 Stat. 1987.
46 U. S. C. § 1116;
Supp. V, § 1116 notes.

United States Maritime Commission:
Construction fund, Act June 29, 1936, revolving fund, \$2,687,450.

EXTENDING AVAILABILITY OF APPROPRIATIONS

The following appropriations for the fiscal year 1946 are hereby continued available until June 30, 1946, except as modified in this title.

59 Stat. 106.
Ante, p. 8

Executive Office of the President:
Bureau of the Budget, national defense activities.
Independent Offices:
Civil Service Commission, salaries and expenses (national defense).
Federal Communications Commission, salaries and expenses (national defense).
Federal Power Commission: National defense activities.
Federal Security Agency:
Office of the Administrator:
Salaries and expenses, Office of Community War Services; Expenses, temporary aid to enemy aliens and other restricted persons.
Department of the Interior:
Office of the Secretary:
Salaries and expenses, Division of Geography, Department of the Interior.

CORPORATE FUNDS TO BE TRANSFERRED TO THE TREASURY

EXECUTIVE OFFICE OF THE PRESIDENT

59 Stat. 476.

Office for Emergency Management:
Office of Inter-American Affairs: The Director of the Office of Inter-American Affairs is hereby directed to deposit in the

Treasury of the United States as miscellaneous receipts the following sums representing excess funds of corporations created by the Coordinator of Inter-American Affairs under authority of law:

Institute of Inter-American Transportation, \$315,500.
Prencinradio, Incorporated, \$875,000.

Post, p. 223.

Post, p. 223.

GENERAL PROVISIONS

In order to accomplish the liquidation of any temporary agency of the Government created to perform functions in connection with the national security and defense, there may be transferred to such liquidating agency as the President may designate such amount from the funds of the agency to be liquidated as the Bureau of the Budget shall determine is necessary therefor.

Transfer of funds.

TITLE II—MILITARY ESTABLISHMENT

Office of Secretary of War:

Contingencies of the Army, 1942–1946, \$12,829,151.

Expediting Production of Equipment and Supplies for National Defense, 1940–1946, \$282,892,000.

General Staff Corps:

Contingent Fund, Chief of Staff, 1942–1946, \$124,335,489.

Special Field Exercises, Army, 1942–1946, \$51,246,874.

Finance Department:

Finance Service, Army, 1942–1946, \$207,000, and subappropriations under this head are hereby decreased as follows:

(1) Expenses of courts martial, \$36,000; and (2) Apprehension of deserters, \$171,000.

Quartermaster Corps:

Quartermaster Service, Army, 1942–1946, \$3,919,838,479, and subappropriations under this head are hereby decreased as follows: (1) Welfare of enlisted men, \$5,000,000; (2) subsistence of the Army, \$1,762,081,479; (3) regular supplies of the Army, \$541,018,000; (4) clothing and equipage, \$1,563,225,000; (5) horses, draft and pack animals, \$1,514,000; and (6) Army transportation, \$47,000,000.

Transportation Corps:

Transportation Service, Army, 1945–1946, \$704,268,000.

Signal Corps:

Signal Service of the Army, 1942–1946, \$1,675,684,000.

Air Corps:

Air Corps, Army, 1942–1946, \$11,799,313,000: *Provided*, That before any permanent fields are determined upon or permanent buildings erected thereon the Air Corps shall submit to Congress a list of such fields and the justification therefor.

Medical Department:

Medical and Hospital Department, Army, 1942–1946, \$267,539,000.

Corps of Engineers:

Engineer Service, Army, 1942–1946, \$2,306,763,000, and subappropriations under this head are hereby decreased as follows:

(1) Engineer Service, \$2,011,648,000; (2) Military posts, \$148,255,000; and (3) Barracks and quarters, Army, \$146,860,000.

Ordnance Department:

Ordnance Service and Supplies, Army, 1942–1946, \$8,100,000,000.

Chemical Warfare Service:

Chemical Warfare Service, Army, 1942–1946, \$997,870,000.

Post, pp. 223–225,
625, 626.

59 Stat. 384.

59 Stat. 384.

59 Stat. 385.

59 Stat. 389.

59 Stat. 392.

59 Stat. 392.

59 Stat. 393.

59 Stat. 394.

59 Stat. 395.

59 Stat. 396.

59 Stat. 397.

59 Stat. 397.

Special Service Schools:

Special Service Schools, Army, 1942–1946, \$178,000, and sub-appropriations under this head are hereby decreased as follows:
 (1) Infantry School, \$81,000; (2) Cavalry activities, \$22,700; and
 (3) Field Artillery activities, \$74,300.

59 Stat. 398.

Seacoast defenses:

Seacoast defenses, general, 1942–1946, \$1,664,000.

59 Stat. 398.

United States Military Academy: Pay of Military Academy, 1942–1946, \$21,000.

59 Stat. 401.

Inter-American Relations, War Department: Inter-American Relations, War Department, 1943–1946, \$75,000.

59 Stat. 403.

Office of the Secretary:

Contingent expenses, War Department, 1942–1946, \$1,200,000.

Printing and binding, War Department, 1942–1946, \$18,000,000.

TRANSFER OF APPROPRIATIONS

In addition to the transfers authorized by section 3 of the Military Appropriation Act, 1946, transfers of not to exceed the amounts hereinafter set forth may be made, with the approval of the Bureau of the Budget, from the appropriation "Ordnance Service and Supplies, Army", to the following appropriations:

59 Stat. 403.

Ante, p. 13.

59 Stat. 385.

59 Stat. 385.

Army War College, \$23,819;

Command and General Staff School, Fort Leavenworth, Kansas, \$30,189;

Ante, p. 13.

Quartermaster Service, Army, \$7,881,967;

59 Stat. 397.

Rock Island Bridge, Rock Island, Illinois, \$5,719;

59 Stat. 398.

Instruction in armored force activities, \$389,756;

59 Stat. 398.

Maintenance and Operation, United States Military Academy, \$1,323,884;

59 Stat. 401.
 Service in Philip-
 pine military forces,
 benefits.

Army of the Philippines, \$200,000,000: *Provided*, That service in the organized military forces of the Government of the Commonwealth of the Philippines, while such forces were in the service of the armed forces of the United States pursuant to the military order of the President of the United States dated July 26, 1941, shall not be deemed to be or to have been service in the military or naval forces of the United States or any component thereof for the purposes of any law of the United States conferring rights, privileges, or benefits upon any person by reason of the service of such person or the service of any other person in the military or naval forces of the United States or any component thereof, except benefits under (1) the National Service Life Insurance Act of 1940, as amended, under contracts heretofore entered into, and (2) laws administered by the Veterans' Administration providing for the payment of pensions on account of service-connected disability or death: *Provided further*, That such pensions shall be paid at the rate of one Philippine peso for each dollar authorized to be paid under the laws providing for such pensions: *Provided further*, That any payments heretofore made under any such law to or with respect to any member of the military forces of the Government of the Commonwealth of the Philippines who served in the service of the armed forces of the United States shall not be deemed to be invalid by reason of the circumstances that his service was not service in the military or naval forces of the United States or any component thereof within the meaning of such law.

54 Stat. 1008.
 38 U. S. C. §§ 801-
 818; Supp. V, § 801
et seq.

Post, p. 781 *et seq.*
 Payment of pensions.

GENERAL PROVISION

Transportation of
 dependents.
 59 Stat. 387.

Appropriations for the Military Establishment for the fiscal year 1946 available for expenses of travel may be used under regulations prescribed by the Secretary of War, for the payment, in lieu of transportation in kind or movement at Government expense author-

ized by law for dependents, of 4 cents per mile for dependents twelve years of age or over and of 2 cents per mile for dependents between five and twelve years of age, in advance or otherwise, in accordance with distances established for payment and settlement of mileage accounts of officers pursuant to the provisions of the Act of June 12, 1906, as amended (34 Stat. 246; 10 U. S. C. 870).

In all, title II, \$30,263,923,993.

10 U. S. C., Supp.
V, § 870.
Total.

TITLE III—NAVAL ESTABLISHMENT

Office of the Secretary:

Miscellaneous expenses, Navy:

Fiscal year 1944, \$2,323,605.

Fiscal year 1945, \$671,805.

Fiscal year 1946, \$11,900,000.

Contingent, Navy:

Fiscal year 1944, \$74,000.

Fiscal year 1945, \$49,000.

Fiscal year 1946, \$20,000.

Naval emergency fund:

Fiscal year 1945, \$25,477.

Fiscal year 1946, \$3,000,000.

Naval Research Laboratory:

Fiscal year 1944, \$5,185.

Fiscal year 1945, \$3,002.

Fiscal year 1946, \$90,000.

Operation and conservation of naval petroleum reserves:

Fiscal year 1944, \$6,986.

Fiscal year 1945, \$6,353.

Fiscal year 1946, \$18,000.

Ocean and lake surveys, Navy:

Fiscal year 1944, \$6,677.

Fiscal year 1945, \$21,298.

Bureau of Naval Personnel:

Naval War College:

Fiscal year 1944, \$4,521.

Fiscal year 1945, \$2,886.

Naval Training Station, San Diego, California:

Fiscal year 1944, \$232,338.

Fiscal year 1945, \$327,515.

Naval Training Station, Newport, Rhode Island:

Fiscal year 1944, \$823.

Fiscal year 1945, \$256.

Naval Training Station, Great Lakes, Illinois:

Fiscal year 1944, \$459,244.

Fiscal year 1945, \$29,510.

Fiscal year 1946, \$700,000.

Naval Training Station, Norfolk, Virginia:

Fiscal year 1944, \$4,488.

Fiscal year 1945, \$14,879.

Naval Training Station, Lake Pend Oreille, Idaho:

Fiscal year 1944, \$54,790.

Fiscal year 1945, \$604,708.

Naval Training Station, Lake Seneca, New York:

Fiscal year 1944, \$38,894.

Fiscal year 1945, \$3,209.

Naval Training Station, Port Deposit, Maryland:

Fiscal year 1945, \$2,794.

Fiscal year 1946, \$500,000.

57 Stat. 197; 58 Stat.
301; 59 Stat. 202.

Post, pp. 225-227,
626, 627.

57 Stat. 198; 58 Stat.
303; 59 Stat. 203.

Fleet Training, Navy:

Fiscal year 1944, \$11,108.

Fiscal year 1945, \$164,695.

Fiscal year 1946, \$78,000.

Instruction, Navy:

Fiscal year 1944, \$2,151,364.

Fiscal year 1945, \$120,000.

Fiscal year 1946, \$6,000,000.

Libraries, Navy:

Fiscal year 1944, \$145,920.

Fiscal year 1945, \$1,693.

Fiscal year 1946, \$1,252,935.

Welfare and Recreation, Navy:

Fiscal year 1944, \$903,681.

Fiscal year 1946, \$4,124,000.

Naval Reserve Officers' Training Corps:

Fiscal year 1944, \$237,300.

Fiscal year 1945, \$88,337.

Miscellaneous expenses, Bureau of Naval Personnel:

Fiscal year 1944, \$3,009.

Fiscal year 1945, \$124.

Fiscal year 1946, \$20,000.

Naval Reserve:

Fiscal year 1944, \$54,961,800.

Fiscal year 1945, \$24,511,154.

Fiscal year 1946, \$38,262,000.

Pay, Naval Academy:

Fiscal year 1944, \$88,394.

Fiscal year 1945, \$93,796.

Maintenance, Naval Academy:

Fiscal year 1944, \$6,877.

Fiscal year 1945, \$2,529.

Naval Home, Philadelphia, Pennsylvania:

Fiscal year 1944, \$610.

Fiscal year 1945, \$1,250.

Naval Prison Farms and Prison Personnel:

Fiscal year 1944, \$10.

Fiscal year 1945, \$5,100.

Bureau of Ships:

Maintenance, Bureau of Ships:

Fiscal year 1942, \$43,907,135.

Fiscal year 1942-43, \$51,956,375.

Fiscal year 1943, \$64,050,351.

Fiscal year 1944, \$52,247,000.

Fiscal year 1945, \$118,474,000.

Fiscal year 1946, \$1,468,000,000.

Defense installations on merchant vessels, Navy, \$13,658,123.

Bureau of Ordnance:

Ordnance and ordnance stores, Navy:

Fiscal year 1944, \$551,226,542.

Fiscal year 1945, \$1,208,752,767.

Fiscal year 1946, \$2,575,225,500.

Bureau of Supplies and Accounts:

Pay, subsistence, and transportation, Navy, 1944, \$69,247,269.

Pay and subsistence of naval personnel, 1946, \$1,317,369,200.

Maintenance, Bureau of Supplies and Accounts, 1946, \$81,314,000.

Transportation of things, Navy, 1946, \$140,036,282.

Fuel, Navy, 1946, \$100,000,000.

57 Stat. 193.

58 Stat. 303.

55 Stat. 156.

56 Stat. 59.

56 Stat. 59.

57 Stat. 201.

58 Stat. 305.

59 Stat. 205.

57 Stat. 201.

58 Stat. 306.

59 Stat. 206.

57 Stat. 202; 59 Stat.
207.

Bureau of Medicine and Surgery:**Medical Department, Navy:**

Fiscal year 1944, \$14,017,195.

57 Stat. 205.

Fiscal year 1945, \$12,238,592.

58 Stat. 310.

Fiscal year 1946, \$30,000,000.

59 Stat. 210.

Bureau of Yards and Docks:**Maintenance, Bureau of Yards and Docks:**

Fiscal year 1944, \$2,431,496.

57 Stat. 205.

Fiscal year 1945, \$3,139,211.

58 Stat. 310.

Fiscal year 1946, \$5,000,000.

59 Stat. 211.

Public Works, Bureau of Yards and Docks, \$400,000,000, and the contract authorization for "Public Works, Bureau of Yards and Docks" available in the fiscal year 1946 is hereby reduced in the sum of \$1,248,510,540: *Provided*, That the rescission of \$400,000,000 of the appropriation shall not act to reduce further the contract authority: *Provided further*, That of this amount \$946,000,000 shall apply against advance base construction, material, and equipment: *Provided further*, That of the funds remaining available for advance base construction, material, and equipment, not to exceed \$6,000,000 shall be available toward reconstruction of the civilian economy of Guam.

59 Stat. 211.

Advance base construction, etc.
Post, p. 490.
Guam.

Bureau of Aeronautics:**Aviation, Navy:**

Fiscal year 1943, \$256,482,489.

56 Stat. 67.

Fiscal year 1943-44, \$193,929,557.

57 Stat. 206.

Fiscal year 1944, \$811,987,405.

57 Stat. 206.

Fiscal year 1945, \$1,468,753,102.

58 Stat. 312.

Fiscal year 1946, \$1,359,367,650, and subappropriations under this head are hereby decreased as follows: (1) New construction and procurement of aircraft and equipment, spare parts, and so forth, from "\$799,128,500" to "\$128,116,900", (2) replacement of navigational and radio equipment for aircraft in service, and so forth, from "\$168,808,200" to "\$44,934,000", and (3) maintenance, repair, and operation of aircraft factory, air stations, and so forth, from "\$1,431,840,800" to "\$800,374,950"; the subappropriation "continuing experiments and development work, and so forth," is hereby increased from "\$81,272,500" to "\$148,256,500"; and the unobligated portion of the contract authorization provided under this head is hereby repealed.

59 Stat. 212.

Marine Corps:**Pay, Marine Corps:**

Fiscal year 1944, \$40,521,480.

57 Stat. 207.

Fiscal year 1945, \$10,000,000.

58 Stat. 312.

Fiscal year 1946, \$69,913,260.

59 Stat. 213.

Pay of civil force, Offices of Commandant of Marine Corps and Director of Personnel:

Fiscal year 1944, \$358.

57 Stat. 208; 58 Stat. 313.

Fiscal year 1945, \$174.

Pay of civil force, Office of Paymaster General, Marine Corps:

Fiscal year 1944, \$330.

Fiscal year 1945, \$118.

Pay of civil force, Office of Quartermaster General, Marine Corps:

Fiscal year 1944, \$844.

Fiscal year 1945, \$1,059.

General expenses, Marine Corps:

Fiscal year 1944, \$79,787,482.

57 Stat. 208.

Fiscal year 1945, \$56,737,554.

58 Stat. 313.

Fiscal year 1946, \$307,750,000.

59 Stat. 214.

Increase and replacement of naval vessels:

Increase and replacement of naval vessels, construction and machinery, \$732,104,151.

59 Stat. 215.

Increase and replacement of naval vessels, armor, armament and ammunition, \$276,876,967.

New vessels.
Post, p. 227.

Increase and replacement of naval vessels, emergency construction, \$38,385,489: *Provided*, That the balances remaining of appropriations under "Increase and replacement of naval vessels" shall not be available for the period of the fiscal year 1946 subsequent to October 16, 1945, for beginning the construction of any new vessels, except, not to exceed \$24,100,000 may be available during the fiscal year 1946 against the construction of five advanced type combatant vessels and seventeen minor craft.

59 Stat. 215.

Repair facilities, Navy:

Repair facilities, Navy, \$38,266,050, and the contract authorization for "Repair facilities, Navy", available in the fiscal year 1946 is hereby reduced in the sum of \$27,562,131.

57 Stat. 210; 58 Stat.
315; 59 Stat. 215.

Coast Guard:

Salaries, Office of Commandant, United States Coast Guard:

Fiscal year 1944, \$219.

Fiscal year 1945, \$133,293.

Pay and allowances, Coast Guard:

Fiscal year 1944, \$35,006,326.

Fiscal year 1945, \$8,658,922.

Fiscal year 1946, \$80,000,000.

General expenses, Coast Guard:

Fiscal year 1944, \$631,865.

Fiscal year 1945, \$1,289,896.

Fiscal year 1946, \$20,000,000.

Civilian employees, Coast Guard:

Fiscal year 1944, \$109,654.

Fiscal year 1945, \$200,633.

Establishing and improving aids to navigation, Coast Guard, \$346,000.

Acquisition of vessels and shore facilities, Coast Guard, \$2,741,000.

Retired pay, former Lighthouse Service, Coast Guard:

Fiscal year 1944, \$73,320.

Fiscal year 1945, \$48,109.

Salaries, Merchant Marine Inspection, Coast Guard, 1945, \$25,536.

Salaries and expenses, Merchant Marine Inspection, Coast Guard:

Fiscal year 1944, \$899,401.

Fiscal year 1945, \$373,270.

Emergency construction, vessels and shore facilities, Coast Guard (Navy), \$231,000.

Special projects, vessels, Coast Guard (Navy), \$127,000.

Special projects, aids to navigation, Lighthouse Service, Coast Guard (Navy), \$28,699.

Special projects, aids to navigation, Coast Guard (Navy), \$556,000.

57 Stat. 213; 58 Stat.
318.
Post, pp. 227, 626, 627.

NAVY DEPARTMENT

Salaries:

Salaries, Office of Secretary of the Navy:

Fiscal year 1944, \$78.

Fiscal year 1945, \$5,330.

Salaries, General Board, Navy Department:

Fiscal year 1944, \$3,826.

Fiscal year 1945, \$8,775.

Salaries, Naval Examining and Retiring Boards:

Fiscal year 1944, \$1,536.

Fiscal year 1945, \$5,662.

Salaries, Office of Naval Records and Library:

Fiscal year 1944, \$879.

Fiscal year 1945, \$7,035.

Salaries, Office of Judge Advocate General, Navy:	
Fiscal year 1944, \$5,312.	
Fiscal year 1945, \$36.	
Salaries, Office of Chief of Naval Operations:	
Fiscal year 1944, \$787.	
Fiscal year 1945, \$731.	
Salaries, Board of Inspection and Survey, Navy Department:	
Fiscal year 1944, \$3,452.	
Fiscal year 1945, \$2,893.	
Salaries, Office of Director of Naval Communications:	
Fiscal year 1944, \$125.	
Fiscal year 1945, \$18,647.	
Salaries, Office of Naval Intelligence:	
Fiscal year 1944, \$2,932.	
Fiscal year 1945, \$923.	
Salaries, Hydrographic Office:	
Fiscal year 1944, \$176,696.	
Fiscal year 1945, \$16,357.	
Salaries, Naval Observatory:	
Fiscal year 1944, \$38.	
Fiscal year 1945, \$1,117.	
Salaries, Bureau of Ships:	
Fiscal year 1944, \$2.	
Salaries, Bureau of Ordnance:	
Fiscal year 1944, \$322.	
Fiscal year 1945, \$151.	
Salaries, Bureau of Supplies and Accounts:	
Fiscal year 1944, \$2,992.	
Fiscal year 1945, \$2,414.	
Salaries, Bureau of Medicine and Surgery:	
Fiscal year 1944, \$4,578.	
Fiscal year 1945, \$2,854.	
Salaries, Bureau of Yards and Docks:	
Fiscal year 1944, \$94.	
Salaries, Bureau of Aeronautics:	
Fiscal year 1944, \$46.	
Contingent expenses:	
Contingent expenses, Navy Department, 1944, \$10,322.	57 Stat. 213.
Contingent expenses, Navy Department, 1946:	59 Stat. 218.
The amount which may be transferred to this appropriation from other appropriations contained in the Naval Appropriation Act, 1946, is hereby decreased from "\$5,500,000" to "\$4,500,000".	59 Stat. 201.
Printing and binding, Navy Department, 1946:	59 Stat. 218.
The amount which may be transferred to this appropriation from other appropriations contained in the Naval Appropriation Act, 1946, is hereby decreased from "\$18,500,000" to "\$10,500,000".	59 Stat. 201.
Contingent and miscellaneous expenses, Hydrographic Office:	
Fiscal year 1944, \$289,839.	57 Stat. 214.
Fiscal year 1945, \$94,942.	58 Stat. 318.
Fiscal year 1946, \$413,000.	59 Stat. 219.
Contingent and miscellaneous expenses, Naval Observatory:	
Fiscal year 1944, \$572.	57 Stat. 214.
Fiscal year 1945, \$40.	58 Stat. 319.

GENERAL PROVISIONS

Provisions of law prohibiting the payment of compensation to any person not a citizen of the United States shall not apply to personnel under the Naval Establishment during the fiscal year ending June 30, 1946.

Payments to non-citizens.

Issuance of clothing.
37 U. S. C., Supp.
V, § 110.
Post, p. 858.

Notwithstanding the provisions of section 10 of the Pay Readjustment Act of 1942 (56 Stat. 364), the Secretary of the Navy is authorized and directed to issue in kind one dress blue uniform and overcoat to each enlisted man in the naval service upon his return to the United States from sea and foreign shore duty for separation from the naval service upon the sworn statement of such enlisted man that these articles of clothing are not now in his possession by reason of compliance with orders of higher naval authority or other exigencies of the service beyond his control and that no claim for reimbursement will be filed for the value of such articles so replaced: *Provided*, That the value of such articles of clothing shall be charged to the clothing and small-stores fund. The authority contained herein shall terminate on September 30, 1946.

Naval Reserve personnel.

Personnel of the Naval Reserve, not qualified for sea duty, will, upon their application, be placed on inactive duty if surplus to requirements.

Transfer of dependents and household effects.

The dependents and household effects of such civilian and naval personnel of the Naval Establishment (without regard to rank or grade) on duty at locations outside the continental limits of the United States, or in Alaska, as may be determined upon by the Secretary of the Navy, may prior or subsequent to the issuance of orders for the relief of such personnel from their stations, or subsequent to the discharge or release of such personnel from active service, be moved (including packing and unpacking of household effects) from such locations outside the continental limits of the United States, or in Alaska, to such locations as may be designated by such personnel, or dependents concerned, by the use of either Government or commercial means of transportation, and later from such locations to the duty station to which such personnel may be ordered, and current appropriations of the Navy Establishment available for travel and transportation may be used for this purpose. In lieu of the transportation in kind authorized for dependents, the Secretary of the Navy may authorize the payment in money of amounts equal to the commercial transportation costs (including taxes if paid), for the whole or such part of the travel for which transportation in kind is not furnished when such travel shall have been completed.

Payment in lieu of transportation in kind.

Total.

In all, title III, \$14,370,159,964.

GENERAL PROVISION

Demobilization.

The officer and enlisted personnel strengths of the Army, Navy, Marine Corps, and Coast Guard shall be demobilized at a rate not less than would be necessary to keep within the amounts available for their pay in consequence of the provisions of this Act, unless the President otherwise shall direct.

Flight pay, Army and Navy.

Effective December 1, 1945, no military or naval personnel shall receive during the remainder of the current fiscal year aviation pay unless the person affected is assigned to duty on air activities prescribed by the Secretary of War or the Secretary of the Navy as requiring regular and frequent participation in aerial flights, or is required to participate regularly and frequently in aerial flights in order to continue his fitness for his primary technical skill: *Provided*, That in addition, on or before January 1, annually, the Secretaries of War and Navy, respectively, shall certify to the Congress by rank and age group the number of such officers above the rank of major of the Army or lieutenant commander of the Navy, with the average monthly flight pay authorized by law to be paid to such officers during the six-month period preceding the date of the report: *Provided further*, That the Secretary of War and the Secretary of the Navy shall on or before February 28, 1946, submit to the Congress a

Recommendation to Congress.

joint recommendation for revision of the Pay Readjustment Act of 1942, as amended, including but not restricted to recommendations with respect to increases authorized for flying pay, parachute pay, glider pay, submarine pay, and similar special pay and allowances.

SEC. 301. This Act may be cited as the "First Supplemental Surplus Appropriation Rescission Act, 1946".

Approved February 18, 1946.

56 Stat. 359.
37 U. S. C., Supp. V, §§ 101-120.
Ante, p. 20; *post*, pp. 343 *et seq.*, 858 *et seq.*, 868.

Short title.

[CHAPTER 31]

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law Numbered 118, Seventy-eighth Congress, as amended by Public Law Numbered 276, Seventy-eighth Congress, is amended by striking out all of the first sentence therein following the words "marketing years 1944-45, 1945-46" and inserting in lieu thereof the following: "1946-47 and 1947-48 shall be proclaimed and the national marketing quota proclaimed by the Secretary and the State and farm acreage allotments established pursuant to the proclaimed national quota for burley tobacco for the 1946-47 marketing year shall be reduced uniformly so as to make available a supply of burley tobacco for such marketing year not less than the reserve supply level: *Provided*, That no allotment of one acre or less shall be reduced by more than 10 per centum."

The amendment made by this section shall not apply to flue-cured tobacco for the 1946-47 marketing year.

SEC. 2. The first sentence of section 314 (a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended to read as follows: "The marketing of any kind of tobacco in excess of the marketing quota for the farm on which the tobacco is produced shall be subject to a penalty of 40 per centum of the average market price (calculated to the nearest whole cent) for such kind of tobacco for the immediately preceding marketing year."

The amendment made by this section shall become effective July 1, 1946, except that in the case of flue-cured tobacco such amendment shall become effective May 1, 1947.

Approved February 19, 1946.

February 19, 1946
[H. R. 5135]
[Public Law 302]

Burley and flue-cured tobacco.
Marketing quotas.
57 Stat. 387; 58 Stat. 136.
7 U. S. C., Supp. V, § 1313 note.

Excess marketing.
54 Stat. 393.
7 U. S. C. § 1314 (a).

Effective dates.

[CHAPTER 32]

AN ACT

To amend section 409 of the Interstate Commerce Act, with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 409 of the Interstate Commerce Act, as amended, is amended to read as follows:

"UTILIZATION BY FREIGHT FORWARDERS OF SERVICES OF COMMON CARRIERS BY MOTOR VEHICLE

"SEC. 409. (a) (1) The Commission shall at the earliest practicable time determine and by order prescribe the reasonable, just, and equitable terms and conditions, including terms and conditions governing the determination and fixing of the compensation to be paid or observed, under which freight forwarders subject to this part may utilize the services and instrumentalities of common carriers

February 20, 1946
[H. R. 2764]
[Public Law 303]

Freight forwarders.
56 Stat. 290.
49 U. S. C., Supp. V, § 1009.

Terms and conditions.

49 Stat. 543.
49 U. S. C. §§ 301-
327; Supp. V, § 302 et
seq.

Line haul transporta-
tion.

by motor vehicle subject to part II of this Act, under agreements between such freight forwarders and common carriers (which agreements may be required by the Commission to be subject to its approval, disapproval, or modification), in such manner as will be in furtherance of the national transportation policy declared in this Act: *Provided*, That in the case of line haul transportation between concentration points and break-bulk points in truckload lots, such terms and conditions shall not permit payment to common carriers by motor vehicle of compensation which is lower than would be received under rates or charges established under part II of this Act, except to the extent that such lower compensation is found by the Commission to be justified by reason of the conditions under which the services and instrumentalities of common carriers by motor vehicle are utilized by freight forwarders and the character of the services performed by common carriers by motor vehicle and by freight forwarders.

Infra.

“(2) The Commission, when it has prescribed such terms and conditions, shall by order specify a reasonable time after which subsection (b) of this section shall no longer be effective; and the order or orders issued under this paragraph may, if the Commission deems it to be in furtherance of the national transportation policy declared in this Act, provide for the termination of the effectiveness of such subsection (b) at different times in different territories or sections.

Investigation.

“(3) The Commission is authorized, upon complaint or upon its own initiative without complaint, to investigate and determine whether, in order to carry out the purposes of paragraph (1) of this subsection, any terms and conditions prescribed thereunder should be modified or rescinded or whether additional terms and conditions should be prescribed thereunder, and, after such investigation, the Commission shall by order modify or rescind any such terms and conditions, or prescribe additional terms and conditions, to the extent it finds such action necessary or appropriate to carry out the purposes of such paragraph.

Hearings.

“(4) No order shall be entered under this subsection except after interested parties have been afforded reasonable opportunity for hearing.

Operation under
joint rates or charges.

49 Stat. 543.
49 U. S. C. §§ 301-
327; Supp. V, § 302 et
seq.

“(b) Subject to the authority of the Commission to terminate by order the effectiveness of this subsection, as provided in subsection (a) (2), nothing in this part or in part II of this Act shall be construed to make it unlawful for freight forwarders subject to this part and common carriers by motor vehicle subject to part II of this Act to operate under joint rates or charges. The provisions of part II of this Act shall apply with respect to such joint rates or charges and the divisions thereof, and with respect to the parties thereto, as though such joint rates or charges had been established under the provisions of such part II, and the provisions of this part shall not apply with respect thereto: *Provided, however*, That—

Tariffs filed.

“(1) Joint rates or charges and concurrences contained in tariffs heretofore filed with the Commission shall become effective, without notice, as of the date of enactment of this part, unless the parties thereto file notice with the Commission, within thirty days after the date of enactment of this part, canceling such joint rates or charges and concurrences;

Tariffs rejected.

“(2) Joint rates or charges and concurrences, contained in tariffs heretofore offered for filing with the Commission, but rejected by the Commission, shall become effective, without notice, as of the date of enactment of this part, if filed with the Commission within thirty days after the date of enactment of this part;

Joint rates in effect
July 1, 1941.

“(3) Joint rates or charges and concurrences, under which freight forwarders and common carriers by motor vehicle subject to part II

of this Act were actually operating on July 1, 1941, may become effective, without notice, as of the date of enactment of this part, if tariffs covering such joint rates or charges and concurrences are filed with the Commission within thirty days after the date of enactment of this part;

“(4) No new or additional joint rate or charge may be established under authority of this subsection for service from any point of origin to any point of destination with respect to any particular commodity or class of traffic unless at least one rate or charge for service from such point of origin to such point of destination with respect to such commodity or class of traffic, established by an individual freight forwarder or by a freight forwarder jointly with a common carrier by motor vehicle, is already lawfully in effect; but for purposes of this paragraph the making of a change in a joint rate or charge which has been established, or which has become effective pursuant to this subsection, shall not be deemed to constitute the establishment of a new or additional joint rate or charge;

“(5) Any joint rate or charge or concurrence established, or which becomes effective pursuant to this subsection, may at any time be canceled or withdrawn in accordance with the provisions of part II of this Act;

“(6) The filing of tariffs under paragraph (2) or (3) of this subsection may be in accordance with the requirements with respect to the form and manner of filing tariffs in effect under part II of this Act prior to December 31, 1936;

“(7) For the purpose of computing the period of thirty days prescribed in paragraph (1), (2), or (3) of this subsection, the date of mailing by registered mail shall be deemed the date of filing; and

“(8) As used in this subsection the term ‘rates or charges’ includes classifications, rules, and regulations with respect thereto.”

Approved February 20, 1946.

New or additional joint rates, restriction.

Changes.

Cancellation or withdrawal.

Filing of tariffs.

“Rates or charges.”

[CHAPTER 33]

AN ACT

To declare a national policy on employment, production, and purchasing power, and for other purposes.

February 20, 1946
[S. 380]
[Public Law 304]

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

SHORT TITLE

SECTION 1. This Act may be cited as the “Employment Act of 1946”. Post, pp. 838, 912, 913.

DECLARATION OF POLICY

SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

ECONOMIC REPORT OF THE PRESIDENT

Transmittal to Congress; contents.
Post, p. 838.

SEC. 3. (a) The President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1947) an economic report (hereinafter called the "Economic Report") setting forth (1) the levels of employment, production, and purchasing power obtaining in the United States and such levels needed to carry out the policy declared in section 2; (2) current and foreseeable trends in the levels of employment, production, and purchasing power; (3) a review of the economic program of the Federal Government and a review of economic conditions affecting employment in the United States or any considerable portion thereof during the preceding year and of their effect upon employment, production, and purchasing power; and (4) a program for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

Supplementary reports.

(b) The President may transmit from time to time to the Congress reports supplementary to the Economic Report, each of which shall include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy declared in section 2.

Reference.

(c) The Economic Report, and all supplementary reports transmitted under subsection (b), shall, when transmitted to Congress, be referred to the joint committee created by section 5.

COUNCIL OF ECONOMIC ADVISERS TO THE PRESIDENT

Creation, composition, etc.

SEC. 4. (a) There is hereby created in the Executive Office of the President a Council of Economic Advisers (hereinafter called the "Council"). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret economic developments, to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend national economic policy to promote employment, production, and purchasing power under free competitive enterprise. Each member of the Council shall receive compensation at the rate of \$15,000 per annum. The President shall designate one of the members of the Council as chairman and one as vice chairman, who shall act as chairman in the absence of the chairman.

Specialists, experts, and other employees.

(b) The Council is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for the carrying out of its functions under this Act, without regard to the civil-service laws and the Classification Act of 1923, as amended, and is authorized, subject to the civil-service laws, to employ such other officers and employees as may be necessary for carrying out its functions under this Act, and fix their compensation in accordance with the Classification Act of 1923, as amended.

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 et seq.
Post, pp. 216, 219.

Duty and function of Council.

(c) It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Economic Report;

(2) to gather timely and authoritative information concerning economic developments and economic trends, both current and prospective, to analyze and interpret such information in the light of the policy declared in section 2 for the purpose of determining whether such developments and trends are interfering, or are likely to interfere, with the achievement of such policy, and to compile and submit to the President studies relating to such developments and trends;

(3) to appraise the various programs and activities of the Federal Government in the light of the policy declared in section 2 for the purpose of determining the extent to which such programs and activities are contributing, and the extent to which they are not contributing, to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national economic policies to foster and promote free competitive enterprise, to avoid economic fluctuations or to diminish the effects thereof, and to maintain employment, production, and purchasing power;

(5) to make and furnish such studies, reports thereon, and recommendations with respect to matters of Federal economic policy and legislation as the President may request.

(d) The Council shall make an annual report to the President in December of each year.

(e) In exercising its powers, functions and duties under this Act—

(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, consumers, State and local governments, and other groups, as it deems advisable;

(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of other Government agencies as well as of private research agencies, in order that duplication of effort and expense may be avoided.

(f) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated (except for the salaries of the members and the salaries of officers and employees of the Council) such sums as may be necessary. For the salaries of the members and the salaries of officers and employees of the Council, there is authorized to be appropriated not exceeding \$345,000 in the aggregate for each fiscal year.

Annual report.

Advisory committees; consultations.

Services, etc., of other agencies.

Appropriations authorized.
Post, p. 913.

JOINT COMMITTEE ON THE ECONOMIC REPORT

SEC. 5. (a) There is hereby established a Joint Committee on the Economic Report, to be composed of seven Members of the Senate, to be appointed by the President of the Senate, and seven Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall as nearly as may be feasible reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

(b) It shall be the function of the joint committee—

(1) to make a continuing study of matters relating to the Economic Report;

(2) to study means of coordinating programs in order to further the policy of this Act; and

(3) as a guide to the several committees of the Congress dealing with legislation relating to the Economic Report, not later than May 1 of each year (beginning with the year 1947) to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the Economic Report, and from time to time to make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the

Composition.

Party representation.

Functions.

Reports.
Post, p. 838.

Vacancies.

case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

Hearings; powers.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The cost of stenographic services to report hearings of the joint committee, or any subcommittee thereof, shall not exceed 25 cents per hundred words. The joint committee is authorized to utilize the services, information, and facilities of the departments and establishments of the Government, and also of private research agencies.

Appropriation authorized.
Post, p. 912.

(e) There is hereby authorized to be appropriated for each fiscal year, the sum of \$50,000, or so much thereof as may be necessary, to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman.

Approved February 20, 1946.

[CHAPTER 34]

AN ACT

February 21, 1946

[S. 1405]

[Public Law 306]

To authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes.

Whereas the wars in which the United States has been engaged are now in the process of being brought to a successful close with the probability that the services of a number of officers of the Navy and Marine Corps, particularly some of those in the higher ranks, cannot be utilized: Therefore

Retirement boards.
Regular Navy and
Marine Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy shall, whenever he deems it advisable, appoint boards of officers to consider and recommend for retirement officers of the line and staff corps of the Regular Navy serving in the ranks of rear admiral and commodore and officers of the Regular Marine Corps serving in the ranks of major general and brigadier general.

Composition:

SEC. 2. (a) The boards to consider and recommend for retirement officers of the Navy serving in the ranks of rear admiral and commodore shall consist of not less than five officers of the Regular Navy serving in ranks above that of rear admiral except that officers of the staff corps of the rank of rear admiral may be appointed as members of any board appointed for the consideration and recommendation of officers of the staff corps for retirement.

(b) The boards to consider and recommend for retirement officers of the Marine Corps serving in the rank of major general shall consist, so far as practicable, of three line officers of the Regular Marine Corps serving in ranks above that of major general. If there be an insufficient number of such officers available, the deficiency shall be supplied by the appointment to the board of officers of the line of the Regular Navy serving in ranks above that of rear admiral.

(c) The boards to consider and recommend for retirement officers of the Marine Corps serving in the rank of brigadier general shall consist, so far as practicable, of five line officers of the Regular Marine Corps serving in ranks above that of brigadier general. If there be an insufficient number of such officers available, the deficiency shall be supplied by the appointment to the board of officers of the line of the Regular Navy serving in the rank of rear admiral or above.

SEC. 3. The Secretary of the Navy is authorized to convene boards of officers of the Regular Navy and Marine Corps to consider and recommend for retirement officers of the Regular Navy and Marine Corps serving in the ranks of captain and below in the Navy, and colonel and below in the Marine Corps, within such categories or groups of such officers as shall be specified in the precepts convening such boards. The members of such boards shall be senior in permanent rank to the permanent rank of any officer under consideration.

Post, p. 29.

SEC. 4. The recommendations of each board convened pursuant to this Act shall be submitted by the Secretary of the Navy with his recommendations to the President for approval or disapproval, in whole or in part.

Recommendations.

SEC. 5. Each officer recommended for retirement pursuant to this Act shall, if such recommendation be approved by the President, be placed on the retired list on the first day of such month as may be set by the Secretary of the Navy but not later than the first day of the seventh month after the date of approval by the President.

Placement on retired list.

SEC. 6. When any officer of the Regular Navy or the Regular Marine Corps or the Reserve Components thereof has completed more than twenty years of active service in the Navy, Marine Corps, or Coast Guard, or the Reserve Components thereof, including active duty for training, at least ten years of which shall have been active commissioned service, he may at any time thereafter, upon his own application, in the discretion of the President, be placed upon the retired list on the first day of such month as the President may designate.

Retirement after 20 years of service.

SEC. 7. (a) Each officer retired pursuant to the foregoing sections of this Act shall be placed on the retired list with the highest rank, permanent or temporary, held by him while on active duty, if his performance of duty in such rank as determined by the Secretary of the Navy has been satisfactory. In any case where, as determined by the Secretary of the Navy, any such officer has not performed satisfactory duty in the highest rank held by him while on active duty, he shall be placed on the retired list with the next lower rank in which he has served but not lower than his permanent rank. Officers retired pursuant to the foregoing sections of this Act shall receive retired pay at the rate of $2\frac{1}{2}$ per centum of the active-duty pay with longevity credit of the rank with which retired, multiplied by the number of years of service for which entitled to credit in the computation of their pay while on active duty, not to exceed a total of 75 per centum of said active-duty pay: *Provided*, That a fractional year of six months or more shall be considered a full year in computing the number of years service by which the rate of $2\frac{1}{2}$ per centum is multiplied: *Provided further*, That officers whose computation of pay on the active list is not based upon years of service shall receive as retired pay 75 per centum of their active duty pay.

Rank and pay.

Fractional year.

(b) Nothing within this section shall prevent any officer from being placed on the retired list with the highest rank and with the highest retired pay to which he might be entitled under other provisions of law.

(c) The highest rank in which an officer served on or prior to June 30, 1946, or if a prisoner of war at any time during World War II, the highest rank to which an officer was temporarily appointed pursuant to the provisions of the Act approved July 24, 1941 (55 Stat. 603), is the highest rank in which the officer may be retired and upon which his retired pay may be based pursuant to this section, unless under provisions of law other than those contained within this section he is entitled to a higher rank on the retired list or to a higher retired pay, or unless at the time of retirement he is serving in a higher permanent grade or rank.

34 U. S. C., Supp. V,
§§ 350-350j.
Post, pp. 28, 955.

34 U. S. C., Supp. V,
§ 3501.

Termination of temporary status.

Retired list and Reserve Components.

55 Stat. 604.
34 U. S. C., Supp.
V, § 350g.
Post, p. 995.

Advancement upon retirement.

Prior retirement.

Recall to active duty, etc.

Highest rank.

50 U. S. C., Supp. V,
app. § 812.

Regular Navy and Marine Corps.
Rank below fleet admiral.

SEC. 8. (a) Section 10 of the Act approved July 24, 1941 (55 Stat. 605), is hereby amended to read as follows:

"SEC. 10. (a) Personnel appointed or advanced under the authority of this Act may be continued in their temporary status during such period as the President may determine, but not longer than six months after the termination of war or national emergency or, in the case of reserve and retired personnel, not longer than the period herein specified or the date of release from active duty whichever is the earlier and in no case longer than six months after the termination of war or national emergency. Upon the termination of their temporary status such personnel on the active list of the Regular Navy and Marine Corps shall assume their permanent status and those of the retired list and of the respective Reserve Components, including the Fleet Reserve and Fleet Marine Corps Reserve, shall have, when returned to an inactive status, the highest grade and rank in which, as determined by the Secretary of the Navy, they served satisfactorily under a temporary appointment, unless entitled to the same or higher grade and rank pursuant to section 8 of this Act, as now or hereafter amended.

"(b) (1) Personnel of the retired list returned to an inactive status with higher rank pursuant to subsection (a) shall receive retired pay computed at the rate prescribed by law and applicable in each individual case but based upon such higher rank.

"(2) Personnel of the active list of the Regular Navy and Marine Corps and personnel of the Fleet Reserve and Fleet Marine Corps Reserve appointed or advanced under the authority of this Act shall, when subsequently retired, if not otherwise entitled to the same or higher grade and rank or retired pay, be advanced to the highest grade and rank in which, as determined by the Secretary of the Navy, they served satisfactorily under temporary appointments, and shall receive retired pay computed at the rate prescribed by law and applicable in each individual case but based upon such higher rank.

"(c) Personnel of the classes described above who have been retired or released from active duty prior to the date of this amendment shall be entitled to the benefits of this section from the date of retirement or release from active duty, as the case may be.

"(d) Personnel accorded higher rank pursuant to this section shall, if subsequently assigned active duty, be recalled to active duty in the grades, ranks or ratings, with which they were retired or returned to an inactive status unless under other provisions of law they are entitled to higher grades, ranks, or ratings.

"(e) The highest rank in which an officer served on or prior to June 30, 1946, or if a prisoner of war at any time during World War II the highest rank to which an officer was temporarily appointed pursuant to the provisions of this Act, is the highest rank in which the officer may be retired and upon which his retired pay may be based pursuant to this section, unless under provisions of law other than those contained within this section he is entitled to a higher rank on the retired list or to a higher retired pay, or unless at the time of retirement he is serving in a higher permanent grade or rank."

(b) Nothing contained in this section shall be construed as altering or amending any provision of section 7 of the Act approved June 30, 1942 (56 Stat. 465).

SEC. 9. When any officer of the Regular Navy or Marine Corps serving in a rank below that of fleet admiral has attained the age of sixty-two years, he shall be placed upon the retired list by the President with the highest rank, permanent or temporary, held by

him while on active duty and with retired pay at the rate of 2½ per centum of the active-duty pay with longevity credit of the rank with which retired, multiplied by the number of years of service for which entitled to credit in the computation of his pay while on active duty, not to exceed a total of 75 per centum of said active-duty pay: *Provided*, That a fractional year of six months or more shall be considered a full year in computing the number of years of service by which the rate of 2½ per centum is multiplied: *Provided further*, That an officer whose computation of pay on the active list is not based upon years of service shall receive as retired pay 75 per centum of his active duty pay: *Provided, however*, That the President may, in his discretion, defer placing any such officer on the retired list for the length of time he deems advisable but not later than the date upon which such officer attains the age of sixty-four years, except that not more than ten officers whose retirement is so deferred shall be on the active list at any one time: *And provided further*, That no officer of the Navy or Marine Corps shall be placed upon the retired list pursuant to this section until the first day of the sixth month following the date of approval of this Act or until the date upon which he would be retired for age pursuant to law existing prior to the date of approval of this Act, whichever may be the earlier.

Retired pay.

Fractional year.

Deferment by President.

Time restriction.

SEC. 10. The provisions of this Act, except as may be necessary to adapt the same thereto, shall apply to personnel of the Coast Guard in relationship to the Coast Guard in the same manner and to the same extent as they apply to personnel of the Navy in relationship to the Navy: *Provided*, That wherever authority is given to the Secretary of the Navy, similar authority shall be deemed given to the Secretary of the Treasury to be exercised with respect to the Coast Guard at such time or times as the Coast Guard shall be operating under the Treasury Department: *Provided further*, That the boards to consider and recommend for retirement officers of the Coast Guard serving in the ranks of rear admiral and commodore shall be composed of senior Coast Guard officers if available or otherwise as the Secretary shall determine.

Coast Guard.

SEC. 11. The following Acts and parts of Acts are hereby repealed:

Repeals.

(a) Section 13 and subsection (e) of section 15 of the Act of June 23, 1938 (52 Stat. 951 and 952).

34 U. S. C. §§ 398a, 687.

(b) Section 1444 of the Revised Statutes of the United States as amended by that portion of the Act of August 29, 1916 (39 Stat. 579), reading: "except as herein otherwise provided, hereafter the age for retirement of all officers of the Navy shall be sixty-four years instead of sixty-two years as now prescribed by law"; section 2 of the Act of January 28, 1929 (ch. 109, 45 Stat. 1142); and section 6 of the Act of June 30, 1942 (56 Stat. 465).

34 U. S. C. § 384.

34 U. S. C. § 384; 50 U. S. C., Supp. V, app. § 811.

(c) Subsection 12 (e) of the Act of June 23, 1938 (52 Stat. 950).

34 U. S. C. § 404 (e).

SEC. 12. The provisions of section 3 of this Act shall terminate on June 30 of the fiscal year following that in which the present war shall be declared to be ended by proclamation of the President or by an Act or resolution of Congress.

Ante, p. 27.

Approved February 21, 1946.

[CHAPTER 35]

AN ACT

February 25, 1946
[S. 50]
[Public Law 306]

To permit settlement of accounts of deceased officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates.

Settlement of accounts of deceased personnel.
Navy, Marine Corps, and Coast Guard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, hereafter, in the settlement of the accounts of deceased officers or enlisted persons of the Navy, Marine Corps, and Coast Guard, where no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow, widower, or legal heirs in the following order of precedence: First, to the widow or widower; second, if decedent left no widow or widower, or the widow or widower be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow, widower, or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, widower, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this Act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers.

Funeral expenses.

Public Health Service.
58 Stat. 711.
42 U. S. C., Supp. V, § 225 (a).
Repeal.

SEC. 2. Section 507 (a) of the Public Health Service Act (58 Stat. 682) is amended by striking out the words "the amount due the decedent's estate is less than \$1,000 and".

34 U. S. C., Supp. V, § 941.
Army.

SEC. 3. The following statutes or parts of statutes are hereby repealed: The last paragraph under the heading "Back Pay and Bounty" in chapter 200, Thirty-fifth Statutes at Large, 317 (which paragraph is the fourth paragraph on page 373), as amended.

10 U. S. C., Supp. V, § 868.

SEC. 4. The paragraph of the Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes", approved June 30, 1906 (34 Stat. 750), as amended by the Act of December 7, 1944 (58 Stat. 795), which related to the settlement of accounts of deceased officers and enlisted men of the Army, is amended to read as follows:

Funeral expenses.

"Hereafter in the settlement of the accounts of deceased officers or enlisted persons of the Army, where no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow, widower, or legal heirs in the following order of precedence: First, to the widow or widower; second, if decedent left no widow or widower, or the widow or widower be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow, widower, or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, widower, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this Act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers."

Approved February 25, 1946.

[CHAPTER 36]

AN ACT

To exempt the Navy Department from statutory prohibitions against the employment of noncitizens, and for other purposes.

February 26, 1946
[S. 1618]
[Public Law 307]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That statutory provisions prohibiting the payment of compensation to any person not a citizen of the United States shall not apply to any person whose employment by the Navy Department shall be determined by the Secretary of the Navy to be necessary in order to obtain for the benefit of the military services of the United States special technical or scientific knowledge or experience possessed by such person and not readily obtainable from any citizen of the United States.

Navy Department.
Employment of
noncitizens.

Approved February 26, 1946.

[CHAPTER 48]

AN ACT

To provide for the barring of certain claims by the United States in connection with Government checks and warrants.

March 6, 1946
[H. R. 129]
[Public Law 308]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no proceeding in any court shall be brought by the United States or by any agency or official of the United States to enforce the liability of any endorser, transferor, or depositary, or financial agent, arising out of a forged or unauthorized signature or endorsement upon or alteration of any check, checks, warrant, or warrants issued by the Secretary of the Treasury, the Postmaster General, the Treasurer and Assistant Treasurers of the United States, or by disbursing officers and agents of the United States, unless such proceeding is commenced within six years after the presentation to the Treasurer of the United States or other drawee of such issued checks or warrants for payment of such check, checks, warrant, or warrants, or unless within that period written notice shall have been given by the United States or an agency thereof to such endorser, transferor, or depositary, or financial agent of a claim on account of such liability. Unless a court proceeding shall have been brought or such notice given within the period prescribed herein, any claim against such endorser, transferor, or depositary, or financial agent on account of such liability shall be forever barred: *Provided,* That in connection with any claim presented to the General Accounting Office within the time limitation prescribed by section 2 of the Act of June 22, 1926 (44 Stat. 76; U. S. C., title 31, sec. 122), the period within which such a proceeding may be brought or such notice given shall be extended by an additional one hundred and eighty days, and unless such notice shall be given or a court proceeding brought within such extended period any claim against such endorser, transferor, depositary, or financial agent on account of such liability shall be forever barred.

Altered, etc., U. S.
checks and warrants.
Barring of certain
claims.

Time extension.

44 Stat. 761.

SEC. 2. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of the Treasurer of the United States for the amount of any check, checks, warrant, or warrants with respect to which court proceedings shall have been barred pursuant to the provisions of this Act upon a showing that the barring of such proceedings did not result from any negligence on the part of the Treasurer of the United States in failing to give the notice required by the provision of section 1 of the Act.

Treasurer of U. S.
Credit in accounts.

SEC. 3. If any endorser, transferor, or depositary, or financial agent who is liable to any of the actions mentioned in this Act shall fraudulently conceal the cause of such action from the knowledge of

Action when facts
fraudulently con-
cealed.

the United States or any agency or official of the United States entitled to bring such action, the action may be commenced at any time within two years after the United States or any agency or official of the United States who is entitled to bring the same shall discover that the United States or any agency or official of the United States had such cause of action, although such action would be otherwise barred by the provisions of this Act.

Approved March 6, 1946.

[CHAPTER 49]

AN ACT

To credit certain service performed by members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service prior to reaching eighteen years of age for the purpose of computing longevity pay, or for other pay purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any service which would be creditable, for the purpose of computing longevity pay, or for other pay purposes, of members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, or Public Health Service, or of any of the reserve components thereof, except for the fact that such service was, or shall be, performed prior to the attainment of the age of eighteen years, shall, under such regulations as the head of the Department concerned may prescribe, be credited notwithstanding such fact.

SEC. 2. The provisions of this Act shall be effective from June 1, 1942, and shall cease to be in effect six months after termination of the present war.

Approved March 6, 1946.

[CHAPTER 50]

AN ACT

To amend the Act of August 17, 1937, as amended, relating to the establishment of the Cape Hatteras National Seashore Recreational Area in the State of North Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the first paragraph of section 4 of the Act approved August 17, 1937, as amended (U. S. C., 1940 edition, title 16, sec. 459a-2), relating to the establishment of the Cape Hatteras National Seashore Recreational Area in the State of North Carolina, is amended to read as follows: "Provided, That the Secretary of the Interior may, in his discretion, accept for administration, protection, and development by the National Park Service a minimum of ten thousand acres within the area described in section 1 of this Act, including the existing Cape Hatteras State Park, and, in addition, any other portions of the area described in section 1 hereof if the State of North Carolina shall agree that if all the lands described in section 1 of this Act shall not have been conveyed to the United States within fifteen years from August 17, 1937, the establishment of the aforesaid national seashore recreational area may, in the discretion of the said Secretary, be abandoned, and that, in the event of such abandonment, the said State will accept a reconveyance of title to all lands conveyed by it to the United States for said national seashore recreational area".

Approved March 6, 1946.

March 6, 1946
[H. R. 2240]

[Public Law 309]

Army, Navy, etc.
Service credit.

Effective period.

March 6, 1946
[H. R. 3028]

[Public Law 310]

Cape Hatteras National Seashore Recreational Area, N. C.
50 Stat. 670; 54 Stat. 702.

Acquisition of property.

50 Stat. 669.
16 U. S. C. § 459.

[CHAPTER 51]

AN ACT

To grant the title of public lands to the town of Safford, Arizona, for the use of its municipal water system.

March 6, 1946
[H. R. 3444]
[Public Law 311]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the conditions and reservations hereinafter specified, there is hereby granted, and the Secretary of the Interior is authorized and directed to patent, to the town of Safford, Arizona, for municipal water purposes all the right, title, and interest of the United States in and to that portion of the public lands of the United States which, after survey, will be described as follows: Southeast quarter northwest quarter; southwest quarter northeast quarter; west half southeast quarter, section 5, township 6 south, range 28 east, of the Gila and Salt River base and meridian in Graham County, Arizona, containing one hundred and sixty acres, more or less: *Provided*, That, prior to the issuance of such patent the said town of Safford shall pay the appraised value of such land, to be determined by the Secretary of the Interior, which shall not be less than \$1.25 per acre: *Provided further*, That such patent shall contain a reservation to the United States of all oil, coal, and other mineral deposits that may be found in the land, together with the right to prospect for, mine, and remove the same.

Safford, Ariz.
Lands for municipal water purposes.

Payment.

Mineral reservation

Approved March 6, 1946.

[CHAPTER 52]

AN ACT

To authorize municipalities and public utility districts in the Territory of Alaska to issue revenue bonds for public-works purposes.

March 6, 1946
[H. R. 3580]
[Public Law 312]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That municipal corporations and public utility districts in the Territory of Alaska, acting by and through their governing bodies, are hereby authorized without other authority than is herein contained to construct, reconstruct, improve, extend, better, repair, equip, or acquire public works of permanent character which may be operated upon a revenue-producing basis, and, upon majority vote of the qualified voters in such municipal corporation or public utility district, to issue bonds for such purposes payable solely from unpledged revenue of the public works for which such bonds are issued, including future additions and improvements. Such public works shall include but not be limited to water facilities, sewers and sewage-disposal facilities, heating plants and distribution facilities, gas plants and distribution facilities, electric power and light plants, and distribution facilities.

Alaska.
Issuance of bonds for public works.

SEC. 2. Bonds issued under this Act shall bear such date or dates, may be in such denominations, may mature in such amounts and at such time or times, may be payable at such place or places, may be sold at either public or private sale, may be redeemable (either with or without premium) or nonredeemable, may carry such registration privileges, and may be executed by such officers and in such manner as shall be prescribed by the governing body. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before delivery of such bonds, such signatures, whether manual or facsimile shall, nevertheless, be valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery. The bonds so issued shall bear interest at a rate to be fixed by the governing body, not to exceed, however, 6 per centum per annum, payable annually or semiannually, and shall be sold for not less than the principal amount thereof plus accrued interest.

Signatures.

Interest.

Covenants.

SEC. 3. Bonds issued hereunder or the proceedings of the governing body authorizing their issuance may contain such covenants as the governing body deems advisable concerning the rates or fees to be charged for services rendered by the public works, the revenue of which is pledged to the payment of such bonds; the deposit and use of the revenue of such public works; the issuance of additional bonds payable from revenue of such public works; and the rights of the bondholders in case of default in the payment of the principal or interest on the bonds, including the appointment of a receiver to operate such public works.

Powers and limitations.

SEC. 4. All Acts and parts of Acts in conflict herewith are repealed to the extent of such conflict. The powers conferred herein shall be in addition and supplemental to and the limitations imposed hereby shall not affect the powers conferred by any other law.

Approved March 6, 1946.

[CHAPTER 53]

AN ACT

March 6, 1946

[H. R. 3614]

[Public Law 313]

To ratify and confirm Act 33 of the Session Laws of Hawaii, 1945, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945.

Hawaii.
Issuance of revenue bonds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Act 33 of the Session Laws of Hawaii, 1945, amending chapter 118, Revised Laws of Hawaii, 1945, so as to extend the time within which revenue bonds may be issued and delivered under said chapter 118, is hereby ratified and confirmed and revenue bonds may be issued under and pursuant to the provisions of said chapter 118 of the Revised Laws of Hawaii, 1945, as amended by said Act 33, without the approval of the President of the United States and without the incurring of an indebtedness within the meaning of the Hawaiian Organic Act, and said chapter 118, as amended, shall constitute full authority for the issuance of said bonds without reference to and independent of the Hawaiian Organic Act.

Approved March 6, 1946.

31 Stat. 141,
45 U. S. C. § 493
note; Supp. V, § 508
et seq.

[CHAPTER 54]

AN ACT

March 6, 1946

[H. R. 3657]

[Public Law 314]

To ratify and confirm Act 32 of the Session Laws of Hawaii, 1945.

Hawaii.
Electric light and power.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Act 32 of the Session Laws of Hawaii, 1945, amending Act 101 of the Session Laws of Hawaii, 1921, relating to the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, by extending the franchise to the districts of Kau and South Kohala, in that county, is hereby ratified and confirmed.

Approved March 6, 1946.

[CHAPTER 55]

AN ACT

March 6, 1946

[H. R. 3730]

[Public Law 315]

Granting the consent of Congress to the State of West Virginia to construct, maintain, and operate a free highway bridge across the Monongahela River at or near Star City, West Virginia.

Bridge.
Monongahela River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of West Virginia to construct,

maintain, and operate a free highway bridge and approaches thereto across the Monongahela River at a point suitable to the interests of navigation, at or near Star City, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved March 6, 1946.

[CHAPTER 56]

AN ACT

To revive and reenact the Act entitled "An Act granting the consent of Congress to Rensselaer and Saratoga Counties, New York, or to either of them, or any agency representing said counties, to construct, maintain, and operate a free highway bridge across the Hudson River between the city of Mechanicville and Hemstreet Park in the town of Schaghticoke, New York", approved April 2, 1941.

March 6, 1946
[H. R. 3940]
[Public Law 316]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved April 2, 1941, granting the consent of Congress to the counties of Rensselaer and Saratoga, New York, or to either of them, or any agency representing said counties, to construct, maintain, and operate a free highway bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, between the city of Mechanicville and Hemstreet Park in the town of Schaghticoke, New York, at or near River Street in the city of Mechanicville, be, and is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Bridge.
Hudson River
55 Stat. 87.

Time limitation.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved March 6, 1946.

[CHAPTER 57]

AN ACT

To provide credit for past service to substitute employees of the postal service when appointed to regular positions; to extend annual and sick leave benefits to war service indefinite substitute employees; to fix the rate of compensation for temporary substitute rural carriers serving in the place of regular carriers in the armed forces; and for other purposes.

March 6, 1946
[H. R. 4652]
[Public Law 317]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon appointment to a regular position in the postal service, any employee who was a substitute in the postal service prior to July 1, 1945, shall receive credit for actual substitute service, including time served as a special-delivery messenger, performed prior to July 1, 1945, computed on the basis of one year for each unit of two thousand four hundred and forty-eight hours, but such credit shall not exceed four years. The credit thus computed shall be added to credit for actual substitute service, including time served as a special-delivery messenger, performed on and after July 1, 1945, computed on the basis of one year for each unit of two thousand and twenty-four hours, but credit for service performed on and after July 1, 1945, shall not exceed one year for each period of twelve months. Upon the appointment of any such employee to a regular position he shall be placed in the salary

Postal service.
Credit for substitute service.

Progression in grade.

grade to which he would have progressed had his original appointment been made to a regular position of grade 1, plus four grades, and the progression shall be computed on the basis of years of substitute service as herein provided. Any fractional part of a year's substitute service performed prior to July 1, 1945, and on and after that date, shall be included with regular service in determining eligibility for promotion to a higher grade following appointment to a regular position: *Provided*, That no substitute shall be appointed to a higher grade of a regular position than the highest grade to which employees may progress through annual promotions: *Provided further*, That upon appointment of a substitute employee to a regular position he shall not be placed in or promoted to a grade higher than the grade to which he would have progressed, including benefits authorized by section 23 of Public Law 134, approved July 6, 1945, had his original appointment been to a regular position of grade 1: *And provided further*, That employees shall not be allowed credit for service performed under temporary or war-service appointments except when such service is continuous to the date of appointment as a classified substitute or regular employee.

Fractional part of year.

Limitation.

59 Stat. 460.
39 U. S. C., Supp.
V, § 873.

Temporary appointments, etc., restriction.

Separation from field service for military duty.

Reinstatements.

Annual and sick leave.

Rural routes, temporary service.

Retroaction.

SEC. 2. Employees who have been separated or shall hereafter be separated from the field service of the Post Office Department for military duty shall be given credit under the provisions of section 1 of this Act for the periods or terms of substitute service immediately preceding their entry into military service and pro rata credit shall be given for the time engaged in military service. Employees who are reinstated to positions in the field service of the Post Office Department may be given credit for the periods or terms of continuous substitute and regular service immediately preceding their separation, but they shall not be placed in a grade higher than the grade to which they would have progressed in continuous service.

SEC. 3. War service indefinite substitute employees in the postal service, under such regulations as the Postmaster General may prescribe, shall be entitled to the same rights and benefits with respect to annual and sick leave that accrue to classified substitute employees in proportion to the time employed in a pay status.

SEC. 4. A temporary rural carrier serving a rural route during the vacancy created by the induction of the regular carrier into the armed forces of the United States shall be paid for such service at the same rates per mile per annum and the same rate of fixed compensation that would have been paid to the regular carrier, Sundays and holidays included except at the beginning or end of the period of employment.

SEC. 5. The provisions of this Act shall be retroactive to July 1, 1945.

Approved March 6, 1946.

[CHAPTER 58]

AN ACT

To amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928.

March 6, 1946

[H. R. 4932]

[Public Law 318]

Boulder Canyon Project Act, amendment.

Irrigable lands withdrawn from public entry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Boulder Canyon Project Act (45 Stat. 1057, 1063; 43 U. S. C., sec. 617h) is amended to read as follows:

"All lands of the United States found by the Secretary of the Interior to be practicable of irrigation and reclamation by the irrigation works authorized herein shall be withdrawn from public entry. Thereafter, at the direction of the Secretary of the Interior, such

lands shall be opened for entry, in tracts varying in size but not exceeding one hundred and sixty acres, as may be determined by the Secretary of the Interior, in accordance with the provisions of the reclamation law, and any such entryman shall pay an equitable share in accordance with the benefits received, as determined by the said Secretary, of the construction cost of said canal and appurtenant structures; said payments to be made in such installments and at such times as may be specified by the Secretary of the Interior, in accordance with the provisions of the said reclamation law, and shall constitute revenue from said project and be covered into the fund herein provided for: *Provided*, That all persons who served in the United States Army, Navy, Marine Corps, or Coast Guard during World War II, the War with Germany, the War with Spain, or in the suppression of the insurrection in the Philippines, and who have been honorably separated or discharged therefrom or placed in the Regular Army or Naval Reserve, shall have the exclusive preference right for a period of three months to enter said lands, subject, however, to the provisions of subsection (c) of section 4 of the Act of December 5, 1924 (43 Stat. 672, 702; 43 U. S. C., sec. 433); and also, so far as practicable, preference shall be given to said persons in all construction work authorized by this chapter: *Provided further*, That the above exclusive preference rights shall apply to veteran settlers on lands watered from the Gila canal in Arizona the same as to veteran settlers on lands watered from the All-American canal in California: *Provided further*, That in the event such an entry shall be relinquished at any time prior to actual residence upon the land by the entryman for not less than one year, lands so relinquished shall not be subject to entry for a period of sixty days after the filing and notation of the relinquishment in the local land office, and after the expiration of said sixty-day period such lands shall be open to entry, subject to the preference in this section provided."

Approved March 6, 1946.

[CHAPTER 80]

AN ACT

To eliminate the practice by subcontractors, under cost-plus-a-fixed-fee or cost reimbursable contracts of the United States, of paying fees or kick-backs, or of granting gifts or gratuities to employees of a cost-plus-a-fixed-fee or cost reimbursable prime contractors or of higher tier subcontractors for the purpose of securing the award of subcontracts or orders.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the payment of any fee, commission, or compensation of any kind or the granting of any gift or gratuity of any kind, either directly or indirectly, by or on behalf of a subcontractor, as hereinafter defined, (1) to any officer, partner, employee, or agent of a prime contractor holding a contract entered into by any department, agency, or establishment of the United States for the furnishing of supplies, materials, equipment or services of any kind whatsoever, on a cost-plus-a-fixed-fee or other cost reimbursable basis; or to any such prime contractor or (2) to any officer, partner, employee, or agent of a higher tier subcontractor holding a subcontract under the prime contract, or to any such subcontractor either as an inducement for the award of a subcontract or order from the prime contractor or any subcontractor, or as an acknowledgment of a subcontract or order previously awarded, is hereby prohibited. The amount of any such fee, commission, or compensation or the cost or expense of any such gratuity or gift, whether heretofore or hereafter paid or incurred by the subcontractor, shall not be charged, either directly or indirectly, as a part of the contract price charged by the

To be opened under reclamation law.

43 Stat. 701.
43 U. S. C. §§ 371-611; Supp. V, § 373 et seq.
Post, p. 867.
Payments.

Veterans' preference.

Qualifications.

43 U. S. C., Supp. V, § 433 note.

Applicability of rights.

Relinquishment.

March 8, 1946
[H. R. 2284]

[Public Law 319]

Granting of gifts, etc., by subcontractors.

Recovery by U. S.

subcontractor to the prime contractor or higher tier subcontractor. The amount of any such fee, cost, or expense shall be recoverable on behalf of the United States from the subcontractor or the recipient thereof by set-off of moneys otherwise owing to the subcontractor either directly by the United States, or by a prime contractor under any cost-plus-a-fixed-fee or cost reimbursable contract, or by an action in an appropriate court of the United States. Upon a showing that a subcontractor paid fees, commissions, or compensation or granted gifts or gratuities to an officer, partner, employee, or agent of a prime contractor or of another higher tier subcontractor, in connection with the award of a subcontract or order thereunder, it shall be conclusively presumed that the cost of such expense was included in the price of the subcontract or order and ultimately borne by the United States. Upon the direction of the contracting department or agency or of the General Accounting Office, the prime contractor shall withhold from sums otherwise due a subcontractor any amount reported to have been found to have been paid by a subcontractor as a fee, commission, or compensation or as a gift or gratuity to an officer, partner, employee, or agent of the prime contractor or another higher tier subcontractor.

"Subcontractor."

SEC. 2. For the purpose of this Act, the term "subcontractor" is defined as any person, including a corporation, partnership, or business association of any kind, who holds an agreement or purchase order to perform all or any part of the work or to make or to furnish any article or service required for the performance of a cost-plus-a-fixed-fee or cost reimbursable contract or of a subcontract entered into thereunder, and the term "person" shall include any subcontractor, corporation, association, trust, joint-stock company, partnership, or individual.

"Person."

Powers of GAO.

SEC. 3. For the purpose of ascertaining whether such fees, commissions, compensation, gifts, or gratuities have been paid or granted by a subcontractor, the General Accounting Office shall have the power to inspect the plants and to audit the books and records of any prime contractor or subcontractor engaged in the performance of a cost-plus-a-fixed-fee or cost reimbursable contract.

Penalties.

SEC. 4. Any person who shall knowingly, directly or indirectly, make or receive any such prohibited payment shall be fined not more than \$10,000 or be imprisoned for not more than two years, or both.

Approved March 8, 1946.

[CHAPTER 81]

AN ACT

To provide for the coverage of certain drugs under the Federal narcotic laws*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3228 of the Internal Revenue Code (containing definitions of terms used for purposes of certain provisions relating to narcotics) is amended by adding the following new subsection (f) at the end thereof:

"(f) OPIATE.—The word 'opiate' as used in this part and subchapter A of chapter 23 shall mean any drug (as defined in the Federal Food, Drug, and Cosmetic Act) found by the Secretary of the Treasury, after due notice and opportunity for public hearing, to have an addiction-forming or addiction-sustaining liability similar to morphine or cocaine, and proclaimed by the President to have been so found by the Secretary. The Secretary is authorized to issue necessary rules and regulations for carrying out the provisions of this

March 8, 1946

[H. R. 2343]

[Public Law 320]

I. R. C., amend-
ments.
53 Stat. 384.
26 U. S. C. § 3228;
Supp. V, § 3228.

53 Stat. 269.
26 U. S. C. §§ 2550-
2565; Supp. V, § 2550
et seq.

Post, p. 39.
52 Stat. 1040.
21 U. S. C. §§ 301-
392; Supp. V, § 321
et seq.

Rules and regula-
tions.

subsection, and to confer or impose upon any officer or employee of the Treasury Department, as he shall designate or appoint, the duty of conducting any hearing authorized hereunder."

SEC. 2. Section 2550 (a) of the Internal Revenue Code (tax on certain substances) is amended by inserting after the phrase "levied, assessed, collected, and paid upon opium, isonipecaine, coca leaves," the word "opiate,"

53 Stat. 269.
26 U. S. C., Supp. V,
§ 2550 (a).

SEC. 3. Paragraphs 5 and 6 of section 2557 (b) (penalties for violations of certain provisions relating to narcotics) are hereby amended by inserting in each immediately following the words "or conspiring to sell, import, or export, opium, coca leaves, cocaine, isonipecaine," the word "opiate,"; by deleting in each the word "or" from the phrase "preparation of opium, coca leaves, cocaine, or isonipecaine," and by inserting in each immediately following such phrase the words "or opiate,"

53 Stat. 275.
26 U. S. C., Supp. V,
§ 2557 (b) (5), (6).

SEC. 4. The first sentence of section 2558 (b) of the Internal Revenue Code (providing for confiscation and disposal of seized narcotics) is hereby amended by inserting immediately after the words "All opium, coca leaves, isonipecaine," the word "opiates,"; and by deleting the word "and" before the word "isonipecaine" in the phrase "all salts, derivatives, and preparations of opium, coca leaves, and isonipecaine," and inserting immediately following such phrase the words "and opiates,"

53 Stat. 276.
26 U. S. C., Supp.
V, § 2558 (b).

SEC. 5. Section 2565 of the Internal Revenue Code (cross-reference to definitions) is hereby amended by adding at the end thereof the following:

53 Stat. 278.
26 U. S. C., Supp.
V, § 2565.

"OPIATE.—

"SUBSECTION (f)."

SEC. 6. The first paragraph of section 3220 of the Internal Revenue Code (occupational taxes) is hereby amended by striking out the word "or" in the phrase "gives away opium, coca leaves, or isonipecaine," and inserting immediately following such phrase the words "or opiate,"

53 Stat. 382.
26 U. S. C., Supp.
V, § 3220.

SEC. 7. Section 1 (a) of the Narcotic Drugs Import and Export Act, as amended (U. S. C., 1940 edition, title 21, sec. 171), is amended by inserting after the phrase "The term 'narcotic drugs' means opium, coca leaves, cocaine, isonipecaine," the word "opiate,"; by deleting the word "or" from the words "preparation of opium, coca leaves, cocaine, or isonipecaine" and inserting the words "or opiate"; and by striking out the period at the end thereof and inserting the following: "; and the word 'opiate' as used herein shall have the same meaning as defined in section 3228 (f) of the Internal Revenue Code."

42 Stat. 596.
21 U. S. C., Supp.
V, § 171.

Ante, p. 38.

SEC. 8. Sections 1 and 2 of the Act of August 12, 1937, as amended, entitled "An Act to increase the punishment of second, third, and subsequent offenders against the narcotic laws" (ch. 598, 50 Stat. 627; U. S. C., 1940 edition, title 21, secs. 200 and 200a), are hereby amended by inserting in each immediately following the words "or conspiring to sell, import, or export, opium, coca leaves, cocaine, isonipecaine," the word "opiate,"; by deleting in each the word "or" from the phrase "preparation of opium, coca leaves, cocaine, or isonipecaine," and by inserting in each immediately following such phrase the words "or opiate,"; and by adding a new sentence at the end of each section to read as follows: "The word 'opiate' as used in this section shall have the same meaning as defined in section 3228 (f) of the Internal Revenue Code."

21 U. S. C., Supp.
V, §§ 200, 200a.

Ante, p. 38.

SEC. 9. The second paragraph of section 584 of the Tariff Act of

46 Stat. 748.
19 U. S. C., Supp.
V, § 1584.

1930, as amended (U. S. C., 1940 edition, title 19, sec. 1584), is hereby amended by deleting in the first sentence the word "or" from the phrase "If any of such merchandise so found consists of heroin, morphine, cocaine, or isonipecaine," and by inserting immediately following such phrase the words "or opiate,"; and by inserting in the last sentence of the paragraph immediately following the word "isonipecaine" the word ", opiate" and inserting immediately following the reference "sections 3228 (e)" the following: ", 3228 (f)".

58 Stat. 721.
26 U. S. C., Supp.
V, § 3228(e).
Ante, p. 38.

AMENDMENTS RELATING TO MARIHUANA

SEC. 10. (a) EXEMPTION FOR CERTAIN TRANSFERS TO MILLERS.—Section 2591 of the Internal Revenue Code is amended by adding at the end thereof a new subsection (e) to read as follows:

"(e) EXEMPTION FOR CERTAIN TRANSFERS TO MILLERS.—Nothing in this section shall apply to a transfer of the plant *Cannabis sativa* L. or any parts thereof from any person registered under section 3231 to a person who is also registered under section 3231 as a taxpayer required to pay the tax imposed by section 3230 (a) (6)."

(b) SPECIAL TAX ON MILLERS.—Section 3230 of the Internal Revenue Code is hereby amended by adding at the end of subsection (a) a new subdivision (6) to read as follows:

"(6) MILLERS.—Any person who at a mill manufactures or produces from the plant *Cannabis sativa* L. any fiber or fiber products, \$1 per year or fraction thereof during which he engages in such activities."

(c) REGISTRATION OF MILLERS.—Section 3231 of the Internal Revenue Code is hereby amended by inserting at the beginning thereof, before the word "Any" the following: "(a) IN GENERAL.—"; and by adding at the end of such section a new subsection to read as follows:

"(b) SPECIAL REQUIREMENTS FOR MILLERS.—The Secretary shall not permit the registration of any person under this section as a person required to pay the tax imposed by section 3230 (a) (6), unless in the opinion of the Secretary such person (or if a corporation, each officer thereof) is a person of good moral character and unless in the opinion of the Secretary such person is a person of suitable financial standing, intends to engage in good faith in the business of manufacturing or producing fiber or fiber products from the plant *Cannabis sativa* L. on a commercial basis, and is not seeking registration under this section for the purpose of facilitating the unlawful diversion of marihuana. Any person who is registered under this section and has paid the tax imposed by section 3230 (a) (6) shall afford agents of the Bureau of Narcotics ready access at all times to any part of the premises of the mill or other premises of such person and the right to inspect any and all books, papers, records, or documents connected with the activities of such person in dealing in, manufacturing, and processing *Cannabis sativa* L. and fiber or fiber products thereof, and the handling of marihuana. The Secretary may cancel or may refuse to renew, after notice and opportunity for hearing, the registration of any such person if he finds that such person has not complied or is not complying with the requirements of this subsection, or if he finds that grounds exist which would justify the refusal to permit the original registration of such person under this section."

Approved March 8, 1946.

Infra.

Infra.

53 Stat. 385.
26 U. S. C. § 3230.

53 Stat. 386.
26 U. S. C. § 3231.

Supra.

[CHAPTER 82]

AN ACT

To provide for the sale of surplus war-built vessels, and for other purposes.

March 8, 1946
[H. R. 3603]
[Public Law 321]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Merchant Ship Sales Act of 1946".

Merchant Ship
Sales Act of 1946.

DECLARATION OF POLICY

SEC. 2. (a) It is necessary for the national security and development and maintenance of the domestic and the export and import foreign commerce of the United States that the United States have an efficient and adequate American-owned merchant marine (1) sufficient to carry its domestic water-borne commerce and a substantial portion of its water-borne export and import foreign commerce and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times; (2) capable of serving as a naval and military auxiliary in time of war or national emergency; (3) owned and operated under the United States flag by citizens of the United States; (4) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel; and (5) supplemented by efficient American-owned facilities for shipbuilding and ship repair, marine insurance, and other auxiliary services.

(b) It is hereby declared to be the policy of this Act to foster the development and encourage the maintenance of such a merchant marine.

DEFINITIONS

SEC. 3. As used in this Act the term—

(a) "Commission" means the United States Maritime Commission.

(b) "War-built vessel" means an oceangoing vessel of one thousand five hundred gross tons or more, owned by the United States and suitable for commercial use—

"Commission."

"War-built vessel."

(1) which was constructed or contracted for by or for the account of the United States during the period, beginning January 1, 1941, and ending with September 2, 1945; or

(2) which, having been constructed during the period beginning September 3, 1939, and ending with September 2, 1945, was acquired by the United States during such period.

(c) "Prewar domestic cost", as applied to any type of vessel, means the amount determined by the Commission, and published by the Commission in the Federal Register, to be the amount for which a standard vessel of such type could have been constructed (without its national defense features) in the United States under normal conditions relating to labor, materials, and other elements of cost, obtaining on or about January 1, 1941. In no case shall the prewar domestic cost of any type of vessel be considered to be greater than 80 per centum of the domestic war cost of vessels of the same type.

"Prewar domestic cost."

Limitation.

(d) "Statutory sales price", as applied to a particular vessel, means, in the case of a dry-cargo vessel, an amount equal to 50 per centum of the prewar domestic cost of that type of vessel, and in the case of a tanker, such term means an amount equal to 87½ per centum of the prewar domestic cost of a tanker of that type, such amount in each case being adjusted as follows:

"Statutory sales price."

(1) If the Commission is of the opinion that the vessel is not in class, there shall be subtracted the amount estimated by the Commission as the cost of putting the vessel in class.

(2) If the Commission is of the opinion that the vessel lacks

desirable features which are incorporated in the standard vessel used for the purpose of determining prewar domestic cost, and that the statutory sales price (unadjusted) would be lower if the standard vessel had also lacked such features, there shall be subtracted the amount estimated by the Commission as the amount of such resulting difference in statutory sales price.

(3) If the Commission is of the opinion that the vessel contains desirable features which are not incorporated in the standard vessel used for the purpose of determining prewar domestic cost, and that the statutory sales price (unadjusted) would be higher if the standard vessel had also contained such features, there shall be added the amount estimated by the Commission as the amount of such resulting difference in statutory sales price.

(4) There shall be subtracted, as representing normal depreciation, an amount computed by applying to the statutory sales price (determined without regard to this paragraph) the rate of 5 per centum per annum for the period beginning with the date of the original delivery of the vessel by its builder and ending with the date of sale or charter to the applicant in question, and there shall also be subtracted an amount computed by applying to the statutory sales price (determined without regard to this paragraph) such rate not in excess of 3 per centum per annum in the case of a vessel other than a tanker, and not in excess of 4 per centum per annum in the case of a tanker, for such period or periods of war service as the Commission determines will make reasonable allowance for excessive wear and tear by reason of war service which cannot be or has not been otherwise compensated for under this subsection.

Subtraction for normal depreciation.

Restriction on adjustments.

No adjustment, except in respect of passenger vessels constructed before January 1, 1941, shall be made under this Act which will result in a statutory sales price which (1) in the case of dry-cargo vessels (except Liberty type vessels) will be less than 35 per centum of the domestic war cost of vessels of the same type, (2) in the case of any Liberty type vessel will be less than 31½ per centum of the domestic war cost of vessels of such type, or (3) in the case of a tanker will be less than 50 per centum of the domestic war cost of tankers of the same type. For the purposes of this Act, except section 5, all Liberty vessels shall be considered to be vessels of one and the same type.

Liberty vessels.

"Domestic war cost."

(e) "Domestic war cost" as applied to any type of vessel means the average construction cost (without national defense features) as determined by the Commission, of vessels of such type delivered during the calendar year 1944, except in case of any type of vessel the principal deliveries of which were made after the calendar year 1944, there shall be used in lieu of such year 1944 such period of not less than six consecutive calendar months as the Commission shall find to be most representative of war production costs of such type.

"Cessation of hostilities."

(f) "Cessation of hostilities" means the date proclaimed by the President as the date of the cessation of hostilities in the present war, or the date so specified in a concurrent resolution of the two Houses of the Congress, whichever is the earlier.

"Citizen of the United States."

(g) "Citizen of the United States" includes a corporation, partnership, or association only if it is a citizen of the United States within the meaning of section 2 of the Shipping Act of 1916, as amended. The term "affiliated interest" as used in sections 9 and 10 of this Act includes any person affiliated or associated with a citizen applicant for benefits under this Act who the Commission, pursuant to rules and regulations prescribed hereunder, determines should be so included in order to carry out the policy and purposes of this Act.

39 Stat. 729.

46 U. S. C. §§ 802, 803.

"Affiliated interest." Post, pp. 46, 49.

SALES OF WAR-BUILT VESSELS TO CITIZENS

Sec. 4. (a) Any citizen of the United States may make application to the Commission to purchase a war-built vessel, under the jurisdiction and control of the Commission, at the statutory sales price. If the Commission determines that the applicant possesses the ability, experience, financial resources, and other qualifications, necessary to enable him to operate and maintain the vessel under normal competitive conditions, and that such sale will aid in carrying out the policies of this Act, the Commission shall sell such vessel to the applicant at the statutory sales price.

(b) At the time of sale, the purchaser shall pay to the Commission at least 25 per centum of the statutory sales price. The balance of the statutory sales price shall be payable in not more than twenty equal annual installments, with interest on the portion of the statutory sales price remaining unpaid, at the rate of 3½ per centum per annum, or shall be payable under such other amortization provisions which permit the purchaser to accelerate payment of the unpaid balance as the Commission deems satisfactory. The obligation of the purchaser with respect to payment of such unpaid balance with interest shall be secured by a preferred mortgage on the vessel sold.

(c) The contract of sale, and the mortgage given to secure the payment of the unpaid balance of the purchase price, shall not restrict the lawful or proper use or operation of the vessel.

Payment.

Use of vessel.

CHARTER OF WAR-BUILT VESSELS TO CITIZENS

Sec. 5. (a) Any citizen of the United States and, until July 4, 1946, any citizen of the Commonwealth of the Philippines, may make application to the Commission to charter a war-built dry-cargo vessel, under the jurisdiction and control of the Commission, for bare-boat use. The Commission may, in its discretion, either reject or approve the application, but shall not so approve unless in its opinion the chartering of such vessel to the applicant would be consistent with the policies of this Act. No vessel shall be chartered under this section until sixty days after publication of the applicable prewar domestic cost in the Federal Register under subsection 3 (c) of this Act.

(b) The charter hire for any vessel chartered under the provisions of this section shall be fixed by the Commission at such rate as the Commission determines to be consistent with the policies of this Act, but, except upon the affirmative vote of not less than four members of the Commission, such rate shall not be less than 15 per centum per annum of the statutory sales price (computed as of the date of charter). Except in the case of vessels having passenger accommodations for not less than eighty passengers, rates of charter hire fixed by the Commission on any war-built vessel which differ from the rate specified in this subsection shall not be less than the prevailing world market charter rates for similar vessels for similar use as determined by the Commission.

(c) The provisions of sections 708, 709, 710, 712, and 713, of the Merchant Marine Act, 1936, as amended, shall be applicable to charters made under this section.

Rates.

49 Stat. 2009.
46 U. S. C. §§ 1198-
1200, 1202, 1203.

SALE OF WAR-BUILT VESSELS TO PERSONS NOT CITIZENS OF THE UNITED STATES

Sec. 6. (a) Any person not a citizen of the United States may make application to the Commission to purchase a war-built vessel (other than a P-2 type or other passenger type and other than a

Liberty type collier or tanker), under the jurisdiction and control of the Commission. If the Commission determines—

(1) that the applicant has the financial resources, ability, and experience necessary to enable him to fulfill all obligations with respect to payment of any deferred portion of the purchase price, and that sale of the vessel to him would not be inconsistent with any policy of the United States in permitting foreign sales under section 9 of the Shipping Act, 1916, as amended; and

39 Stat. 730.
46 U. S. C. § 808.

(2) after consultation with the Secretary of the Navy, that such vessel is not necessary to the defense of the United States; and

(3) that such vessel is not necessary to the promotion and maintenance of an American merchant marine described in section 2; and

(4) that for a reasonable period of time, which in the case of tankers and "C" type vessels shall not end before ninety days after publication of the applicable prewar domestic cost in the Federal Register under subsection 3 (c) of this Act, such vessel has been available for sale at the statutory sales price to citizens of the United States, or for charter under section 5 to citizens of the United States, and that no responsible offer has been made by a citizen of the United States to purchase or charter such vessel;

then the Commission is authorized to approve the application and sell such vessel to the applicant at not less than the statutory sales price.

Application by citizen of Philippines.

In case of application submitted by a citizen of the Commonwealth of the Philippines, paragraph (4) of this subsection shall not apply. Notwithstanding paragraph (4) of this subsection, not to exceed ten "C" type vessels, except C-3's, may be sold to noncitizens at any time after such date of publication at not less than the statutory sales price.

Restrictions.

(b) Notwithstanding any other provision of law, no war-built vessel shall be sold to any person not a citizen of the United States, except in accordance with subsection (a), or upon terms or conditions more favorable than those at which such war-built vessel is offered to a citizen of the United States, but where the vessel so sold is being transferred to foreign register and flag, the mortgage securing the unpaid balance of the purchase price and interest thereon shall contain provisions according to such mortgage the priorities over other liens and encumbrances accorded such mortgages on merchant vessels under the laws of such registry and flag.

ORDER OF PREFERENCES

Citizen and non-citizen applicants.

SEC. 7. (a) In exercising its powers under this Act and under other provisions of law with respect to the sale and charter of war-built vessels, the Commission shall give preference to citizen applicants over noncitizen applicants, and as between citizen applicants to purchase and citizen applicants to charter, shall, so far as practicable and consistent with the policies of this Act, give preference to citizen applicants to purchase. In determining the order of preference between citizen applicants to purchase or between citizen applicants to charter, the Commission shall consider, among other relevant factors, the extent to which losses and requisitions of the applicant's prewar tonnage have been overcome and shall in all cases, in the sale and charter of a war-built vessel, give preference in such sale or charter, as the case may be, to the former owner of such vessel, or to the person for whom the vessel was constructed but to whom delivery thereof was prevented by the United States. In determining the order of preference between noncitizen applicants to purchase, the Commission shall give preference to citizens of the Commonwealth of the Philippines, and in determining the order of preference between other noncitizen applicants to purchase shall consider the extent to which losses in prewar tonnage

Citizens of the Philippines.

of the various member nations of the United Nations, incurred in the interests of the war effort, have been overcome, and the relative effects of such losses upon the national economy of such member nations.

(b) After the cessation of hostilities, operation of vessels in commercial service by the United States, either for its own account or through operating agents under agency agreements, shall, except as to the Panama Railroad Company and other services specifically authorized by law, be continued only to the extent necessary to effect orderly transfer of vessels to private operation.

Operation after cessation of hostilities.

EXCHANGE OF VESSELS

SEC. 8. (a) The Commission is authorized to acquire, in exchange for an allowance of a credit on the purchase of any war-built vessel under section 4 or any vessel acquired through exchange under subsection (d) of this section—

Credit allowance.

(1) Any vessel owned by a citizen of the United States, other than a vessel purchased under this Act; or

(2) Any vessel owned by a foreign corporation, if—

(A) the vessel was constructed in the United States, and has, after December 7, 1941, been chartered to, or otherwise taken for use by, the United States; and

(B) the controlling interest in such corporation is, at the time of acquisition of such vessel hereunder, owned by a citizen or citizens of the United States, and has been so owned for a period of at least three years immediately prior to such acquisition; and

(C) such corporation agrees that the war-built vessel purchased with the use of such credit shall be owned by such citizen or citizens and shall be documented under the laws of the United States.

Such allowance shall not be applied upon the cash payment required under section 4. A war-built vessel shall be deemed a "new vessel" for the purpose of section 511 of the Merchant Marine Act, 1936, as amended, and section 510 (e) of such Act shall be applicable with respect to vessels exchanged under this section to the same extent as applicable to obsolete vessels exchanged under section 510 of such Act.

54 Stat. 1106; 53 Stat. 1184.
46 U. S. C. §§ 1161, 1160 (e); Supp. V. § 1161.

(b) (1) If, prior to December 31, 1946, the owner of a vessel eligible for exchange under subsection (a) makes a firm offer binding for at least ninety days, to transfer the vessel to the Commission in exchange for an allowance of credit provided in subsection (a), the amount of such allowance shall be the fair and reasonable value of the vessel as determined by the Commission under this section. In making such determination the Commission shall consider: (A) The value of the vessel determined in accordance with the standards of valuation established pursuant to Executive Order 9387 (8 F. R. 14105) as of the date of such offer, (B) any liability of the United States for repair and restoration of the vessel, (C) the utility value of the vessel, (D) the effect of this Act upon the market value of such vessel, and (E) the public interest in promoting exchanges of vessels as a means of rehabilitating and modernizing the American merchant marine. In no event shall the amount of such allowance, in case of dry cargo vessels and tankers, exceed (A) (1) if the vessel or vessels tendered in exchange are of equal or greater dead-weight tonnage than the war-built vessel or vessels being acquired, $33\frac{1}{3}$ per centum of the statutory sales price (unadjusted) of the war-built vessel or vessels, or (2) if the vessel or vessels tendered in exchange are of lesser dead-weight tonnage than the war-built vessel or vessels, such proportionate part of $33\frac{1}{3}$ per centum of the statutory sales price (unadjusted) of such war-built vessel or vessels as the dead-weight tonnage of such

Amount of allowance.

50 U. S. C., Supp. V, app. § 1295 note.

Dry cargo vessels and tankers.

vessel or vessels tendered in exchange bear to the dead-weight tonnage of such war-built vessel or vessels, or (B) the liability of the United States in connection with the repair or restoration of such vessel under any charter to which the United States is a party, whichever is higher. In the case of passenger vessels tendered in exchange, the amount of the allowance shall not exceed the percentages of statutory sales price computed under (A) (1) and (2) above by gross tons instead of dead-weight tons, or such liability for the repair or restoration of such passenger vessel, whichever is the higher. In any case where the vessel tendered in exchange was acquired from the United States, the exchange allowance under this section shall not exceed the price paid the United States therefor plus the depreciated cost of any improvements thereon. In the case of any vessel tendered in exchange which has been restored to condition by the United States for the purpose of redelivering such vessel to its owner in compliance with the charter of such vessel with the United States, or where, for such restoration a cash allowance has been made to the owner, there shall be deducted from the amount of the allowance of credit for such vessel determined by the Commission under this section, an amount equal to the liability of the United States for such restoration or such cash allowance made to the owner.

(2) If, after such offer is made, and prior to its acceptance, or prior to the acquisition of the vessel, by the Commission, the vessel is lost by reason of causes for which the United States is responsible, then in lieu of paying the owner any amount on account of such loss, the offer shall, for the purposes of subsection (a) and this subsection, be considered as having been accepted and the vessel as having been acquired by the Commission under subsection (a) immediately prior to such loss.

(c) The Commission is also authorized to make available any war-built vessel for transfer in complete or partial settlement of any claim against the United States (1) for just compensation upon requisition for title of any vessel, or (2) for indemnity for the loss of any vessel which was acquired for use by the United States, but only to the extent such vessel is available for sale to the claimant.

(d) In the case of any vessel constructed in the United States after January 1, 1937, which has been taken by the United States for use in any manner, the Commission, if in its opinion the transfer would aid in carrying out the policies of this Act, is authorized to transfer to the owner of such vessel another vessel which is deemed by the Commission to be of comparable type with adjustments for depreciation and difference in design or speed, and to the extent applicable, adjustments with respect to the retained vessel as provided for in section 9, and such other adjustments and terms and conditions, including transfer of mortgage obligations in favor of the United States binding upon the old vessel, as the Commission may prescribe.

ADJUSTMENT FOR PRIOR SALES TO CITIZENS

SEC. 9. (a) A citizen of the United States who on the date of the enactment of this Act—

(1) owns a vessel which he purchased from the Commission prior to such date, and which was delivered by its builder after December 31, 1940; or

(2) is party to a contract with the Commission to purchase from the Commission a vessel, which has not yet been delivered to him; or

(3) owns a vessel on account of which a construction-differential subsidy was paid, or agreed to be paid, by the Commission

Passenger vessels.

Reconditioned vessels.

Loss prior to acquisition, etc.

Transfers in settlement of claims.

Adjustments with owners.

under section 504 of the Merchant Marine Act, 1936, as amended, and which was delivered by its builder after December 31, 1940; or

49 Stat. 1998.
46 U. S. C. § 1154.

(4) is party to a contract with a shipbuilder for the construction for him of a vessel, which has not yet been delivered to him, and on account of which a construction-differential subsidy was agreed, prior to such date, to be paid by the Commission under section 504 of the Merchant Marine Act, 1936, as amended;

Supra.

Price adjustments.

shall, except as hereinafter provided, be entitled to an adjustment in the price of such vessel under this section if he makes application therefor, in such form and manner as the Commission may prescribe, within sixty days after the date of publication of the applicable prewar domestic costs in the Federal Register under section 3 (c) of this Act. No adjustment shall be made under this section in respect of any vessel the contract for the construction of which was made after September 2, 1945, under the provisions of title V (including section 504) or title VII of the Merchant Marine Act, 1936, as amended.

Ante, p. 41.

49 Stat. 1995, 2008.
46 U. S. C. §§ 1151-1155, 1156-1161, 1191-1204; Supp. V, §§ 1152-1161, 1194, 1195.

Date of sale.

(b) Such adjustment shall be made, as hereinafter provided, by treating the vessel as if it were being sold to the applicant on the date of the enactment of this Act, and not before that time. The amount of such adjustment shall be determined as follows:

Determination of amount.

Credit for excess payments, etc.

(1) The Commission shall credit the applicant with the excess of the cash payments made upon the original purchase price of the vessel over 25 per centum of the statutory sales price of the vessel as of such date of enactment. If such payment was less than 25 per centum of the statutory sales price of the vessel, the applicant shall pay the difference to the Commission.

Mortgage indebtedness.

(2) The applicant's indebtedness under any mortgage to the United States with respect to the vessel shall be adjusted.

(3) The adjusted mortgage indebtedness shall be in an amount equal to the excess of the statutory sales price of the vessel as of the date of the enactment of this Act over the sum of the cash payment retained by the United States under paragraph (1) plus the readjusted trade-in allowance (determined under paragraph (7)) with respect to any vessel exchanged by the applicant on the original purchase. The adjusted mortgage indebtedness shall be payable in equal annual installments thereafter during the remaining life of such mortgage with interest on the portion of the statutory sales price remaining unpaid at the rate of 3½ per centum per annum.

Credit for excess payments, etc.

(4) The Commission shall credit the applicant with the excess, if any, of the sum of the cash payments made by the applicant upon the original purchase price of the vessel plus the readjusted trade-in allowance (determined under paragraph (7)) over the statutory sales price of the vessel as of the date of the enactment of this Act to the extent not credited under paragraph (1).

Interest.

(5) The Commission shall also credit the applicant with an amount equal to interest at the rate of 3½ per centum per annum (for the period beginning with the date of the original delivery of the vessel to the applicant and ending with the date of the enactment of this Act) on the excess of the original purchase price of the vessel over the amount of any allowance allowed by the Commission on the exchange of any vessel on such purchase; the amount of such credit first being reduced by any interest on the original mortgage indebtedness accrued up to such date of enactment and unpaid. Interest so accrued and unpaid shall be canceled.

(6) The applicant shall credit the Commission with all amounts paid by the United States to him as charter hire for use of the

Charter hire.

vessel (exclusive of service, if any, required under the terms of the charter) under any charter party made prior to the date of the enactment of this Act, and any charter hire for such use accrued up to such date of enactment and unpaid shall be canceled; and the Commission shall credit the applicant with the amount that would have been paid by the United States to the applicant as charter hire for bare-boat use of vessels exchanged by the applicant on the original purchase (for the period beginning with date on which the vessels so exchanged were delivered to the Commission and ending with the date of the enactment of this Act).

Exchange allow-
ance.

Ante, p. 45.

Overpayments and
deficiencies in Fed-
eral taxes.

(7) The allowance made to the applicant on any vessel exchanged by him on the original purchase shall be readjusted so as to limit such allowance to the amount provided for under section 8.

(8) There shall be subtracted from the sum of the credits in favor of the Commission under the foregoing provisions of this subsection the amount of any overpayments of Federal taxes by the applicant resulting from the application of subsection (c) (1), and there shall be subtracted from the sum of the credits in favor of the applicant under the foregoing provisions of this subsection the amount of any deficiencies in Federal taxes of the applicant resulting from the application of subsection (c) (1). If, after making such subtractions, the sum of the credits in favor of the applicant exceeds the sum of the credits in favor of the Commission, such excess shall be paid by the Commission to the applicant. If, after making such subtractions, the sum of the credits in favor of the Commission exceeds the sum of the credits in favor of the applicant, such excess shall be paid by the applicant to the Commission. Upon such payment by the Commission or the applicant, such overpayments shall be treated as having been refunded and such deficiencies as having been paid.

Purchase price.

49 Stat. 1998.
46 U. S. C. § 1154.

Adjustment subject
to binding agreement.

For the purposes of this subsection, the purchase price of a vessel on account of which a construction-differential subsidy was paid or agreed to be paid under section 504 of the Merchant Marine Act, 1936, as amended, shall be the net cost of the vessel to the owner.

(c) An adjustment shall be made under this section only if the applicant enters into an agreement with the Commission binding upon the citizen applicant and any affiliated interest to the effect that—

(1) depreciation and amortization allowed or allowable with respect to the vessel up to the date of the enactment of this Act for Federal tax purposes shall be treated as not having been allowable; amounts credited to the Commission under subsection (b) (6) shall be treated for Federal tax purposes as not having been received or accrued as income; amounts credited to the applicant under subsection (b) (5) and (6) shall be treated for Federal tax purposes as having been received and accrued as income in the taxable year in which falls the date of the enactment of this Act;

(2) the liability of the United States for use (exclusive of service, if any, required under the terms of the charter) of the vessel on or after the date of the enactment of this Act under any charter party shall not exceed 15 per centum per annum of the statutory sales price of the vessel as of such date of enactment; and the liability of the United States under any such charter party for loss of the vessel shall be determined on the basis of the statutory sales price as of the date of the enactment of this Act, depreciated to the date of loss at the rate of 5 per centum per annum; and

(3) in the event the United States, prior to the termination of the existing national emergency declared by the President on

May 27, 1941, uses such vessel pursuant to a taking, or pursuant to a bare-boat charter made, on or after the date of the enactment of this Act, the compensation to be paid to the purchaser, his receivers, and trustees, shall in no event be greater than 15 per centum per annum of the statutory sales price as of such date.

(d) Section 506 of the Merchant Marine Act, 1936, as amended, shall not apply with respect to (1) any vessel which is eligible for an adjustment under this section, or (2) any vessel described in clause (1), (2), (3), or (4) of subsection (a) of this section, the contract for the construction of which is made after September 2, 1945, and prior to the date of enactment of this Act.

55 Stat. 1647.
50 U. S. C., Supp. V,
app., note prec. § 1

49 Stat. 1999.
46 U. S. C. § 1156.

LIMITATION ON ELIGIBILITY FOR BENEFITS OF ACT

SEC. 10. No person shall be eligible to purchase or charter a war-built vessel under this Act, or to receive an adjustment under section 9, unless such person makes an agreement with the Commission binding upon such person and any affiliated interest to the effect that the liability of the United States under any charter party or taking for use, made or effected prior to the date of the enactment of this Act, for the loss, on or after such date of enactment and prior to September 3, 1947, of any vessel owned by such person and under charter to the United States (excluding a vessel with respect to which an adjustment is made under section 9) shall be limited to an amount equal to just compensation as of the date of said loss, determined pursuant to existing law, or such amount as may be mutually agreed upon subsequent to the date of the enactment of this Act as just compensation under the provisions of existing law.

NATIONAL DEFENSE RESERVE FLEET

SEC. 11. (a) The Commission shall place in a national defense reserve (1) such vessels owned by it as, after consultation with the Secretary of War and the Secretary of the Navy, it deems should be retained for the national defense, and (2) all vessels owned by it on December 31, 1947, for the sale of which a contract has not been made by that time, except those determined by the Commission to be of insufficient value for commercial and national defense purposes to warrant their maintenance and preservation, and except those vessels, the contracts for the construction of which are made after September 2, 1945, under the provisions of the Merchant Marine Act, 1936, as amended. A vessel under charter on December 31, 1947, shall not be placed in the reserve until the termination of such charter. Unless otherwise provided for by law, all vessels placed in such reserve shall be preserved and maintained by the Commission for the purpose of national defense. A vessel placed in such reserve shall in no case be used for commercial operation, except that any such vessel may be used during any period in which vessels may be requisitioned under section 902 of the Merchant Marine Act, 1936, as amended.

49 Stat. 1985.
46 U. S. C. § 1101
et seq., Supp. V, ch. 27.

49 Stat. 2015.
46 U. S. C. § 1242;
Supp. V, § 1242.

(b) Any war-built vessel may be made available by the Commission to any State maintaining a marine school or nautical branch in accordance with the Act of July 29, 1941 (Public Law 191, Seventy-seventh Congress; 55 Stat. 607).

34 U. S. C., Supp. V,
§§ 1122, 1123a-1123e.

GENERAL PROVISIONS

SEC. 12. (a) The Commission is authorized to reconvert or restore for normal operation in commercial services, including removal of national defense or war-service features, any vessel authorized to be sold or chartered under this Act. The Commission is authorized to make such replacements, alterations, or modifications with respect to

Reconversion, etc.,
of vessels.

any vessel authorized to be sold or chartered under this Act, and to install therein such special features, as may be necessary or advisable to make such vessel suitable for commercial operation on trade routes or services or comparable as to commercial utility to other such vessels of the same general type.

(b) The provisions of section 202 of the War Mobilization and Reconversion Act of 1944 shall not apply to contracts of the Commission for or relating to construction of ships.

(c) Notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., title 46, sec. 883), no vessel sold or chartered by the Commission under this Act to a citizen of the United States shall be prohibited from engaging in the coastwise trade of the United States while owned by or chartered to such citizen or citizen successors in interest merely because it was under foreign registry on or after May 27, 1941, and prior to its sale or charter under this Act to such citizen, if it is otherwise entitled under the laws of the United States to engage in such trade.

(d) All moneys received by the Commission under this Act shall be deposited in the Treasury to the credit of miscellaneous receipts. The provisions of sections 201 (d), 204 (b), 207, 209 (a), and 905 (c) of the Merchant Marine Act, 1936, as amended, shall apply to all activities and functions which the Commission is authorized to perform under this Act.

REPORTS

SEC. 13. The Commission shall on July 1, 1946, and every three months thereafter, make a report to Congress with respect to all activities or transactions under this Act which have not been covered by any previous such report.

TERMINATION DATE

SEC. 14. No contract of sale or of charter shall be made under this Act after December 31, 1947.

Approved March 8, 1946.

[CHAPTER 83]

AN ACT

To amend the First War Powers Act, 1941.

March 8, 1946
[H. R. 4571]

[Public Law 322]

50 U. S. C., Supp.
V, app. §§ 616-618.
Post, p. 925.

50 U. S. C. app. §§ 1-31;
Supp. V, app. § 3 et seq.
Post, pp. 54, 182, 418,
925, 944.
Return of property.

Owner, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the First War Powers Act, 1941 (55 Stat. 838), is hereby amended by adding at the end of title III thereof the following:

“SEC. 304. The Trading with the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby further amended by adding at the end thereof the following section:

“SEC. 32. (a) The President, or such officer or agency as he may designate, may return any property or interest vested in or transferred to the Alien Property Custodian (other than any property or interest acquired by the United States prior to December 18, 1941), or the net proceeds thereof, whenever the President or such officer or agency shall determine—

“(1) that the person who has filed a notice of claim for return, in such form as the President or such officer or agency may prescribe, was the owner of such property or interest immediately prior to its vesting in or transfer to the Alien Property

Contracts.
58 Stat. 787.
50 U. S. C., Supp. V,
app. § 1657.

Eligibility to engage in coastwise trade.
41 Stat. 999.
46 U. S. C., Supp. V,
§ 883 note.

Receipts and expenditures.

49 Stat. 1966, 1987,
1988, 2016.
46 U. S. C. §§ 1111
(d), 1114 (b), 1117, 1119
(a), 1244 (c).

Custodian, or is the legal representative (whether or not appointed by a court in the United States), or successor in interest by inheritance, devise, bequest, or operation of law, of such owner; and

“(2) that such owner, and legal representative or successor in interest, if any, are not—

“(A) the government of a nation with which the United States has at any time since December 7, 1941, been at war; or

Enemy govern-
ment.

“(B) a corporation or association organized under the laws of such nation: *Provided*, That any property or interest or proceeds which, but for the provisions of this subdivision (B), might be returned under this section to any such corporation or association, may be returned to the owner or owners of all the stock of such corporation or of all the proprietary and beneficial interest in such association, if their ownership of such stock or proprietary and beneficial interest existed immediately prior to vesting in or transfer to the Alien Property Custodian and continuously thereafter to the date of such return (without regard to purported divestments or limitations of such ownership by any government referred to in subdivision (A) hereof) and if such ownership was by one or more citizens of the United States or by one or more corporations organized under the laws of the United States or any State, Territory, or possession thereof, or the District of Columbia: *Provided further*, That such owner or owners shall succeed to those obligations, limited in aggregate amount to the value of such property or interest or proceeds, which are lawfully assertible against the corporation or association by persons not ineligible to receive a return under this section; or

Corporation, etc.,
organized under laws
of enemy nation.

“(C) an individual voluntarily resident at any time since December 7, 1941, within the territory of such nation, other than a citizen of the United States or a diplomatic or consular officer of a nation with which the United States has not at any time since December 7, 1941, been at war; or

Person voluntarily
resident in enemy ter-
ritory.
Post, p. 930.

“(D) an individual who was at any time after December 7, 1941, a citizen or subject of a nation with which the United States has at any time since December 7, 1941, been at war, and who on or after December 7, 1941, and prior to the date of the enactment of this section, was present (other than in the service of the United States) in the territory of such nation or in any territory occupied by the military or naval forces thereof or engaged in any business in any such territory; or

Citizen or subject
of enemy nation.
Post, p. 930.

“(E) a foreign corporation or association which at any time after December 7, 1941, was controlled or 50 per centum or more of the stock of which was owned by any person or persons ineligible to receive a return under subdivisions (A), (B), (C), or (D) hereof: *Provided*, That notwithstanding the provisions of this subdivision (E), return may be made to a corporation or association so controlled or owned, if such corporation or association was organized under the laws of a nation any of whose territory was occupied by the military or naval forces of any nation with which the United States has at any time since December 7, 1941, been at war, and if such control or ownership arose

Foreign corpora-
tion, etc., controlled
by ineligible persons.

after March 1, 1938, as an incident to such occupation and was terminated prior to the enactment of this section;

and

“(3) that the property or interest claimed, or the net proceeds of which are claimed, was not at any time after September 1, 1939, held or used, by or with the assent of the person who was the owner thereof immediately prior to vesting in or transfer to the Alien Property Custodian, pursuant to any arrangement to conceal any property or interest within the United States of any person ineligible to receive a return under subsection (a) (2) hereof;

“(4) that the Alien Property Custodian has no actual or potential liability under the Renegotiation Act or the Act of October 31, 1942 (56 Stat. 1013; 35 U. S. C. 89-96), in respect of the property or interest or proceeds to be returned and that the claimant and his predecessor in interest, if any, have no actual or potential liability of any kind under the Renegotiation Act or the said Act of October 31, 1942; or in the alternative that the claimant has provided security or undertakings adequate to assure satisfaction of all such liabilities or that property or interest or proceeds to be retained by the Alien Property Custodian are adequate therefor; and

“(5) that such return is in the interest of the United States.

“(b) Notwithstanding the limitation prescribed in the Renegotiation Act upon the time within which petitions may be filed in The Tax Court of the United States, any person to whom any property or interest or proceeds are returned hereunder shall, for a period of ninety days (not counting Sunday or a legal holiday in the District of Columbia as the last day) following return, have the right to file such a petition for a redetermination in respect of any final order of the War Contracts Price Adjustment Board determining excessive profits, made against the Alien Property Custodian, or of any determination, not embodied in an agreement, of excessive profits, so made by or on behalf of a Secretary.

“(c) Any person to whom any invention, whether patented or unpatented, or any right or interest therein is returned hereunder shall be bound by any notice or order issued or agreement made pursuant to the Act of October 31, 1942 (56 Stat. 1013; 35 U. S. C. 89-96), in respect of such invention or right or interest, and such person to whom a licensor's interest is returned shall have all rights assertible by a licensor pursuant to section 2 of the said Act.

“(d) Except as otherwise provided herein, and except to the extent that the President or such officer or agency as he may designate may otherwise determine, any person to whom return is made hereunder shall have all rights, privileges, and obligations in respect to the property or interest returned or the proceeds of which are returned which would have existed if the property or interest had not vested in the Alien Property Custodian, but no cause of action shall accrue to such person in respect of any deduction or retention of any part of the property or interest or proceeds by the Alien Property Custodian for the purpose of paying taxes, costs, or expenses in connection with such property or interest or proceeds: *Provided*, That except as provided in subsections (b) and (c) hereof, no person to whom a return is made pursuant to this section, nor the successor in interest of such person, shall acquire or have any claim or right of action against the United States or any department, establishment, or agency thereof, or corporation owned thereby, or against any person authorized or licensed by the United States, founded upon the retention, sale, or other disposition, or use, during

Use of property, etc., to conceal interest.

Alien Property Custodian, liability.
56 Stat. 245.
50 U. S. C., Supp. V, app. § 1191; 35 U. S. C., Supp. V, §§ 89-96.

Interest of U. S. Petition for redetermination.
Supra.

Orders, etc., under Royalty Adjustment Act.

35 U. S. C., Supp. V, §§ 89-96.

Rights, etc., of person to whom return is made.

the period it was vested in the Alien Property Custodian, of the returned property, interest, or proceeds. Any notice to the Alien Property Custodian in respect of any property or interest or proceeds shall constitute notice to the person to whom such property or interest or proceeds is returned and such person shall succeed to all burdens and obligations in respect of such property or interest or proceeds which accrued during the time of retention by the Alien Property Custodian, but the period during which the property or interest or proceeds returned were vested in the Alien Property Custodian shall not be included for the purpose of determining the application of any statute of limitations to the assertion of any rights by such person in respect of such property or interest or proceeds.

“(e) No return hereunder shall bar the prosecution of any suit at law or in equity against a person to whom return has been made, to establish any right, title, or interest, which may exist or which may have existed at the time of vesting, in or to the property or interest returned, but no such suit may be prosecuted by any person ineligible to receive a return under subsection (a) (2) hereof. With respect to any such suit, the period during which the property or interest or proceeds returned were vested in the Alien Property Custodian shall not be included for the purpose of determining the application of any statute of limitations.

Prosecution of suits at law, etc.

“(f) At least thirty days before making any return to any person other than a resident of the United States or a corporation organized under the laws of the United States, or any State, Territory, or possession thereof, or the District of Columbia, the President or such officer or agency as he may designate shall publish in the Federal Register a notice of intention to make such return, specifying therein the person to whom return is to be made and the place where the property or interest or proceeds to be returned are located. Publication of a notice of intention to return shall confer no right of action upon any person to compel the return of any such property or interest or proceeds, and such notice of intention to return may be revoked by appropriate notice in the Federal Register. After publication of such notice of intention and prior to revocation thereof, the property or interest or proceeds specified shall be subject to attachment at the suit of any citizen or resident of the United States or any corporation organized under the laws of the United States, or any State, Territory, or possession thereof, or the District of Columbia, in the same manner as property of the person to whom return is to be made: *Provided*, That notice of any writ of attachment which may issue prior to return shall be served upon the Alien Property Custodian. Any such attachment proceeding shall be subject to the provisions of law relating to limitation of actions applicable to actions at law in the jurisdiction in which such proceeding is brought, but the period during which the property or interest or proceeds were vested in the Alien Property Custodian shall not be included for the purpose of determining the period of limitation. No officer of any court shall take actual possession, without the consent of the Alien Property Custodian, of any property or interest or proceeds so attached, and publication of a notice of revocation of intention to return shall invalidate any attachment with respect to the specified property or interest or proceeds, but if there is no such revocation, the President or such officer or agency as he may designate shall accord full effect to any such attachment in returning any such property or interest or proceeds.

Notice of intention to make return.

Specified property subject to attachment.

Service of writ of attachment.

“(g) Without limitation by or upon any other existing provision of law with respect to the payment of expenses by the Alien Property Custodian, the Custodian may retain or recover from any property

Recovery of expenditures.

41 Stat. 977.
50 U. S. C. app.
§ 9 (a).

or interest or proceeds returned pursuant to this section or section 9 (a) of this Act an amount not exceeding that expended or incurred by him for the conservation, preservation, or maintenance of such property or interest or proceeds, or other property or interest or proceeds returned to the same person.' ”

42 Stat. 1515.
50 U. S. C. app.
§ 20.
Schedule of fees.

SEC. 2. Section 20 of the Trading With the Enemy Act is hereby amended to read as follows:

“SEC. 20. No property or interest or proceeds shall be returned under this Act, nor shall any payment be made or judgment awarded in respect of any property or interest vested in or transferred to the Alien Property Custodian unless a schedule of the fees to be paid to all agents, attorneys at law or in fact, or representatives, for services in connection with such return or payment or judgment, has been furnished to, and approved in accordance with this section by, the President or such officer or agency as he may designate, or the court, as the case may be. In the case of any return of, or the making of any payment in respect of, any such property or interest or proceeds (other than pursuant to an order of a court), the President or such officer or agency as he may designate may make such modifications, if any, as are appropriate, and shall approve such schedule only upon determining that the individual fees do not exceed fair compensation for the services rendered and that the aggregate of the fees does not exceed 10 per centum of the value of such property or interest or proceeds or of such payment. Any person aggrieved by the determination of the President or of such officer or agency as he may designate may petition the district court of the United States for the district in which he resides to review the determination, and shall name the person or agency making the determination a party defendant. The court hearing such petition for review, or a court awarding any judgment in respect of any such property or interest or proceeds, as the case may be, may make such modifications, if any, as are appropriate, and shall approve such schedule only upon determining that the individual fees do not exceed fair compensation for the services rendered, and shall approve an aggregate of fees in excess of 10 per centum of the value of such property or interest or proceeds only upon a finding that there exist special circumstances of unusual hardship which require the payment of such excess. Any person accepting any fee in excess of an amount approved hereunder, or retaining for more than thirty days any portion of a fee, accepted prior to approval hereunder, in excess of the fee as approved, shall be guilty of a violation of this Act.”

Petition for judicial review.

Person accepting excess fee.

Approved March 8, 1946.

[CHAPTER 84]

JOINT RESOLUTION

March 11, 1946
[S. J. Res. 136]
[Public Law 323]

Changing the name of the Shoshone Dam and Reservoir to Buffalo Bill Dam and Reservoir in commemoration of the one hundredth anniversary of the birth of William Frederick Cody, better known as Buffalo Bill.

Buffalo Bill Dam and Reservoir, Wyo.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundredth anniversary of the birth on February 26, 1846, of William Frederick Cody, better known as Buffalo Bill, the name of the Shoshone Dam and Reservoir in Park County, Wyoming, is changed effective February 26, 1946, to the “Buffalo Bill Dam and Reservoir”.

Approved March 11, 1946.

[CHAPTER 91]

AN ACT

To authorize the Secretary of War to convey certain lands situated within the Fort Douglas Military Reservation to the Shriners' Hospitals for Crippled Children.

March 14, 1946
[S. 1535]
[Public Law 324]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to convey under such terms and conditions as he may prescribe to the Shriners' Hospitals for Crippled Children, a Colorado corporation, all right, title, and interest of the United States in and to seven and eight thousand eight hundred and fifty-four ten-thousandths acres of land, more or less situated within the Fort Douglas Military Reservation, Utah.

Fort Douglas Military Reservation, Utah.
Conveyance.

SEC. 2. The lands conveyed pursuant to the provisions of the first section of this Act shall be used by the grantee as a location for a hospital for crippled children; and the deed of conveyance of such lands shall contain the express condition that if the grantee shall fail or cease to use such lands for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

Reversion of title.

Approved March 14, 1946.

[CHAPTER 92]

AN ACT

For the relief of the city of Memphis, Tennessee, and Memphis Park Commission.

March 14, 1946
[S. 176]
[Public Law 325]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, to the city of Memphis, Tennessee, and the Memphis Park Commission, the sum of \$45,000, in full settlement of all claims against the Government of the United States for compensation for damages sustained by said city and its park commission on account of the destruction of the building known as the Woman's Building and its fixtures and equipment located in the fair grounds of said city by fire on January 19, 1943, occasioned by the negligence of agents and representatives of the United States Army, who, at the time, were in possession and control of said building, together with a large portion of the Memphis Fair Grounds and improvements thereon, for use exclusively for the purposes of a military reservation under lease thereof by the city of Memphis to the United States, wherein, in effect, the United States agreed that it would restore the leased premises to the same condition as that existing at the time of entering upon the same in the event of the damage or destruction thereof occasioned by the negligence of the lessee: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Payment of damage claims.

Approved March 14, 1946.

[CHAPTER 93]

AN ACT

To authorize the appointment of certain persons as permanent brigadier generals of the line of the Regular Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the President, by and with the advice and consent of the Senate, is authorized to appoint as permanent brigadier generals of the line of the Regular Army the following persons: Hoyt S. Vandenberg, presently serving in the temporary grade of lieutenant general in the Army of the United States; James H. Doolittle, presently serving in the temporary grade of lieutenant general in the Army of the United States; Raymond S. McLain, presently serving in the temporary grade of lieutenant general in the Army of the United States; Curtis E. LeMay, presently serving in the temporary grade of major general in the Army of the United States; and Lauris Norstad, presently serving in the temporary grade of major general in the Army of the United States.

SEC. 2. Any persons appointed pursuant to the provisions of the first section of this Act shall be counted for the purposes of provisions of law establishing the authorized number of brigadier generals of the line of the Regular Army.

Approved March 14, 1946.

[CHAPTER 104]

AN ACT

To amend Public Law 277, Seventy-ninth Congress, so as to provide the Coast Guard, at such time as it is transferred back to the Treasury Department, with a system of laws for the settlement of claims, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 277, Seventy-ninth Congress, is hereby amended by adding at the end thereof the following new sections:

“SEC. 5. The provisions of this Act shall apply to the Coast Guard and to the personnel of the Coast Guard, military and civil, when the Coast Guard is not operating as a part of the Navy. In such cases, the Secretary of the Treasury shall have and exercise, as to claims caused by military or civilian employees of the Coast Guard while acting within the scope of their employment or otherwise incident to the activities of the Coast Guard and as to the claims of the personnel of the Coast Guard, the authority conferred by this Act upon the Secretary of the Navy, and payment or reimbursement in kind of such claims shall be made from appropriations available to the Treasury Department which appropriations are hereby authorized. The Act of December 28, 1922 (42 Stat. 1066), shall be inapplicable to the Coast Guard sixty days after approval of this Act.

“SEC. 6. The provisions of this Act shall apply to the personnel of the Coast and Geodetic Survey and the Public Health Service when serving with the Navy.”

Approved March 20, 1946.

March 14, 1946

[S. 1532]

[Public Law 326]

Regular Army
Permanent brigadier
generals.
Post, p. 936.

March 20, 1946

[H. R. 5239]

[Public Law 327]

59 Stat. 662.
31 U. S. C., Supp.
V. §§ 215-217 notes,
222a, 222f, 223d.
Post, pp. 333, 346.
Coast Guard.
Settlement of claims.

31 U. S. C. §§ 215-
217; Supp. V. §§ 215-
217 notes.

Post, p. 346.
Coast and Geodetic
Survey; PHS.

[CHAPTER 106]

JOINT RESOLUTION

To amend Public Law 30 of the Seventy-ninth Congress, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3 of the Act of April 12, 1945 (59 Stat. 50), is hereby amended by deleting in clause (b) (3) of said section, the words "1945 crop program operations", and by inserting, in lieu thereof, the words "(A) 1945 crop program operations and (B) 1946 crop program operations relating to sugar, vegetables processed prior to July 1, 1946, and flaxseed harvested prior to July 1, 1946"; (b) neither the last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended, nor the Act of June 23, 1945 (59 Stat. 260), shall be construed to apply to purchases by the Reconstruction Finance Corporation of such tin ores and concentrates as it deems necessary to insure continued operation of the Texas City tin smelter; and (c) the allocations for meat and flour provided in the Act of June 23, 1945 (59 Stat. 260) are hereby increased by \$125,000,000 and \$25,000,000, respectively: *Provided, however,* That this shall not be construed to increase the aggregate amount allocated by said Act of June 23, 1945, for subsidy payments and anticipated losses for the fiscal year ending June 30, 1946.

Approved March 21, 1946.

[CHAPTER 107]

AN ACT

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes, namely:

LEGISLATIVE

SENATE

For an additional amount for clerical assistance to Senators (including chairmen of standing committees) at the rate of \$2,400 per annum, effective March 16, 1946, fiscal year 1946, \$67,200.

Notwithstanding the provisions of the Act of May 10, 1916, as amended by the Act of August 29, 1916, the Sergeant at Arms of the Senate is hereby authorized during the Seventy-ninth Congress to employ, whenever necessary, the services of Government employees for folding speeches and pamphlets at the prevailing rates provided by law.

HOUSE OF REPRESENTATIVES

For payment to the widow of Joe W. Ervin, late a Representative from the State of North Carolina, \$10,000.

For payment to the widow of J. Buell Snyder, late a Representative from the State of Pennsylvania, \$10,000.

Contested-election expenses: For payment to George A. Dondero, contestee, for expenses incurred in the contested-election case of Hicks versus Dondero, as audited and recommended by the Committee on Elections Numbered 3, \$1,000, to be disbursed by the Clerk of the House.

March 21, 1946
[H. J. Res. 301]
[Public Law 328]

C. C. C. subsidy
operations.
59 Stat. 51.
15 U. S. C., Supp.
V, § 713 note.

Tin ores, etc.
58 Stat. 635.
50 U. S. C., Supp.
V, app. § 902 (e).
Post, pp. 214, 671.
15 U. S. C., Supp.
V, § 606b note.
Meat and flour.

March 22, 1946
[H. R. 5458]
[Public Law 329]

Urgent Deficiency
Appropriation Act,
1946.

39 Stat. 120, 582.
5 U. S. C. §§ 58, 59.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

CIVILIAN PRODUCTION ADMINISTRATION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", Civilian Production Administration, including the objects specified for the appropriation "Salaries and expenses, War Production Board", in the National War Agencies Appropriation Act, 1946, \$1,500,000, and the amount available for printing and binding fixed at \$346,000 by the First Supplemental Surplus Appropriation Rescission Act, 1946, is hereby increased to \$398,000.

59 Stat. 479.

Anti, p. 7.

OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the National War Agencies Appropriation Act, 1946, \$159,000.

59 Stat. 474.

OFFICE OF PRICE ADMINISTRATION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Second Deficiency Appropriation Act, 1946, \$1,600,000.

Post, p. 183.

DEPARTMENT OF AGRICULTURE

RURAL ELECTRIFICATION ADMINISTRATION

Loans: For an additional amount, fiscal year 1946, for "Loans", Rural Electrification Administration, \$100,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation in accordance with the provisions of section 3 (a) of the Rural Electrification Act of 1936, as amended.

49 Stat. 1364.
7 U. S. C., Supp. V,
§ 903 (a).
Short title.

SEC. 2. This Act may be cited as the "Urgent Deficiency Appropriation Act, 1946".

Approved March 22, 1946.

[CHAPTER 108]

AN ACT

Providing for the transfer of a certain fish hatchery in Comanche County, Oklahoma, to the city of Lawton, Oklahoma.

March 22, 1946
[S. 306]
[Public Law 330]

Lawton, Okla.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey to the city of Lawton, Oklahoma, all of the right, title, and interest of the United States in and to the fish hatchery property which is located south of such city in Comanche County, Oklahoma, and which is now under the control of the Department of the Interior.

Approved March 22, 1946.

[CHAPTER 109]

AN ACT

To convey certain lands to the State of Wyoming.

March 22, 1946
[S. 1162]
[Public Law 331]

National Elk Ref-
uge, Wyo.
Conveyance.
Post, p. 529.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed, upon the payment by the State of \$12 to convey to the State of Wyoming all

right, title, and interest of the United States to a portion of the National Elk Refuge, Wyoming, a parcel of land in the northwest quarter of the southwest quarter of section 27, township 41 north, range 116 west, of the sixth principal meridian, Wyoming, the said parcel being described by metes and bounds as follows: From the southwest corner of the aforesaid section 27 run north no degrees two minutes west one thousand seven hundred and two feet and then north eighty-nine degrees fifty-eight minutes east forty feet to the place of beginning at the southwest corner of the parcel hereby conveyed; thence from said place of beginning north no degrees two minutes west one hundred feet; then north eighty-nine degrees fifty-eight minutes east two hundred and nine feet; thence south no degrees two minutes east one hundred feet; thence south eighty-nine degrees fifty-eight minutes west two hundred and nine feet to the place of beginning, containing forty-eight one hundredths of an acre, more or less.

Approved March 22, 1946.

[CHAPTER 110]

AN ACT

To change the designation of Custer Battlefield National Cemetery, in the State of Montana, to "Custer Battlefield National Monument", and for other purposes.

March 22, 1946
[S. 1185]
[Public Law 332]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the area now within the Custer Battlefield National Cemetery, in the State of Montana, shall hereafter be known as the "Custer Battlefield National Monument", under which name this national monument shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Custer Battlefield National Cemetery.

Custer Battlefield
National Monument,
Mont.

Approved March 22, 1946.

[CHAPTER 112]

AN ACT

To authorize the permanent appointment in the grades of General of the Army, Fleet Admiral of the United States Navy, general in the Marine Corps, and admiral in the Coast Guard, respectively, of certain individuals who have served in such grades during the Second World War.

March 23, 1946
[S. 1354]
[Public Law 333]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized, by and with the advice and consent of the Senate, to appoint to the permanent grade of General of the Army any individual who shall have served in such grade after December 14, 1944, and before August 14, 1945, and to appoint to the permanent grade of Fleet Admiral of the United States Navy any individual who shall have served in such grade after December 14, 1944, and before December 14, 1945. The officers appointed under the provisions of this section shall take rank in the manner provided in the Act of December 14, 1944 (Public Law 482, Seventy-eighth Congress), and shall receive the pay and allowances prescribed by section 4 of such Act. Any officer on the active list, or any retired officer, who is appointed under the provisions of this section and who has been or may hereafter be retired or relieved from active duty, shall be entitled to have his name placed on the retired list with the highest grade or rank held by him on the active list or while on active duty, and shall be entitled to receive the same pay and allowances while on the retired list as officers appointed under this section are entitled to receive while on active duty.

General of the
Army.

Fleet Admiral of the
U. S. Navy.

Rank; pay and al-
lowances.

58 Stat. 802, 803,
50 U. S. C., Supp. V,
app. §§ 1691-1697.
Retirement.

General in Marine Corps.

SEC. 2. The President is hereby authorized, by and with the advice and consent of the Senate, to appoint to the permanent grade of general in the Marine Corps any individual who shall have served as Commandant of the Marine Corps, with the grade and rank of general, after March 21, 1945, and before August 14, 1945. Any officer appointed under the provisions of this section shall receive the pay and allowances prescribed by section 3 of the Act of March 21, 1945 (Public Law 19, Seventy-ninth Congress); and any such officer who has been or may hereafter be retired or relieved from active duty shall be entitled to have his name placed on the retired list with the highest grade or rank held by him on the active list or while on active duty, and shall be entitled to receive the same pay and allowances while on the retired list as officers appointed under this section are entitled to receive while on active duty.

Pay and allowances.

59 Stat. 36.
50 U. S. C., Supp. V,
app. § 1713.
Retirement.

Admiral in Coast Guard.

SEC. 3. The President is hereby authorized, by and with the advice and consent of the Senate, to appoint to the permanent grade of admiral in the Coast Guard any individual who shall have served as Commandant of the Coast Guard, with the grade and rank of admiral, after March 21, 1945, and before August 14, 1945. Any officer appointed under the provisions of this section shall receive the pay and allowances prescribed by section 3 of the Act of March 21, 1945 (Public Law 20, Seventy-ninth Congress); and any such officer who has been or may hereafter be retired or relieved from active duty shall be entitled to have his name placed on the retired list with the highest grade or rank held by him on the active list or while on active duty, and shall be entitled to receive the same pay and allowances while on the retired list as officers appointed under this section are entitled to receive while on active duty.

Pay and allowances.

59 Stat. 37.
50 U. S. C., Supp. V,
app. § 1723.
Retirement.

Approved March 23, 1946.

[CHAPTER 113]

AN ACT

March 28, 1946
[H. R. 5201]
[Public Law 334]

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, namely:

Independent Offices
Appropriation Act,
1947.
Post, pp. 603, 610,
912, 913.

TITLE I

EXECUTIVE OFFICE OF THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President of the United States, \$75,000.

THE WHITE HOUSE OFFICE

Salaries and expenses: For all expenses necessary for The White House Office, including compensation of the Secretary to the President, the two additional secretaries to the President and the six administrative assistants to the President at \$10,000 each, and other personal services in the District of Columbia; not to exceed \$3,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); automobiles; printing and binding; and travel and official entertainment expenses

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

Post, pp. 603, 912.

of the President, to be accounted for on his certificate solely; \$883,660: *Provided*, That of the \$1,650,000 appropriated in the First Deficiency Appropriation Act, 1946 (Public Law 269, Seventy-ninth Congress, ch. 589, first session), under the head "Executive Office of the President" and the subhead "Executive Mansion and Grounds" for an addition to the Executive Mansion, alterations, improvements, and furnishings and improvement of grounds, \$970,000 shall be returned to the Treasury, and of the remaining unexpended balance of said appropriation of \$1,650,000 no part shall be used for an addition to the West Executive Office: *Provided further*, That employees of the departments and independent offices of the executive branch of the Government may be detailed from time to time to The White House Office for temporary assistance.

59 Stat. 634.

Temporary assistance.

EXECUTIVE MANSION AND GROUNDS

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Mansion and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, \$184,000.

BUREAU OF THE BUDGET

Salaries and expenses: For all expenses necessary for the work of the Bureau of the Budget, including personal services in the District of Columbia and elsewhere, contract stenographic reporting services, traveling expenses, purchase and exchange of lawbooks, books of reference, newspapers and periodicals (not exceeding \$25,000), teletype news service (not exceeding \$1,800), maintenance, repair, and operation of three passenger-carrying automobiles for official use, not to exceed \$2,600 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), and not to exceed \$42,500 for temporary employment of persons or organizations by contract or otherwise without regard to section 3709 of the Revised Statutes, or the Classification Act of 1923, as amended, \$3,272,983, of which \$40,000 shall be available for salaries and expenses of the Federal Board of Hospitalization.

58 Stat. 394.
39 U. S. C., Supp. V, § 321d.41 U. S. C. § 5.
Post, p. 809.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Post, pp. 216, 219.

For printing and binding, \$101,000.

No. part of the appropriations herein made to the Bureau of the Budget shall be used for the maintenance or establishment of more than four regional, field, or any other offices outside the District of Columbia.

Regional, etc., offices.

EMERGENCY FUND FOR THE PRESIDENT

Emergency fund for the President: Not to exceed \$5,000,000 of the appropriation "Emergency fund for the President", contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemented and amended, is hereby continued available until June 30, 1947: *Provided*, That no part of such fund shall be available for allocation to finance a function or project for which function or project a budget estimate of appropriation was transmitted pursuant to law during the Seventy-ninth and Eightieth Congresses and such appropriation denied after consideration thereof by the Senate or House of Representatives or by the Committee on Appropriations of either body.

56 Stat. 704, 995; 57 Stat. 432; 58 Stat. 599; 59 Stat. 414.

Restriction.

INDEPENDENT OFFICES

AMERICAN BATTLE MONUMENTS COMMISSION

For all expenses necessary for the work of the American Battle Monuments Commission authorized by the Act of March 4, 1923 (36 U. S. C. 121-138), and by Executive Order 6614 of February 26, 1934, including the acquisition of land or interest in land in foreign countries for carrying out the purposes of said Act and Executive order without submission to the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (34 U. S. C. 520; 40 U. S. C. 255); employment of personal services in the District of Columbia and elsewhere; purchase and repair of uniforms for caretakers of national cemeteries and monuments in Europe at a cost not exceeding \$600; travel expenses; not to exceed \$30 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); rent of office and garage space in foreign countries which may be paid for in advance; the purchase of one used or surplus and the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries in Europe; the temporary transfer of employees by the Commission between places in foreign countries or between foreign countries and the United States, including transfers incident thereto, or, in the case of new appointments, transfer from place of appointment, may, if ordered or approved by the Commission, be regarded as a transfer from one official station to another for permanent duty for the purpose of authorizing the payment of travel of dependents and for the purposes of the Act of October 10, 1940, and regulations promulgated thereunder; and the purchase of maps, textbooks, newspapers and periodicals; \$233,440: *Provided*, That notwithstanding the requirements of existing laws or regulations, and under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for work, supplies, materials, and equipment in Europe and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel: *Provided further*, That the Commission may delegate to its chairman, secretary, or officials in charge of either its Washington or Paris offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.

42 Stat. 1509.
Post, p. 317.
5 U. S. C. § 132 note.
Acquisition of land
abroad.

Post, p. 610.

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

Temporary transfer
of employees.

54 Stat. 1105.
5 U. S. C. § 73c-1.
Post, p. 807.

Supplies, etc.

Delegation of au-
thority.

CIVIL SERVICE COMMISSION

Salaries and expenses: For all expenses necessary for the work of the Civil Service Commission, including personal services in the District of Columbia; not to exceed \$3,750 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available; medical examinations, including not to exceed \$50,000 for medical examinations performed for veterans by private physicians on a fee basis; contract stenographic reporting services; traveling expenses, including those of examiners acting under the direction of the Commission, and expenses of examinations and investigations held in Washington and elsewhere; witness fees and mileage, including fees to deponents and persons taking depositions, at rates paid in the courts of the United States; rental of equipment; not to exceed \$10,000 for purchase and exchange of lawbooks, books of reference, newspapers, and periodicals; not to exceed

\$200 for payment in advance for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; charts; gloves and other protective equipment for photostat and other machine operators; maintenance, and repair of motortrucks, motorcycles, and bicycles; not to exceed \$250,000 for printing and binding; \$12,080,500, of which not to exceed \$50,000 shall be available for reimbursement to the Veterans' Administration for services rendered the Commission in connection with physical examinations of applicants for and employees in the Federal classified service; not to exceed \$56,000 for performing the duties imposed upon the Civil Service Commission by the Act of July 19, 1940 (54 Stat. 767); not to exceed \$292,095 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and not to exceed \$3,000 for actuarial services by contract, without regard to section 3709, Revised Statutes: *Provided*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its regional offices shall be made during the fiscal year ending June 30, 1947, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the regional directors, nor shall it affect the making of details of persons qualified to serve as expert examiners on special subjects: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

No part of the appropriations herein made to the Civil Service Commission shall be available for the salaries and expenses of the Legal Examining Unit in the Examining and Personnel Utilization Division of the Commission, established pursuant to Executive Order Numbered 9358 of July 1, 1943.

Reimbursement of Veterans' Administration.

18 U. S. C. §§ 61a, 61h, 61j, 61l-61t; Supp. V, § 61h *et seq.*
Post, p. 937.
 58 Stat. 394.
 39 U. S. C., Supp. V, § 321d.
 41 U. S. C. § 5.
Post, p. 809.
 Details.

Emergency transfers or details.

Legal Examining Unit.

3 CFR, 1943 Supp., p. 30.

PANAMA CANAL CONSTRUCTION ANNUITY FUND

Panama Canal construction annuity fund: For payment of annuities authorized by the Act of May 29, 1944 (Public Law 319), \$1,814,000, together with the unexpended balance of the appropriation under this head for the fiscal year 1946.

58 Stat. 257; 59 Stat. 109.
 48 U. S. C., Supp. V, §§ 1373-1373g.
Post, p. 873.

CIVIL-SERVICE RETIREMENT AND DISABILITY FUND

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (38 U. S. C. 11), \$220,100,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund".

41 Stat. 614.
 5 U. S. C. § 601 *et seq.*; Supp. V, § 601 *et seq.*
Post, pp. 339, 658, 659, 705, 706, 850, 939.

CANAL ZONE RETIREMENT AND DISABILITY FUND

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees of the Panama Canal and the Panama Railroad Company, on the Isthmus of Panama, who are citizens of the United States", approved March 2, 1931, and Acts amendatory thereof (48 U. S. C. 1371n), \$1,177,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund".

46 Stat. 1471.
 48 U. S. C. §§ 1371-1371p; Supp. V, § 1371 *et seq.*

ALASKA RAILROAD RETIREMENT AND DISABILITY FUND

For financing of the liability of the United States created by the Act entitled "An Act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States", approved June 29, 1936 (49 Stat. 2017), \$217,000, which amount shall be placed to the credit of the "Alaska Railroad retirement and disability fund".

5 U. S. C. §§ 745-745r; Supp. V, ch. 14-A.

FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For salaries and expenses of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (46 U. S. C. 484-487), the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President July 7, 1936, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, lawbooks, special counsel fees, supplies and equipment, improvement and care of grounds and repairs to buildings (not to exceed \$17,500), purchase (not to exceed six used or surplus), maintenance, operation, and repair of passenger automobiles for official use in the field, travel expenses (not to exceed \$130,000), purchase of land and the construction of buildings and antennas (not to exceed \$130,000), not to exceed \$14,400 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), reimbursements to ships of the United States for charges incurred by such ships in transmitting information in compliance with section 357 of the Communications Act of 1934, as amended, \$5,560,000, of which amount not to exceed \$2,984,000 may be expended for personal services in the District of Columbia.

Printing and binding: For printing and binding for the Federal Communications Commission, \$25,000.

47 U. S. C. §§ 151-151f; Supp. V, ch. 5. Post, p. 89. 36 Stat. 629. 46 U. S. C., Supp. V, §§ 484-487 note.

50 Stat. 1146.

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

50 Stat. 195. 47 U. S. C. § 357.

FEDERAL POWER COMMISSION

Salaries and expenses: For all expenses necessary for the work of the Federal Power Commission as authorized by law except for the work authorized by the Act of June 28, 1938, and sections 10 and 12 of the Act of December 22, 1944, authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes (33 U. S. C. 701j and 58 Stat. 892, 904), including traveling expenses; contract stenographic reporting services; purchase (not to exceed five used or surplus), hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, including not more than one such vehicle for general administrative use in the District of Columbia; and not exceeding \$5,000 for purchase and exchange of lawbooks, books of reference, newspapers, and periodicals, \$3,060,000; of which amount not to exceed \$1,792,700 shall be available for personal services in the District of Columbia exclusive of not to exceed \$10,000, which may be expended for consultants and special counsel.

Flood-control surveys: For all expenses necessary for the work of the Federal Power Commission as authorized by the Act of June 28, 1938 (33 U. S. C. 701j) and sections 10 and 12 of the Act of December 22, 1944 (58 Stat. 892, 904), including travel expenses; contract stenographic reporting services; \$235,000, of which amount not to

52 Stat. 1215; 58 Stat. 891, 904. 33 U. S. C. § 701b et seq.; Supp. V, § 701b et seq.

52 Stat. 1215; 58 Stat. 891, 904. 33 U. S. C. § 701b et seq.; Supp. V, § 701b et seq.

exceed \$100,800 shall be available for personal services in the District of Columbia.

For all printing and binding for the Federal Power Commission, including engraving, lithographing, and photolithographing, \$50,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Power Commission as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$6,000.

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

FEDERAL TRADE COMMISSION

Salaries and expenses: For salaries and expenses of the Federal Trade Commission, including personal services in the District of Columbia; contract stenographic reporting services; supplies and equipment, lawbooks, books of reference, periodicals, garage rentals; traveling expenses; newspapers not to exceed \$500, foreign postage; not to exceed \$5,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and witness fees and mileage in accordance with section 9 of the Federal Trade Commission Act; \$2,194,120, of which not less than \$228,695 shall be available for the enforcement of the Wool Products Labeling Act: *Provided*, That no part of the funds appropriated herein for the Federal Trade Commission shall be expended upon any investigation hereafter provided by concurrent resolution of the Congress until funds are appropriated subsequently to the enactment of such resolution to finance the cost of such investigation.

Post, p. 610.

58 Stat. 394.
39 U. S. C., Supp.
V, § 321d.
38 Stat. 722.
15 U. S. C. § 49.

54 Stat. 1128.
15 U. S. C. §§ 68-68j.

Printing and binding: For all printing and binding for the Federal Trade Commission, \$45,000.

Post, p. 611.

FEDERAL WORKS AGENCY

OFFICE OF THE ADMINISTRATOR

Salaries and expenses: For salaries and expenses in the Office of the Administrator in the District of Columbia, including the salaries of an Assistant Administrator and a general counsel at \$10,000 each per annum; printing and binding (not to exceed \$4,000); purchase (including exchange) of lawbooks and other books of reference, purchase of newspapers and periodicals (not to exceed \$150); preparation, shipment, and installation of photographic displays, exhibits, and other descriptive materials; travel expenses; not to exceed \$4,000 for the temporary employment of persons or organizations by contract or otherwise, for special services determined by the Administrator to be necessary, without regard to section 3709 of the Revised Statutes, and civil-service and classification laws, \$300,000: *Provided*, That the Federal Works Administrator may, under such rules and regulations as he shall prescribe, authorize the Commissioner of Public Roads and the Commissioner of Public Buildings to make appointments of personnel for such administrations.

Post, p. 611.

Special services.

41 U. S. C. § 5.
Post, p. 809.
Appointments.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Works Agency as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$25,000.

The Federal Works Administrator is authorized to accept payment, at par and accrued interest, of any obligations, held by him, of States or other public bodies or nonprofit corporations, notwithstanding the maturity dates or any premiums for the redemption thereof.

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

PUBLIC BUILDINGS ADMINISTRATION

Repair, operation,
etc.
35 Stat. 537.

For carrying into effect the provisions of the Public Buildings Acts, as provided in section 6 of the Act of May 30, 1908 (31 U. S. C. 683), and for the repair, preservation, and upkeep of all completed public buildings under the control of the Federal Works Agency, the mechanical equipment and the grounds thereof, and sites acquired for buildings, and for the operation of certain completed and occupied buildings under the control of the Federal Works Agency, including furniture and repairs thereof, but exclusive, with respect to operation, of buildings of the United States Coast Guard, of hospitals, quarantine stations, and other Public Health Service buildings, mints, bullion depositories, and assay offices, and buildings operated by the Treasury and Post Office Departments in the District of Columbia:

Post, p. 611.

General administrative expenses: For architectural, engineering, mechanical, administrative, clerical, and other personal services; traveling expenses, printing and binding (not to exceed \$32,500), advertising, testing instruments, lawbooks, books of reference, periodicals, and such other contingencies, articles, services, equipment, or supplies as the Commissioner of Public Buildings may deem necessary in connection with any of the work of the Public Buildings Administration; ground rent of the Federal buildings at Salamanca, New York, and Columbus, Mississippi, for which payment may be made in advance, \$1,677,000, of which not to exceed \$795,000 may be expended for personal services in the District of Columbia and not to exceed \$715,000 for personal services in the field: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate.

Repair, preservation, and equipment, outside the District of Columbia: For the repair, alteration, improvement, preservation, and equipment, not otherwise provided for, of completed Federal buildings, the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding of sites acquired for Federal buildings and of surplus real property, the custody of which is the responsibility of the Public Buildings Administration under the Act of August 27, 1935, pending sale or disposition; the demolition of buildings thereon; the purchase and repair of equipment, fixtures, and necessary safe equipments in buildings under the administration of the Federal Works Agency; and for changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533), \$8,300,000, and in addition thereto not to exceed \$1,700,000 of the unobligated balance of the appropriation for sites and construction, general office buildings in or near the District of Columbia contained in the Third Supplemental National Defense Appropriation Act, 1942, is continued available for the purposes of this paragraph until June 30, 1947: *Provided*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

49 Stat. 885.
40 U. S. C. §§ 304a-
304e.
Post, p. 257.

Pneumatic-tube
system, New York
City.

55 Stat. 821.
Limitation.

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For administration, protection, maintenance, and improvement of public buildings and grounds in the District of Columbia and the area adjacent thereto, maintained and operated by the Public Buildings Administration, including the National Archives Building; repair, preservation, and equipment of buildings operated by the Treasury and Post Office Departments in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and carfare; the purchase of five used or surplus passenger automobiles; leather and rubber articles and gas masks for the protection of public property and employees; furnishings and equipment; arms and ammunition for the guard force; purchase, repair, and cleaning of uniforms for guards and elevator conductors; \$27,463,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

Use of present furniture.

Post, p. 611.

Salaries and expenses, public buildings and grounds outside the District of Columbia: For operation, protection, and maintenance, including cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, furnishings and equipment, personal services in the District of Columbia and elsewhere, arms, ammunition, leather and rubber articles, and gas masks for the protection of public property and employees, purchase of uniforms for guards and elevator conductors, expenses incident to moving Government agencies in connection with the assignment, allocation and transfer of building space, the restoration of leased premises, the purchase of five used or surplus passenger automobiles, and every expenditure requisite for and incidental to such maintenance and operation of public buildings and grounds outside of the District of Columbia maintained and operated by the Public Buildings Administration, \$15,625,285: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

Use of present furniture.

Per diem employees.

Under the appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, per diem employees may be paid at rates approved by the Commissioner of Public Buildings, not exceeding current rates for similar services in the place where such services are employed, and such employees in emergencies may be entered on duty subject to confirmation by the Federal Works Administrator.

Communication services.

The appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, shall be available for communication services serving one or more governmental activities, and for services to motor vehicles, and where such services, together with quarters, maintenance or other services are furnished on a reimbursable basis to any governmental activity, such activity shall make payment therefor promptly by check upon the request of the Public Buildings Administration, either in advance or after the service has been furnished, for deposit to the credit of the applicable appropriation, of all or part of the estimated or actual cost thereof, as the case may be, proper adjustment upon the basis of actual cost to be made for services paid for in advance.

Services to motor vehicles.

In the prosecution of construction projects or planning programs assigned to the Public Buildings Administration for which funds are

Transfer of funds.

52 Stat. 683.

provided by direct appropriation or transferred under authority contained in section 35 of the Act of June 15, 1938 (40 U. S. C. 265), an amount administratively determined as necessary for the payment of salaries and expenses of personnel engaged upon the preparation of plans and specifications, field supervision, and general office expense, may be transferred and consolidated on the books of the Treasury Department into a special account for direct expenditure in the prosecution of said work, such expenditures to be subsequently allocated and reported upon by projects in accordance with procedures prescribed by the General Accounting Office.

Post, p. 914.

PUBLIC ROADS ADMINISTRATION

General administrative expenses: For the employment of persons and means, including rent, advertising (including advertising in the city of Washington for work to be performed in areas adjacent thereto), printing and binding (not to exceed \$40,000), purchase (including exchange) of lawbooks, books of reference and periodicals, purchase of one hundred and twenty-one used or surplus passenger automobiles, and the preparation, distribution, and display of exhibits, in the city of Washington and elsewhere for the purpose of conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; and studies of types of mechanical plants and appliances used for road building and maintenance, and of methods of road repair and maintenance suited to the needs of different localities; for maintenance and repairs of experimental highways; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916, as amended (23 U. S. C. 21), or as otherwise provided.

39 Stat. 355.
42 Stat. 217.

FEDERAL-AID HIGHWAY SYSTEM

Construction of rural post roads.

39 Stat. 355; 42 Stat. 212.
23 U. S. C., Supp. V, § 2 et seq.
Post, p. 866.

For carrying out the provisions of "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", as amended (23 U. S. C. 1-117), to be expended in accordance with the provisions of said Act, as amended, including not to exceed \$1,812,500 for departmental personal services in the District of Columbia, \$50,000,000, to be immediately available and to remain available until expended, which sum is a part of the amount authorized to be appropriated for the fiscal year 1943 by section 1 of the Act approved September 5, 1940 (Public Law 780): *Provided*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That, during the fiscal year 1947, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government and State cooperating agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1947 the appropriations for the work of the Public Roads

54 Stat. 867.
Convict labor.

Charges for designated services.

Warehouse maintenance, etc.

Administration shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Public Roads Administration, and for sale and distribution to other Government activities and State cooperating agencies, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That the appropriations available to the Public Roads Administration may be used in emergency for medical supplies and services and other assistance necessary for the immediate relief of employees engaged on hazardous work under that Administration, and (not exceeding \$15,000) for the temporary employment, by contract or otherwise, of technical consultants and experts without regard to section 3709 of the Revised Statutes, and civil-service and classification laws.

Medical supplies,
etc., in emergencies.

Temporary employ-
ment.

41 U. S. C. § 5.
Post, p. 809.

Inter-American
Highway.
Fulfillment of U. S.
obligations.

For all necessary expenses to enable the President to utilize the services of the Public Roads Administration in fulfilling the obligations of the United States under the Convention on the Pan-American Highway Between the United States and Other American Republics, signed at Buenos Aires, December 23, 1936, and proclaimed September 16, 1937 (51 Stat. 152), for the continuation of cooperation with several governments, members of the Pan American Union, in connection with the survey and construction of the Inter-American Highway as provided in public resolution, approved March 4, 1929 (Public Resolution 104), as amended or supplemented, and for performing engineering service in pan-American countries for and upon the request of any agency or governmental corporation of the United States, \$100,000 to be derived from the administrative funds provided under the Act of July 11, 1916, as amended or supplemented (23 U. S. C. 21), or as otherwise provided.

45 Stat. 1697.

39 Stat. 355.
42 Stat. 217.

INTER-AMERICAN HIGHWAY

For surveys in connection with and the construction of the Inter-American Highway, in accordance with the provisions of the Act approved December 26, 1941 (Public Law 375), and necessary expenses incident thereto without regard to section 3709, Revised Statutes, \$5,000,000, to be immediately available and to remain available until expended.

Surveys and con-
struction.

55 Stat. 860.

41 U. S. C. § 5.
Post, p. 809.

FEDERAL-AID SECONDARY OR FEEDER ROADS

For secondary or feeder roads, including farm-to-market roads, rural-free-delivery mail roads, and public-school bus routes, \$20,000,000, to be immediately available and to remain available until expended, which sum is composed of \$5,500,000, the remainder of the amount authorized to be appropriated for the fiscal year 1942, by section 2 of the Act approved September 5, 1940 (Public Law 780), and \$14,500,000, a part of the amount authorized to be appropriated for the fiscal year 1943, by said section 2.

54 Stat. 868.

ELIMINATION OF GRADE CROSSINGS

For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, \$25,000,000, to be immediately available and to remain available until expended,

which sum is composed of \$2,300,000, the remainder of the amount authorized to be appropriated for the fiscal year 1941, by section 3 of the Act approved June 8, 1938 (Public Law 584), \$20,000,000, the amount authorized to be appropriated for the fiscal year 1942, by section 5 of the Act approved September 5, 1940 (Public Law 780), and \$2,700,000, a part of the amount authorized to be appropriated for the fiscal year 1943, by said section 5.

53 Stat. 634.

54 Stat. 869.

FEDERAL-AID POSTWAR HIGHWAYS

For carrying out the provisions of the Federal-Aid Highway Act of 1944 (Public Law 521), \$150,000,000, to be immediately available and to remain available until expended, which sum is a part of the \$500,000,000 authorized to be appropriated for the first postwar fiscal year by section 2 of said Act.

58 Stat. 839.

STRATEGIC HIGHWAY NETWORK

For carrying out projects to correct critical deficiencies in lines of the strategic network of highways and bridges, in accordance with the provisions of section 4 of the Defense Highway Act of 1941 (23 U. S. C. 104), \$10,515,637, to be immediately available and to remain available during the continuance of the emergency declared by the President on May 27, 1941.

55 Stat. 765.
23 U. S. C., Supp.
V, § 104.

55 Stat. 1647.
50 U. S. C., Supp.
V, app., note prec. § 1.

ACCESS ROADS

For the construction, maintenance, and improvement of access roads and for replacing existing highways and highway connections as described in, and in accordance with the provisions of, sections 6 and 9 of the Defense Highway Act of 1941, as amended by the Act approved July 2, 1942 (23 U. S. C. 106), \$7,323,155, to be immediately available and to remain available during the continuance of the emergency declared by the President on May 27, 1941.

55 Stat. 766, 767; 56
Stat. 562.
23 U. S. C., Supp.
V, §§ 106, 109.

55 Stat. 1647.
50 U. S. C., Supp.
V, app., note prec. § 1.

Post, p. 915.

BUREAU OF COMMUNITY FACILITIES

Virgin Islands public works: For an additional amount to enable the Federal Works Administrator to carry out the functions vested in him by, and in accordance with the provisions of, the Act of December 20, 1944 (Public Law 510), \$993,795, to be immediately available.

58 Stat. 827.

Vehicles.

Any of the foregoing appropriations for general or administrative expenses under the Federal Works Agency shall be available for the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles in the District of Columbia and in the field.

GENERAL ACCOUNTING OFFICE

Salaries: For personal services in the District of Columbia and elsewhere, \$38,000,000.

Miscellaneous expenses: For all expenses necessary for the work of the General Accounting Office, including travel expenses; procurement and exchange of lawbooks and books of reference, and not to exceed \$100 for periodicals; purchase of one used or surplus, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, \$2,000,000, of which not to exceed \$50,000 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

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

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, \$300,000.

INTERSTATE COMMERCE COMMISSION

General expenses: For expenses necessary in performing the functions vested by law in the Commission (49 U. S. C. 1-24, 301-327, 901-923, 1001-1022), except those otherwise specifically provided for in this Act, and for general administration, including one chief counsel, one director of finance, one director of motor transport, and one director of traffic, at \$10,000 each per annum; not to exceed \$50,000 for the employment of special counsel; traveling expenses; contract stenographic reporting services; personal services in the District of Columbia; procurement and exchange of books, reports, newspapers (not to exceed \$200), and periodicals; and purchase (not to exceed thirty-seven used or surplus), maintenance, repair, and operation of passenger automobiles; \$8,075,000: *Provided*, That Joint Board members may use Government transportation requests when traveling in connection with their duties as such: *Provided further*, That not to exceed \$5,000 may be used for the purchase of evidence in connection with investigations of apparent violations of part II of the Interstate Commerce Act.

Railroad safety: For expenses necessary in performing functions authorized by law (45 U. S. C. 1-15, 17-21, 35-46, 61-64; 49 U. S. C. 26) to insure a maximum of safety in the operation of railroads, including authority to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, including those pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906, and the Sundry Civil Act of May 27, 1908 (45 U. S. C. 35-37), and to require carriers by railroad subject to the Act to install automatic train-stop or train-control devices as prescribed by the Commission (49 U. S. C. 26), including the employment of inspectors, necessary engineers, personal services in the District of Columbia, and travel expenses, \$812,000.

Locomotive inspection: For expenses necessary in the enforcement of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto", as amended (45 U. S. C. 22-34), including travel expenses and personal services in the District of Columbia, \$535,000.

Printing and binding: For all printing and binding for the Interstate Commerce Commission, including not to exceed \$17,000 to print and furnish to the States, at cost, blank annual report forms of common carriers, and the receipts from such sales shall be credited to this appropriation, \$175,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Interstate Commerce Commission as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$24,000.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

For necessary salaries and expenses of the National Advisory Committee for Aeronautics, including contracts for personal services in the making of special investigations and reports; traveling expenses of members and employees, including the cost of a compartment or

49 U. S. C., Supp. V, chs. 1, 8, 12, 13.
Ante, p. 21.

Government transportation requests.

54 Stat. 919.
49 U. S. C. § 301;
Supp. V, § 301 *et seq.*

34 Stat. 838; 35 Stat. 325.

41 Stat. 498.

36 Stat. 913.
45 U. S. C., Supp. V, § 25.

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

Post, p. 613.

Salaries and expenses.

Aeronautical laboratories.

such other accommodation as may be authorized by the Chairman for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment, and for examination of estimates of appropriations and activities in the field; periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory, the Ames Aeronautical Laboratory, and the aircraft engine research laboratory at Cleveland, Ohio; purchase and maintenance of cafeteria equipment; maintenance and operation of aircraft, including aircraft borrowed from the Army and Navy and one airplane transferred without charge from the Army (such transfer being hereby authorized); purchase (not exceeding sixteen used or surplus), maintenance, and operation of motor-propelled passenger-carrying vehicles; not to exceed \$450,000 for personal services in the District of Columbia, including one Director of Aeronautical Research at not to exceed \$9,800 per annum and \$2,200 additional so long as the position is held by the present incumbent; not to exceed \$6,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and not to exceed \$10,000 for temporary employment of consultants, at not to exceed \$50 per diem, by contract or otherwise, without regard to the civil-service and classification laws; in all, \$26,500,000.

Director of Aeronautical Research.

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

Printing and binding.

For all printing and binding for the National Advisory Committee for Aeronautics, including all of its offices, laboratories, and services located in Washington, District of Columbia, and elsewhere, \$75,000.

Construction, Langley Field, Virginia: For additional construction and equipment, Langley Memorial Aeronautical Laboratory, Langley Field, Virginia, \$2,990,000, to be available until June 30, 1947: *Provided*, That funds made available in prior fiscal years for this purpose shall cease to be available for obligation on June 30, 1946.

Ames Aeronautical Laboratory.

Funds made available in prior fiscal years for construction and equipment, Ames Aeronautical Laboratory, Moffett Field, California, shall cease to be available for obligation on June 30, 1946.

Construction, Cleveland, Ohio: For additional construction and equipment, Aircraft Engine Research Laboratory, Cleveland, Ohio, \$108,000, to be available until June 30, 1947: *Provided*, That funds made available in prior fiscal years for this purpose shall cease to be available for obligation on June 30, 1946.

NATIONAL ARCHIVES

Salaries and expenses: For salaries and expenses of the Archivist and the National Archives; including personal services in the District of Columbia; scientific, technical, first-aid, protective, and other apparatus and materials for the arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of photographic and other records (including motion-picture and other films and sound recordings) in the custody of the Archivist; purchase and exchange of books, including lawbooks, books of reference, maps, and charts; contract stenographic reporting services; purchase of newspapers and periodicals; not to exceed \$100 for payment in advance when authorized by the Archivist for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed \$750 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); travel expenses; exchange of scientific and technical apparatus; and maintenance, operation, and repair of one passenger-carrying motor vehicle, \$1,047,935.

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

Printing and binding: For all printing and binding, \$15,000.

NATIONAL CAPITAL HOUSING AUTHORITY

For the maintenance and operation of properties under title I of the District of Columbia Alley Dwelling Authority Act, \$17,000: *Provided*, That all receipts derived from sales, leases, or other sources shall be covered into the Treasury of the United States monthly.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the National Capital Housing Authority as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$500.

52 Stat. 1186.
D. C. Code § 5-111;
Supp. V, § 5-104 *et seq.*
Post, p. 319.

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

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For all expenses necessary for the National Capital Park and Planning Commission in connection with the acquisition of land for the park, parkway, and playground system of the National Capital, as authorized by section 4 of the Act of May 29, 1930 (46 Stat. 482), including personal services; stenographic reporting services and technical services, including real estate appraisers, by contract or otherwise, at rates of pay or fees not to exceed those usual for similar services elsewhere and without regard to the Classification Act of 1923, as amended, and section 3709 of the Revised Statutes; purchase of options and other costs incident to the acquisition of land; not to exceed \$30 for deposit in the general fund of the Treasury for cost of penalty mail, for the fiscal year 1947, as required by section 2 of the Act of June 28, 1944 (Public Law 364); and operation and maintenance of passenger-carrying vehicles; \$867,750, to be immediately available and to remain available until expended.

Acquisition of land.

D. C. Code § 8-106
note.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Post, pp. 216, 219.
41 U. S. C. § 5.
Post, p. 809.

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

SECURITIES AND EXCHANGE COMMISSION

Salaries and expenses: For salaries and expenses, including personal services in the District of Columbia, of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law, including employment of experts when necessary; contract stenographic reporting services; purchase and exchange of lawbooks, books of reference, directories, and periodicals; not to exceed \$1,000 for the purchase of newspapers; travel expenses; garage rental; foreign postage; mileage and witness fees; rental of equipment; purchase of used or surplus, operation, maintenance, and repair of one motor-propelled passenger-carrying vehicle; not to exceed \$15,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and purchase of rubber gloves; \$4,916,700.

For all printing and binding for the Securities and Exchange Commission, \$45,000.

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

SMITHSONIAN INSTITUTION

Salaries and expenses: For all salaries and expenses necessary for continuing preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government and from other sources; for the system of international exchanges between the United States and foreign countries; for anthropological researches among the American Indians; and the natives of Hawaii and the excavation and preservation of archeological remains; for maintenance of the Astrophysical Observatory, including assistants, and making necessary observations in high altitudes; and for the administration of the National Collection of Fine Arts; including personal services in the District of Columbia; traveling expenses; not to exceed

Astrophysical Ob-
servatory.

National Collection
of Fine Arts.

58 Stat. 394.
39 U. S. C., Supp.
V, § 321d.
American Historical
Association, report.

\$5,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); printing and binding, not exceeding \$88,500, of which not to exceed \$12,000 shall be available for printing the report of the American Historical Association; purchase, repair, and cleaning of uniforms for guards and elevator conductors; repairs and alterations of buildings and approaches; not exceeding \$5,500 for preparation of manuscripts, drawings, and illustrations for publications; and not exceeding \$6,500 for purchase of books, pamphlets, and periodicals, \$1,452,512.

National Gallery of
Art.

20 U. S. C. §§ 71-75.

53 Stat. 577.

Salaries and expenses, National Gallery of Art: For the upkeep and operation of the National Gallery of Art, the protection and care of the works of art therein, and all administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including personal services in the District of Columbia; traveling expenses; not to exceed \$1,342 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); periodicals, newspapers, lawbooks (not to exceed \$150), and books of reference; not to exceed \$250 for payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators; leather and rubber articles and gas masks for the protection of public property and employees; not to exceed \$5,000 for printing and binding; maintenance, repair, and operation of one passenger automobile; purchase or rental of devices and services for protecting buildings and contents thereof; and maintenance and repair of buildings, approaches, and grounds; \$772,490: *Provided*, That section 3709 of the Revised Statutes, or the Classification Act of 1923, as amended, shall not apply to the restoration and repair of works of art for the National Gallery of Art, the cost of which shall not exceed \$15,000.

58 Stat. 394.
39 U. S. C., Supp. V,
§ 321d.
41 U. S. C. § 5.
Post, p. 809.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Post, pp. 216, 219.

TARIFF COMMISSION

For salaries and expenses of the Tariff Commission, including personal services in the District of Columbia and elsewhere, traveling expenses not to exceed \$16,200, purchase and exchange of lawbooks, books of reference, gloves and other protective equipment for photostat and other machine operators, subscriptions to newspapers and periodicals not to exceed \$2,250, contract stenographic reporting services, as authorized by sections 330 to 341 of the Tariff Act of 1930 (19 U. S. C. 1330-1341), and not to exceed \$900 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$975,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

46 Stat. 696.

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

46 Stat. 701.
19 U. S. C. §§ 1336-
1338.

For all printing and binding for the Tariff Commission, \$10,000.

THE TAX COURT OF THE UNITED STATES

For necessary expenses of The Tax Court of the United States as authorized by chapter 5 of the Internal Revenue Code, and sections 504 and 510 of the Revenue Act of 1942, including personal services and contract stenographic reporting services, traveling expenses, carfare, stationery, purchase and exchange of lawbooks and books of reference, and periodicals, \$568,800, of which not to exceed \$675 shall be available for deposit in the general fund of the Treasury for costs of penalty mail as required by the Act of June 28, 1944 (Public Law 364): *Provided*, That traveling expenses of the judges of The Tax Court shall be paid upon the written certificate of the judge.

For all printing and binding for The Tax Court of the United States, \$15,000.

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (38 U. S. C. 11-11f), and any and all laws for which the Veterans' Administration is now or may hereafter be charged with administering, \$553,805,915: *Provided*, That not to exceed \$12,500 of this amount shall be available for expenses, except membership fees, of employees, detailed by the Administrator of Veterans' Affairs to attend meetings of associations for the promotion of medical science and hospital administration or for the betterment of insurance practices and conventions of organized war veterans: *Provided further*, That this appropriation shall be available also for personal services in the District of Columbia and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; purchase and exchange of lawbooks, books of reference, periodicals, and newspapers; for purchase (not to exceed one hundred and eighty-four, which, with the exception of ambulances, shall be used or surplus), maintenance, repair, and operation of passenger automobiles; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to utilize Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend not to exceed \$5,000 of this appropriation for actuarial services pertaining to the Government life-insurance fund and the National Service Life Insurance Fund, to be obtained by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for allotment and transfer to the Federal Security Agency (Public Health Service), the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment;

53 Stat. 158; 56 Stat. 957, 967.
26 U. S. C. §§ 1100-1146; Supp. V, § 1100 *et seq.*
7 U. S. C., Supp. V §§ 644, 648.

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

Post, p. 915.

Salaries and expenses.

46 Stat. 1016.
38 U. S. C., Supp. V, § 11 *et seq.*

Attendance at meetings, etc.

Personal services.

Transportation of school children.

Transfer of funds.

- for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans' Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration accruing during the year for which this appropriation is made or prior fiscal years: *Provided further*, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans' Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans' Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes: *Provided further*, That this appropriation shall be available for continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the Act approved August 27, 1888 (24 U. S. C. 134), as amended, for those veterans eligible for admission to Veterans' Administration facilities for hospital or domiciliary care: *Provided further*, That the Administrator is hereby authorized to employ medical consultants for duty on such terms as he may deem advisable and without regard to the civil-service and classification laws: *Provided further*, That this appropriation shall be available for the purchase directly from sources authorized by the common carriers of printed reduced fare requests for use by veterans when traveling at their own expense from or to Veterans' Administration facilities: *Provided further*, That notwithstanding any limitation in this Act, this appropriation shall be available for the purchase of legal newspapers in an amount not exceeding \$200 and for the purchase of other newspapers and periodicals in an amount not exceeding \$2,500: *Provided further*, That not to exceed \$120,200 of this appropriation shall be available for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures, and other visual educational information and descriptive material, including the purchase or rental of equipment.
- No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than \$4,816,500 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.
- Printing and binding: For printing and binding for the Veterans' Administration, including all its bureaus and functions located in Washington, District of Columbia, and elsewhere, \$2,000,000.
- Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Veterans' Administration as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$3,500,000.
- Pensions: For the payment of compensation, pensions, gratuities, and allowances, now authorized under any Act of Congress, or regulation of the President based thereon, or which may hereafter be authorized (except the benefits authorized by the Servicemen's Readjustment Act of 1944), including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, \$1,905,000,000, to be immediately available and to remain available until expended.
- Readjustment benefits: For the payment of benefits to or on behalf of veterans as authorized by titles II, III, and V, of the Servicemen's
- Purchase of tobacco.
- Aid to State or Territorial homes.
- 25 Stat. 450.
24 U. S. C., Supp. V, § 134.
Medical consultants.
- Reduced fare requests.
- Legal newspapers.
- Visual educational information.
- Construction, etc., restrictions.
- Printing and binding.
- 58 Stat. 394.
39 U. S. C., Supp. V, § 321d.
- 58 Stat. 284.
38 U. S. C., Supp. V, § 693 *et seq.*
Post, pp. 299, 932, 934.
- Post*, p. 615.

Readjustment Act of 1944, \$1,648,387,000, to be immediately available and to remain available until expended.

Military and naval insurance: For military and naval insurance, \$1,472,000, to be immediately available and to remain available until expended.

Hospital and domiciliary facilities: For hospital and domiciliary facilities, \$147,442,500, to be immediately available and to remain available until expended: *Provided*, That this amount shall be available for use by the Administrator of Veterans' Affairs, with the approval of the President, for extending any of the facilities under the jurisdiction of the Veterans' Administration or for any of the purposes set forth in sections 1 and 2 of the Act approved March 4, 1931 (38 U. S. C. 438j-k) or in section 101 of the Servicemen's Readjustment Act of 1944: *Provided further*, That not to exceed 3 per centum of this amount shall be available for the employment in the District of Columbia and in the field of necessary technical and clerical assistants to aid in the preparation of plans and specifications for the projects as approved hereunder and in the supervision of the execution thereof, and for traveling expenses, field office equipment, and supplies in connection therewith.

National service life insurance: For transfer to the national service life insurance fund, in accordance with the provisions of the National Service Life Insurance Act of 1940, on account of payments of benefits in excess of the reserve of the policy in case of death, or for premiums waived in case of total disability, in cases where the death or total disability of the insured shall have been determined by the Administrator of Veterans' Affairs to be the result of disease or injury traceable to the extra hazards of military or naval service, and to reimburse the national service life insurance fund for payments made therefrom when recovery of such payments is waived by the Administrator of Veterans' Affairs under the authority of section 609 (a) of said Act, \$169,535,000, to be immediately available and to remain available until expended.

Total, Veterans' Administration, \$4,431,142,415: *Provided*, That no part of this appropriation shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Administrator of Veterans' Affairs.

SEC. 102. During the fiscal year ending June 30, 1947, the salaries of the Commissioners of the United States Tariff Commission shall be at the rate of \$10,000 each per annum.

SEC. 103. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 104. No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person

58 Stat. 287, 291, 295
38 U. S. C., Supp.
V, §§ 701, note foll.
§ 735, 694-694c, 696-
695m.

Post, p. 934.

Post, p. 265.

Extension.

46 Stat. 1550, 1551.
58 Stat. 284.
38 U. S. C., Supp. V,
§ 693a.

54 Stat. 1008.
38 U. S. C. §§ 801-
818; Supp. V, § 801 *et*
seq.
Post, p. 781 *et seq.*

54 Stat. 1013.
38 U. S. C. § 809 (a).

Salaries of desig-
nated officers.

Persons advocating
overthrow of U. S.
Government.

Affidavit.

Penalty.

Payment of certain
salaries, etc., prohibi-
tion.

whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act; but this prohibition shall be effective only during the period for which such prohibition in such other Act is effective.

Travel expenses.

SEC. 105. Where appropriations in this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations.

Newspapers and periodicals.

SEC. 106. Where appropriations in this Act are expendable for the purchase of newspapers and periodicals and no specific limitation has been placed thereon, the expenditures therefor under each such appropriation may not exceed the amount of \$50: *Provided*, That this limitation shall not apply to the purchase of scientific, technical, trade, or traffic periodicals necessary in connection with the performance of the authorized functions of the agencies for which funds are herein provided.

Restoration of veterans to former positions.

SEC. 107. No part of any appropriation contained in this Act shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the armed forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified to perform the duties of his former position and has not been restored thereto.

TITLE II—GENERAL PROVISIONS

Travel of civilian personnel.

SEC. 201. (a) Appropriations for the fiscal year 1947 available for expenses of travel of civilian officers and employees of the executive departments and independent establishments shall be available also for expenses of travel performed by them including expenses of transportation of their immediate families in accordance with regulations prescribed by the President, on transfer from one official station to another for permanent duty when authorized by the head of the department or establishment concerned in the order directing such transfer: *Provided*, That such expenses shall not be allowed for any transfer effected for the convenience of any officer or employee.

Transfer of household goods, etc.

(b) Appropriations of the executive departments and independent establishments for the fiscal year 1947 available for the transportation of things shall be available, in accordance with the Act of October 10, 1940 (5 U. S. C. 73c-1), for expenses incurred in the transfer of household goods and effects of civilian officers and employees of such departments and establishments when transferred from one official station to another for permanent duty.

54 Stat. 1105.
5 U. S. C., Supp.
V, § 73c-1 note.
Post, p. 807.

Attendance at meetings.

(c) Appropriations contained in this Act, available for expenses of travel shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made.

Part-time consultants, dollar-a-year men, etc.
Travel expenses.

(d) Appropriations of the executive departments and independent establishments for the fiscal year 1947 available for expenses of travel shall be available for the payment of travel expenses while away from their homes or regular place of business, including per diem in lieu of subsistence at place of employment, in accordance with the Standardized Government Travel Regulations, the Subsistence Expense

Act of 1926, as amended (5 U. S. C., ch. 16), and the Act of February 14, 1931, as amended (5 U. S. C. 73a), of (1) persons employed intermittently as consultants or experts and receiving compensation on a per diem when-actually-employed basis, and (2) persons serving in an advisory capacity or employed without compensation or at \$1 per annum; except that in case of (2) above there may be allowed not to exceed \$10 per diem in lieu of subsistence en route and at place of service or employment, unless a higher rate is specifically provided by law.

SEC. 202. Unless otherwise specifically provided, no appropriation available for the executive departments and independent establishments for the fiscal year 1947 in this Act or any other Act, shall be expended—

(a) To purchase any motor-propelled passenger-carrying vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of the maximum price therefor established by the Office of Price Administration and in no event more than \$1,050, which amount shall be in addition to the amount required for transportation.

(b) For the maintenance, operation, and repair of any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except in case of medical officers on out-patient medical services and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department or establishment concerned. Any officer or employee of the Government who willfully uses or authorizes the use of any Government-owned motor-propelled passenger-carrying vehicle, or of any motor-propelled passenger-carrying vehicle leased by the Government, for other than official purposes or otherwise violates the provisions of this subsection shall be suspended from duty by the head of the department or establishment concerned, without compensation, for not less than one month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant. The limitations of this subsection (b) shall not apply to any motor vehicles for official use of the President, the heads of the executive departments, Ambassadors, Ministers, *chargés d'affaires*, and other principal diplomatic and consular officials.

SEC. 203. Excepting appropriations for the Military and Naval Establishments, no appropriation for the fiscal year 1947 in this or any other Act shall be available for the purchase, maintenance, or operation of any aircraft unless specific authority for the purchase, maintenance, or operation thereof has been or is provided in such appropriation, and the acquisition of aircraft by any agency by transfer from another agency of the Government shall be considered as a purchase within the meaning hereof.

SEC. 204. In purchasing motor-propelled or animal-drawn vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, the head of any executive department or independent establishment or his duly authorized representative may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor: *Provided*, That any transaction

44 Stat. 688.
5 U. S. C. § 821;
Supp. V, § 823.
46 Stat. 1103.
5 U. S. C., Supp. V,
§ 73a.
Post, p. 807.

Vehicles.

Limitation on cost.
Post, p. 632.

Maintenance,
repair, etc.

"Official purposes."

Purchase, etc., of
aircraft.

Exchange allow-
ances, etc.

carried out under the authority of this section shall be evidenced in writing.

Minor purchases.
Post, p. 809.

SEC. 205. Section 3709, Revised Statutes (41 U. S. C. 5), shall not apply to any purchase by or service rendered to any executive department or independent establishment during the fiscal year 1947 when the aggregate amount involved does not exceed \$100, but this section shall not be construed as affecting any provision of law authorizing purchases or services without regard to said section 3709 in amounts greater than \$100.

Citizenship requirements.

SEC. 206. Unless otherwise specified and until July 1, 1947, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, had filed a declaration of intention to become a citizen of the United States prior to such date, or (3) is a person who owes allegiance to the United States: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Commonwealth of the Philippines or to nationals of those countries allied with the United States in the prosecution of the war.

Affidavit.

Penalty.

Recoupment.

Exceptions.

Travel outside U. S.
Per diem allow-
ances.

SEC. 207. Appropriations for the executive departments and independent establishments for the fiscal year 1947 available for travel expenses shall be available for the payment of per diem allowances in lieu of subsistence expenses without regard to the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), to civilian officers and employees of such departments and establishments while traveling on official business outside the continental limits of the United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department or independent establishment concerned or by such official as he may designate for the purpose, but shall in no case, notwithstanding any other provision of law, exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed: *Provided further*, That the availability of appropriations of the War and Navy Departments with respect to the foregoing shall not be restricted thereby.

44 Stat. 688.
5 U. S. C., Supp. V,
§ 823.

War and Navy De-
partments.

Travel on vessels of
U. S. registry.

SEC. 208. The provision of law prescribing the use of vessels of United States registry by employees of the Government traveling overseas (46 U. S. C. 1241) shall not apply to such travel during the fiscal year 1947.

49 Stat. 2015.
46 U. S. C., Supp.
V, § 1241 note.

Allowances for liv-
ing quarters.

SEC. 209. Appropriations of the executive departments and independent establishments for the fiscal year 1947, available for expenses

of travel are hereby made available (1) for allowances for living and quarters in accordance with Standardized Regulations prescribed by the President for civilian officers and employees of the Government temporarily stationed in foreign countries, (2) for living quarters allowances in accordance with the Act of June 26, 1930 (5 U. S. C. 118a), and regulations prescribed thereunder, and (3) cost of living allowances in accordance with the Act of February 23, 1931, as amended (22 U. S. C. 12), and regulations prescribed thereunder, for all civilian officers and employees of the Government permanently stationed in foreign countries: *Provided*, That the availability of appropriations of the Departments of War and Navy and of the Department of State under the caption "Foreign Service" shall not be affected hereby.

46 Stat. 818.

46 Stat. 1207.
Post, p. 1638.Senate disapproval
of nomination, effect.

SEC. 210. No part of any appropriation for the fiscal year 1947 contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

SEC. 211. The funds appropriated in the appropriation Acts for the fiscal year 1947 of the services mentioned in the title of the Act of June 16, 1942 (56 Stat. 359), shall be available for, and the heads of the executive departments concerned are authorized to prescribe, per diem rates of allowance, at rates not to exceed \$7 per day, in lieu of subsistence to officers traveling on official business and away from their designated posts of duty, including such per diem allowances for travel without regard to repeated travel between two or more places in the same vicinity, and to members of the services concerned (including officers, warrant officers, contract surgeons, enlisted personnel, aviation cadets, and members of the Nurse Corps) when traveling by air under competent orders and on duty without troops; and for the payment in advance, or otherwise, of money allowances in lieu of transportation, at the rate of 3 cents per mile to enlisted men, regardless of the mode of travel.

Per diem rates of
allowance.
37 U. S. C., Supp.
V, §§ 101-120.
Ante, p. 20; *post*, pp.
343, 358 *et seq.*, 868.

SEC. 212. No part of any appropriation contained in this or any other Act shall be used to pay in excess of \$2 per volume for the current and future volumes of the United States Code Annotated or in excess of \$3.25 per volume for the current or future volumes of the Lifetime Federal Digest.

U. S. Code Annotated;
Lifetime Federal Digest.

SEC. 213. In order to enable persons who have served ninety days or more in the land or naval forces during the present war, and who have satisfactorily completed their period of active military or naval service, to obtain materials required for the construction, alteration, or repair of dwelling houses to be occupied by them, any department or agency of the Government, in allocating or granting priorities with respect to any materials, shall give to such persons a preference over all other users of such materials (except to the extent such materials are needed by such other users to meet actual military needs), without requiring any showing of hardship or other necessity for the construction, alteration, or repair of such dwelling houses.

Veterans' priorities
respecting building
materials.

SEC. 214. This Act may be cited as the "Independent Offices Appropriation Act, 1947".

Short title.

Approved March 28, 1946.

[CHAPTER 114]

AN ACT

March 28, 1946

[H. R. 5671]

[Public Law 335]

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes.

Second Urgent Deficiency Appropriation Act, 1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes, namely:

THE JUDICIARY

COURT OF CLAIMS

Printing and binding: For an additional amount for printing and binding, Court of Claims, fiscal year 1946, \$12,000.

INDEPENDENT EXECUTIVE AGENCIES

FEDERAL SECURITY AGENCY

SOCIAL SECURITY BOARD

Grants to States for old-age assistance, aid to dependent children, and aid to the blind: For an additional amount, fiscal year 1946, for "Grants to States for old-age assistance, aid to dependent children, and aid to the blind," \$10,000,000.

OFFICE OF VOCATIONAL REHABILITATION

Payments to States: For an additional amount, fiscal year 1946, for "Payments to States", including the objects specified for this purpose in the Federal Security Agency Appropriation Act, 1946, \$3,435,000, of which not to exceed \$5,000 shall be available for providing rehabilitation services to disabled residents of the District of Columbia under section 6 of the Vocational Rehabilitation Act.

59 Stat. 374.

57 Stat. 378.
29 U. S. C., Supp.
V, § 36.

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For an additional amount, fiscal year 1946, for "Administration, medical, hospital, and domiciliary services", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$114,000,000.

Post, p. 264.

59 Stat. 127.

57 Stat. 44.

57 Stat. 434.

Vocational rehabilitation revolving fund: To increase the "Vocational rehabilitation revolving fund (Act of March 24, 1943)", created by the Urgent Deficiency Appropriation Act, 1943, \$1,000,000.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Fighting forest fires: For an additional amount, fiscal year 1946, for "Fighting forest fires", \$3,350,000.

59 Stat. 150.

LOANS, GRANTS, AND RURAL REHABILITATION

For funds in addition to funds authorized under this head in the Department of Agriculture Appropriation Act, 1946, and for the same objects and subject to the same conditions, the limitation of \$67,500,000 in the authorization and direction to the Reconstruction Finance Corporation to make advances, contained under this head in said Act, is hereby increased to \$82,500,000.

RFC, advances.
59 Stat. 160.

NAVY DEPARTMENT

The appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, shall be available for expenses in connection with the transfer to the United States of foreign vessels of war, including pay, subsistence, clothing, transportation, and repatriation of alien crews.

59 Stat. 201, 425.
Foreign vessels of
war.
Transfer to U. S.

POST OFFICE DEPARTMENT

(Out of the postal revenues)

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Foreign mail transportation: For an additional amount, fiscal year 1946, for "Foreign mail transportation", including the objects specified under this head in the Post Office Department Appropriation Act, 1946, \$1,200,000, of which amount the sum of \$3,000 is hereby made available for the establishment of an Office of Assistant Director, Division of International Postal Service, with headquarters at New York, New York, preparatory to the reestablishment of Sea Post Service on July 1, 1946.

59 Stat. 71.

WAR DEPARTMENT—CIVIL FUNCTIONS

QUARTERMASTER CORPS

Cemeterial expenses: For an additional amount for "Cemeterial expenses", fiscal year 1946, including the objects specified under this head in the War Department Civil Appropriation Act, 1946, and necessary expenditures in connection with the procurement of caskets, \$3,000,000.

59 Stat. 39.

CORPS OF ENGINEERS

RIVERS AND HARBORS AND FLOOD CONTROL

The amount of \$662,000 named in the proviso under the head of "Rivers and harbors and flood control" in the War Department Civil Appropriation Act, 1946, upon expenditures for personal services in the Office of the Chief of Engineers, is hereby increased to \$850,000, such revised amount to include the cost on account of such personal services of the Federal Employees Pay Act of 1945 (Public Law 106).

59 Stat. 40.

59 Stat. 295.
5 U. S. C., Supp. V,
§ 901 note.
Post, p. 216 *et seq.*

INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1946, to meet increased pay costs authorized by the Acts of June 30, 1945 (Public Law 106), and July 6, 1945 (Public Law 134), as follows:

For—

Architect of the Capitol:

"Legislative Garage", \$7,200;

Library Buildings and Grounds: "Salaries", \$51,000;

Botanic Garden: "Salaries", \$34,500;

Library of Congress:

"Salaries, Library, proper", \$405,407;

Distribution of printed cards:

"Salaries and expenses", \$54,200;

National Archives: "Salaries and expenses", \$157,000;

Railroad Retirement Board:

"Salaries", \$350,000;

"Miscellaneous expenses, other than salaries", \$40,000;

59 Stat. 295, 435.
5 U. S. C., Supp. V,
§ 901 note; 39 U. S.
C., Supp. V, §§ 851-
876.
Post, pp. 203, 216 *et seq.*, 417.

Smithsonian Institution:

“Salaries and expenses”, \$238,500;

“Salaries and expenses, National Gallery of Art”, \$184,500;

Department of Agriculture:

Bureau of Entomology and Plant Quarantine:

“Insect investigations”, \$270,000;

“Insect and plant disease control”, \$317,000;

“Foreign plant quarantines”, \$240,000;

Department of Commerce:

Office of Administrator of Civil Aeronautics:

“Maintenance and operation of air-navigation facilities”, \$4,165,000;

Weather Bureau: “Salaries and expenses”, \$2,590,000;

Post Office Department (out of the postal revenues):

Office of the First Assistant Postmaster General:

“Compensation to postmasters”, \$19,090,000;

“Compensation to assistant postmasters”, \$2,308,000;

“Clerks, first- and second-class post offices”, \$85,500,000;

“Clerks, third-class post offices”, \$5,595,000;

“City delivery carriers”, \$46,700,000;

Office of the Second Assistant Postmaster General:

“Railway mail service”, \$16,681,000;

“Railway postal clerks, travel allowance”, \$1,253,000;

Office of the Fourth Assistant Postmaster General:

“Vehicle service”, \$9,650,000;

Public buildings, maintenance and operation:

“Operating force”, \$7,500,000;

Treasury Department:

Custody of Treasury Buildings: “Salaries of operating force”, \$137,600;

Bureau of Internal Revenue: “Salaries and expenses”, \$24,000,000;

Secret Service Division:

“Salaries”, \$15,100;

“Suppressing counterfeiting and other crimes”, \$282,900;

“Salaries and expenses, guard force, Treasury buildings”, \$211,900;

War Department—Civil functions:

Quartermaster Corps: “Cemeterial expenses”, \$89,000;

In all, \$228,117,807: *Provided*, That any restrictions heretofore made applicable to any of the foregoing appropriations, which limit the amounts which may be expended for personal services or for other purposes, or amounts which may be transferred between appropriations or authorizations, are hereby waived only to the extent necessary to meet increased pay costs as provided for herein.

Increased pay costs.
Waiver of restrictions.

TITLE II—GENERAL PROVISIONS

Persons advocating
overthrow of U. S.
Government.

Affidavit.

Penalty.

SEC. 201. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government

of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provision of existing law.

SEC. 202. This Act may be cited as the "Second Urgent Deficiency Appropriation Act, 1946".

Short title.

Approved March 28, 1946.

[CHAPTER 118]

AN ACT

To amend section 502 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, so as to authorize the appropriation of funds necessary to provide additional temporary housing units for distressed families of servicemen and for veterans and their families.

March 28, 1946
[S. 1821]
[Public Law 336]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502 (a) of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is amended by striking out "\$160,000,000" and inserting in lieu thereof "\$410,000,000".

Defense housing,
amendment.
Post, p. 88.
59 Stat. 674.
42 U. S. C., Supp.
V, § 1572(a).
Post, p. 958.

SEC. 2. That section 502 of said Act be amended by adding after subsection (c) thereof the following subsections:

"(d) Upon approval of an application, made by any educational institution, State or political subdivision thereof, local public agency, or nonprofit organization, for temporary housing for the purposes of this title, the National Housing Administrator, if he determines that such action will aid in expediting the provision of such temporary housing, may—

Temporary housing.

"(1) transfer hereunder to the applicant structures or facilities necessary or suitable to provide such temporary housing; and

Transfer of structures, etc.

"(2) contract to reimburse the applicant (including the making of advances) for the cost, as certified by the applicant and approved by the Administrator, in the relocation or conversion (including the costs of disassembling, transporting and reerecting structures and facilities, and connecting utilities from dwellings to mains, but not including the costs of site acquisition and preparation, or the installation of streets and utility mains) of such temporary housing and facilities.

Reimbursement.

"(e) The term 'administrative expenses', as used in this title V, shall be deemed to include administrative expenses of the National Housing Agency in performing any functions with respect to priorities or allocations of materials or equipment for public or private housing, and of the Housing Expediter (including until June 30, 1946, those of any Government agencies in carrying out parts of the veterans' emergency housing program of the Housing Expediter authorized by existing law, to the extent that additional administrative expenses of such agencies are thereby involved) in performing any functions with respect to facilitating the provision of veterans' housing authorized by existing law."

"Administrative expenses."
59 Stat. 260, 674.
42 U. S. C., Supp.
V, §§ 1571-1573.
Post, p. 958.

Approved March 28, 1946.

[CHAPTER 120]

AN ACT

April 8, 1946

[S. 473]

[Public Law 337]

Relating to pay and allowances of officers of the retired list of the Regular Navy and Coast Guard performing active duty in the rank of rear admiral.

Regular Navy and
Coast Guard.
Pay, etc., of certain
officers of retired list.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any officer of the retired list of the Navy or Coast Guard of the permanent grade or rank of rear admiral who is entitled to the pay of the lower half of that grade and who is, has been, or may be recalled to active duty and who in time of war or other national emergency served, serves, or may serve satisfactorily on active duty for a period of two years or more in the grade or rank of rear admiral or in a higher grade, shall be entitled when on active duty to the pay and allowances of a rear admiral of the upper half unless he is entitled under other provisions of law to higher pay and allowances, and he shall be entitled when on inactive duty to retired pay equal to 75 per centum of the pay of a rear admiral of the upper half unless he is entitled under other provisions of law to higher retired pay or allowances: *Provided*, That no back pay or allowances shall be held to have accrued under this Act prior to the date of its approval.

Approved April 8, 1946.

[CHAPTER 121]

AN ACT

April 9, 1946

[S. 1657]

[Public Law 338]

To amend Public Law 779 of the Seventy-seventh Congress, entitled "An Act to provide for furnishing transportation for certain Government and other personnel necessary for the effective prosecution of the war, and for other purposes", approved December 1, 1942, and for other purposes.

Transportation of
personnel engaged in
war effort.
50 U. S. C., Supp.
V, app. § 841, par. 4.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1, paragraph 4, of the Act of December 1, 1942 (56 Stat. 1024; 50 U. S. C., Supp. III, App. 841), entitled "An Act to provide for furnishing transportation for certain Government and other personnel necessary to provide for the effective prosecution of the war, and for other purposes", is amended to read as follows:

Exercise of authority
only if facilities inade-
quate.

"4. The authority herein granted the Secretary of War, the Secretary of the Navy, and the Chairman of the Maritime Commission shall be exercised in each case only after a determination by the Secretary of War, the Secretary of the Navy, or the Chairman of the Maritime Commission, as the case may be, that existing private and other facilities are not and cannot be rendered adequate by other means, and that its exercise will result in the most efficient method of supplying transportation to the personnel concerned and a proper utilization of transportation facilities."

50 U. S. C., Supp.
V, app. § 842.
Reports to Con-
gress.

(b) Section 2 of said Act is amended to read as follows:

"SEC. 2. It shall be the duty of the Secretary of War, the Secretary of the Navy, and the Chairman of the Maritime Commission, respectively, to file with the Congress, within sixty days after the end of the fiscal year, a summarized report of the exercise of the authority herein granted, which report shall include (1) location, nature, and size of the plant for which transportation facilities were provided; (2) type, amount, and original cost of equipment furnished; (3) outline of lease or charter for rented or reciprocally used equipment with total costs for period of use or operation; and (4) citation of

authority of the Secretary of War, the Secretary of the Navy, or the Chairman of the Maritime Commission, under which exercised.”

SEC. 2. The Act of October 25, 1943 (57 Stat. 575; U. S. C., Supp. III, title 38, ch. 1, sec. 11a), entitled “An Act to provide for furnishing transportation in Government-owned automotive vehicles for employees of the Veterans’ Administration at field stations in the absence of adequate public or private transportation” is amended to read as follows:

“That during the present war and not exceeding six months after the termination of the war, the Administrator of Veterans’ Affairs, whenever he finds such action to be necessary for the efficient conduct of the affairs of his Administration, and under such regulations as he may prescribe, is authorized to utilize automotive equipment of the Veterans’ Administration to transport its employees between field stations and nearest adequate public transportation at such reasonable rates of fare for the service furnished as he may establish. All moneys collected as fares from such employees shall be accounted for and shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts. The authority herein granted the Administrator of Veterans’ Affairs shall be exercised with respect to any station only after determination by the Administrator that existing private and other facilities are not and cannot be rendered adequate by other means, and that its exercise will result in the most efficient method of supplying transportation to the personnel concerned and a proper utilization of transportation facilities.”

Approved April 9, 1946.

38 U. S. C., Supp. V, § 11a note.

Veterans’ Administration.
Field stations.

Moneys collected as fares.

Exercise of authority.

[CHAPTER 122]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires which occurred at various Navy shore activities.

April 9, 1946
[S. 1739]

[Public Law 339]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,741.95, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of fires occurring in a drill hall hangar and Quonset hut, Naval air station, Pasco, Washington, on February 27, 1945; in Quonset hut, United States Naval Receiving Station, Navy 128, on July 15, 1945; in building 178 at Scout Observation Service Unit One, Navy 128, on July 27, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy personnel and former Navy personnel.
Reimbursement.

Approved April 9, 1946.

[CHAPTER 134]

AN ACT

April 11, 1946
[S. 1841]
[Public Law 340]

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

District of Columbia.
Automatic measuring pumps.

41 Stat. 1223.
D. C. Code, § 10-119.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes", approved March 3, 1921, as amended, be further amended by striking out the period at the end of section 18, inserting in lieu thereof a colon, and adding the following: "*Provided,* That any automatic pump for the measurement of gasoline shall have graduations of fractional parts of a gallon in terms of either decimal or binary-submultiple subdivisions."

SEC. 2. Hereafter the Superintendent of Weights, Measures, and Markets shall be known as the Director of Weights, Measures, and Markets.

Approved April 11, 1946.

[CHAPTER 135]

JOINT RESOLUTION

April 12, 1946
[H. J. Res. 328]
[Public Law 341]

Making an additional appropriation for veterans' housing and related expenses.

Veterans' housing.
Appropriation.

59 Stat. 260, 674.
42 U. S. C., Supp. V, §§ 1571-1573.
Ante, p. 85; *post*, p. 958.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$253,727,000, to remain available until expended, to enable the National Housing Administration to carry out the purposes of title V of the Act of October 14, 1940, as amended (42 U. S. C. 1521), subject to the provisions of Public Law 336, Seventy-ninth Congress, approved March 28, 1946.

Approved April 12, 1946.

[CHAPTER 136]

AN ACT

April 13, 1946
[H. R. 3796]
[Public Law 342]

To quiet title to certain school-district property in Enid, Oklahoma.

School District
Numbered 57, Enid,
Okla.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to make and issue such letters patent, quitclaim deeds, or other instruments of conveyance, as may be necessary to give to the trustees of School District Numbered 57, Enid, Oklahoma, and its successor in interest insofar as any right, title, and interest of the United States is concerned, an indefeasible fee simple estate in and to the west half of block 7 in Jonesville, an addition to the city of Enid, Oklahoma, such property being more particularly described in the paragraph beginning with the words "Second, as School Reserve" contained in the letters patent issued by the United States on October 3, 1898 (certificate numbered 863), to Townsite Board of Trustees Numbered 6 of Noble County, Oklahoma Territory, in trust for the several use and benefit of the occupants of the town site of Jonesville, in Garfield County, Oklahoma Territory.

Approved April 13, 1946.

[CHAPTER 137]

AN ACT

To revive and reenact the Act entitled "An Act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebraska", approved June 8, 1940.

April 13, 1946
[S. 1425]
[Public Law 343]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 8, 1940, authorizing the county of Burt, State of Nebraska, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at or near Decatur, Nebraska, is hereby revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to is commenced within one year and completed within three years from the date of approval hereof.

Bridge,
Missouri River.
54 Stat. 257.

Time limitation.

SEC. 2. No toll or other charge shall be levied against any employee, civil or military, or any vehicle or conveyance, of the United States Government for the use of such bridge in the performance of official duties.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved April 13, 1946.

[CHAPTER 138]

AN ACT

To amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting.

April 16, 1946
[S. 63]
[Public Law 344]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title V of the Communications Act of 1934, as amended, is amended by inserting after section 505 thereof the following new section:

Broadcasting.
48 Stat. 1100.
47 U. S. C. §§ 501-505.

"COERCIVE PRACTICES AFFECTING BROADCASTING

"SEC. 506. (a) It shall be unlawful, by the use or express or implied threat of the use of force, violence, intimidation, or duress, or by the use or express or implied threat of the use of other means, to coerce, compel or constrain or attempt to coerce, compel, or constrain a licensee—

Employment of excess employees

"(1) to employ or agree to employ, in connection with the conduct of the broadcasting business of such licensee, any person or persons in excess of the number of employees needed by such licensee to perform actual services; or

Payment in lieu of giving employment.

"(2) to pay or give or agree to pay or give any money or other thing of value in lieu of giving, or on account of failure to give, employment to any person or persons, in connection with the conduct of the broadcasting business of such licensee, in excess of the number of employees needed by such licensee to perform actual services; or

Payment more than once.

"(3) to pay or agree to pay more than once for services performed in connection with the conduct of the broadcasting business of such licensee; or

Payment for services not performed.

"(4) to pay or give or agree to pay or give any money or other thing of value for services, in connection with the conduct of the broadcasting business of such licensee, which are not to be performed; or

Noncommercial educational or cultural programs.

"(5) to refrain, or agree to refrain, from broadcasting or from permitting the broadcasting of a noncommercial educational or cultural program in connection with which the participants

receive no money or other thing of value for their services, other than their actual expenses, and such licensee neither pays nor gives any money or other thing of value for the privilege of broadcasting such program nor receives any money or other thing of value on account of the broadcasting of such program; or

“(6) to refrain, or agree to refrain, from broadcasting or permitting the broadcasting of any radio communication originating outside the United States.

“(b) It shall be unlawful, by the use or express or implied threat of the use of force, violence, intimidation or duress, or by the use or express or implied threat of the use of other means, to coerce, compel or constrain or attempt to coerce, compel or constrain a licensee or any other person—

“(1) to pay or agree to pay any exaction for the privilege of, or on account of, producing, preparing, manufacturing, selling, buying, renting, operating, using, or maintaining recordings, transcriptions, or mechanical, chemical, or electrical reproductions, or any other articles, equipment, machines, or materials, used or intended to be used in broadcasting or in the production, preparation, performance, or presentation of a program or programs for broadcasting; or

“(2) to accede to or impose any restriction upon such production, preparation, manufacture, sale, purchase, rental, operation, use, or maintenance, if such restriction is for the purpose of preventing or limiting the use of such articles, equipment, machines, or materials in broadcasting or in the production, preparation, performance, or presentation of a program or programs for broadcasting; or

“(3) to pay or agree to pay any exaction on account of the broadcasting, by means of recordings or transcriptions, of a program previously broadcast, payment having been made, or agreed to be made, for the services actually rendered in the performance of such program.

“(c) The provisions of subsection (a) or (b) of this section shall not be held to make unlawful the enforcement or attempted enforcement, by means lawfully employed, of any contract right heretofore or hereafter existing or of any legal obligation heretofore or hereafter incurred or assumed.

“(d) Whoever willfully violates any provision of subsection (a) or (b) of this section shall, upon conviction thereof, be punished by imprisonment for not more than one year or by a fine of not more than \$1,000, or both.

“(e) As used in this section the term ‘licensee’ includes the owner or owners, and the person or persons having control or management, of the radio station in respect of which a station license was granted.”

Approved April 16, 1946.

[CHAPTER 139]

AN ACT

To extend the privilege of retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled “An Act relating to the retirement of the justices of the Supreme Court of the Territory of Hawaii and judges of the United States

Radio communication originating outside U. S.

Payment of exaction for using recordings, etc.

Restriction of production, etc.

Payment of exaction for program previously broadcast.

Enforcement of contract right.

Penalty provision.

“Licensee.”

April 16, 1946
[S. 565]
[Public Law 345]

52 Stat. 591.
48 U. S. C. §§ 634b,
634c.

District Court for the Territory of Hawaii", approved May 31, 1938 (Public, Numbered 566, Seventy-fifth Congress), be, and the same is hereby, amended to read as follows:

"That every justice of the Supreme Court of the Territory of Hawaii, and every judge of the United States District Court for the Territory of Hawaii, the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone, may hereafter retire after attaining the age of seventy years. If such justice or judge retires after having served as a justice or judge of any of the aforementioned courts for a period or periods aggregating ten years or more, whether continuously or not, he shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such justice or judge at the date of such retirement as the total of his aggregate years of service bears to the period of sixteen years, the same to be paid by the United States in the same manner as the salaries of the aforesaid justices and judges: *Provided, however,* That in no event shall the sum received by any such justice or judge hereunder be in excess of the salary of such justice or judge at the date of such retirement.

"SEC. 2. In computing the years of service under this Act, service in any of the aforesaid courts shall be included whether such service be continuous or not and whether rendered before or after the enactment hereof. The terms 'retire' and 'retirement' as used in this Act shall mean and include retirement, resignation, failure of reappointment upon the expiration of the term of office of an incumbent, or removal by the President of the United States upon the sole ground of mental or physical disability."

SEC. 3. That the title of the Act entitled "An Act relating to the retirement of the justices of the Supreme Court of the Territory of Hawaii and judges of the United States District Court for the Territory of Hawaii", approved May 31, 1938 (52 Stat. 591; 48 U. S. C. 634b and 634c), be amended to read as follows: "An Act relating to the retirement of certain justices and judges in the various Territories and possessions."

Approved April 16, 1946.

[CHAPTER 140]

AN ACT

To establish an office of Under Secretary of Labor, and three offices of Assistant Secretary of Labor, and to abolish the existing office of Assistant Secretary of Labor and the existing office of Second Assistant Secretary of Labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the Department of Labor the office of Under Secretary of Labor, which shall be filled by appointment by the President, by and with the advice and consent of the Senate. The Under Secretary shall receive compensation at the rate of \$10,000 a year and shall perform such duties as may be prescribed by the Secretary of Labor or required by law. The Under Secretary shall (1) in case of the death, resignation, or removal from office of the Secretary, perform the duties of the Secretary until a successor is appointed, and (2) in case of the absence or sickness of the Secretary, perform the duties of the Secretary until such absence or sickness shall terminate.

SEC. 2. There are hereby established in the Department of Labor three offices of Assistant Secretary of Labor, which shall be filled by appointment by the President, by and with the advice and consent

U. S. Territories, etc.
Retirement of justices and district court judges.

Retirement pay.

Limitation.

Computation of years of service.

"Retire" and "retirement."

Amendment of title.

April 17, 1946
[S. 1298]

[Public Law 348]

Department of Labor.
Under Secretary.

Compensation; duties.

Assistant Secretaries.

Compensation; duties.

of the Senate. Each of the Assistant Secretaries of Labor shall receive compensation at the rate of \$10,000 a year and shall perform such duties as may be prescribed by the Secretary of Labor or required by law.

37 Stat. 736.
5 U. S. C. § 612.

SEC. 3. The office of Assistant Secretary of Labor established by section 2 of the Act entitled "An Act to create a Department of Labor", approved March 4, 1913, is hereby abolished, and such section 2 is amended by striking out the first two sentences thereof. The office of Second Assistant Secretary of Labor established by the Act entitled "An Act creating the positions of Second Assistant Secretary and private secretary in the Department of Labor", approved June 30, 1922, is hereby abolished, and such Act of June 30, 1922, is repealed.

42 Stat. 766.
5 U. S. C. §§ 613, 614.

Approved April 17, 1946.

[CHAPTER 141]

AN ACT

April 18, 1946
[S. 1907]
[Public Law 347]

To increase the authorized enlisted strength of the active list of the Regular Navy and Marine Corps, to increase the authorized number of commissioned officers of the active list of the line of the Regular Navy, and to authorize permanent appointments in the Regular Navy and Marine Corps, and for other purposes.

Regular Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to remove any apprehension on the part of Naval Reserve officers regarding their opportunities for advancement in event of their transfer to the Regular Navy, it is hereby declared to be the policy of the Congress that in all matters relating to commissioned officers in the Regular Navy there shall be no discrimination whatsoever against officers because of the source from which they entered the Regular Navy, and that no preference shall be given officers by reason of the fact that they entered the Regular Navy from any particular source; and, among other things, that all commissioned officers in the Regular Navy, regardless of the source from which they entered the Regular Navy, shall receive the same treatment with respect to opportunities for (1) promotion or advancement to all grades in the Navy, (2) holding any positions or assignments in the Navy including proportionate representation on selection boards, and (3) attending the Naval War College, postgraduate schools, or other schools, or otherwise receiving advanced or technical training.

Declaration of policy of Congress.

Equality of opportunities for advancement, etc.

Regular Navy and Marine Corps.
Authorized enlisted strength.

SEC. 2. (a) The authorized enlisted strength of the active list of the Regular Navy shall hereafter be five hundred thousand.

(b) Hereafter the authorized enlisted strength of the active list of the Regular Marine Corps shall be 20 per centum of the authorized enlisted strength of the active list of the Regular Navy.

SEC. 3. The number of enlisted men of the Navy and Marine Corps provided for shall be construed to mean the daily average number of enlisted men in the naval service during the fiscal year.

Regular Navy.
Authorized number of commissioned officers.

SEC. 4. The authorized number of commissioned officers of the active list of the line of the Regular Navy, exclusive of commissioned warrant officers, shall hereafter be equal to 7 per centum of the authorized enlisted strength of the active list of the Regular Navy.

Regular Navy and Marine Corps.
Permanent appointments to warrant or commissioned grades.

SEC. 5. (a) The President may appoint male officers of the Naval Reserve and of the Marine Corps Reserve, officers of the Regular Navy and Marine Corps without permanent appointments therein, commissioned warrant and warrant officers of the Regular Navy and Marine Corps with temporary appointments in higher grades and ranks, and any person who served on active duty in any such capacity during World War II and shall have been separated from such officer status under honorable conditions, to permanent warrant grades or,

with the advice and consent of the Senate, to permanent commissioned grades and ranks in the Regular Navy and Marine Corps, respectively, but no such person shall be appointed to a grade or rank higher than the highest grade or rank in which he served on active duty. Appointments pursuant to this subsection to commissioned warrant and warrant grades shall be in such numbers as the President may determine, and to other grades and ranks in such numbers that, exclusive of commissioned warrant and warrant officers, the total number of officers of the line and of each of the Staff Corps of the Navy, and of the Marine Corps, will not exceed the authorized numbers of such officers.

(b) (1) Each appointee who is serving on active duty in a higher grade or rank than that in which appointed under subsection (a) of this section shall also be appointed for temporary service pursuant to, and subject to the limitations of, the Act of July 24, 1941 (55 Stat. 603), as now or hereafter amended, to such higher grade or rank and with the precedence held by him at the time of acceptance of permanent appointment; each appointee not serving on active duty in an officer grade or rank who is appointed under subsection (a) of this section to a grade or rank lower than the highest grade or rank held while on active duty in World War II other than by virtue of a temporary appointment which by its terms was of limited duration, may be similarly appointed to such higher grade or rank and with precedence determined in accordance with regulations promulgated under subsection (c) of this section.

(2) During such period as the Secretary of the Navy may determine but not later than six months after June 30 of the fiscal year following that in which the present wars shall terminate, notwithstanding date of rank and lineal position assigned upon permanent appointment under subsection (a) of this section, (A) each officer who receives a permanent appointment in the same grade or rank in which he is then serving on active duty in the Naval or Marine Corps Reserve shall retain the precedence held by him at the time of such appointment; (B) each person not serving on active duty in an officer grade or rank or serving on active duty in his permanent commissioned warrant or warrant grade who is appointed under subsection (a) of this section to the highest grade or rank held while on active duty in World War II other than by virtue of a temporary appointment which by its terms was of limited duration, shall have precedence determined in accordance with regulations promulgated under subsection (c) of this section.

(c) (1) Appointments under subsection (a) of this section shall be made pursuant to regulations prescribed by the President for the administration of this section.

(2) Such regulations shall include, among other provisions, (A) provisions establishing standards and qualifications for appointment thereunder to the several grades and ranks and for the determination of the lineal position and precedence of appointees; and (B) provisions for the assignment of running mates to officers appointed thereunder to the Staff Corps of the Regular Navy.

(3) Such regulations may provide for (A) readjustment of the lineal position and precedence of persons heretofore or hereafter appointed under other provisions of law to commissioned grades or ranks in the Regular Navy subsequent to September 8, 1939, and in the Regular Marine Corps subsequent to June 30, 1939, and (B) reassignment of running mates to persons so appointed to commissioned grades or ranks in the Staff Corps of the Regular Navy.

(d) Except as provided in subsection (b) the authority granted by this section shall expire six months after June 30 of the fiscal

Active duty appointees.
Temporary appointments to higher grades.

34 U. S. C., Supp. V, §§ 350-350j.
Ante, p. 28; post, p. 995.
Nonactive duty appointees.

Precedence.

Regulations.

Standards and qualifications, etc.

Running mates.

Readjustment of lineal position, etc.

Running mates.

Expiration of authority.

year following that in which the present war shall terminate or two years after the effective date of this Act, whichever shall be the later.

Revocation of commission.

SEC. 6. (a) The commission of any appointee under subsection (a) of section 5 may be revoked by the Secretary of the Navy until the latest date on which the commission of any officer (or in the case of officers of the Staff Corps of the Navy, an officer in his corps) senior in lineal position to that assigned such appointee pursuant to regulations established under subsection (c) of section 5 of this Act is revocable.

Discharge.

(b) Each officer (other than officers appointed or reappointed pursuant to subsection (c)) whose commission is so revoked shall thereupon be discharged from the naval service without advanced pay or allowances.

Reappointments.
Post, p. 245.

(c) Each officer above the grade of commissioned warrant officer whose commission is so revoked and who (1) at the time of his appointment under subsection (a) of section 2 held permanent status as a commissioned warrant officer may be reappointed by the President to such permanent status without examination, with the lineal position and other rights and benefits to which he would have been entitled had his service subsequent to reappointment under such subsection (a) been rendered in such permanent status, or (2) at the time of his appointment under subsection (a) of section 2 held permanent status as a warrant or petty officer, may be appointed by the President without examination to permanent commissioned warrant or warrant grade with the same lineal position and other rights and benefits which he would have had or normally would have attained in due course had he not been appointed pursuant to subsection (a) of section 2, or (3) at the time of his appointment under subsection (a) of section 2 held permanent status as a petty officer may be reenlisted as a chief petty officer (permanent appointment) and shall be entitled to the same rights and benefits to which he would have been entitled or normally would have attained in due course had he not been appointed pursuant to subsection (a) of section 2.

Accrued leave.

SEC. 7. Notwithstanding any other provision of law, each officer of the Naval Reserve and of the Marine Corps Reserve and each officer of the Regular Navy and Marine Corps without permanent appointments therein, appointed to officer rank in the United States Navy or United States Marine Corps pursuant to this Act, who at the time of such appointment had to his credit leave accrued but not taken, may, subsequent to appointment, be granted such leave without loss of pay or allowances.

Repeals.

SEC. 8. All laws or parts of laws inconsistent with the provisions of this Act are hereby repealed, and the provisions of this Act shall be in effect in lieu thereof and such repeal shall include but shall not be limited to the following Acts and parts of Acts:

(a) That portion of the first sentence after the subheading: "International naval rendezvous and review;" in chapter 212, Twenty-seventh Statutes at Large, page 715, which appears at page 730 and which reads as follows: "and the number of persons who may at one time be enlisted into the Navy of the United States, including seamen, ordinary seamen, landsmen, mechanics, firemen, and coal heavers, and including one thousand five hundred apprentices and boys, hereby authorized to be enlisted annually, shall not exceed nine thousand".

(b) That portion of the sentence after the heading "Pay of the Navy" in chapter 186, Twenty-eighth Statutes at Large, page 825, which appears at page 826 and which reads as follows: "and the Secretary of the Navy is hereby authorized to enlist as many additional seamen as in his discretion he may deem necessary, not to exceed one thousand;"

(c) Section 2 of chapter 120, Twenty-ninth Statutes at Large, page 96, at page 97.

(d) That portion of the sentence after the heading "Pay of the Navy" in chapter 399, Twenty-ninth Statutes at Large, page 361, which appears at page 361 and which reads as follows: "and the Secretary of the Navy is hereby authorized to enlist at any time after the passage of this Act as many additional men as in his discretion he may deem necessary, not to exceed one thousand,".

(e) That proviso at the end of the first sentence after the heading "Bureau of Supplies and Accounts. Pay of the Navy:" in chapter 130, Thirty-eighth Statutes at Large, page 392, which appears at page 403 and which reads as follows: "Provided, That hereafter the number of enlisted men of the Navy and Marine Corps provided for shall be construed to mean the daily average number of enlisted men in the naval service during the fiscal year".

34 U. S. C. § 153.

(f) The following portions of chapter 417, Thirty-ninth Statutes at Large, page 556:

(1) That portion of the first sentence after the heading "Hospital Corps" in such chapter, which appears at page 572 and which reads as follows: "and shall be in addition thereto".

34 U. S. C. § 34.

(2) That portion of the first sentence after the heading "Bureau of Supplies and Accounts. Pay of the Navy:" in such chapter, which appears at page 575 and which reads as follows: "and the President is hereafter authorized, whenever in his judgment a sufficient national emergency exists, to increase the authorized enlisted strength of the Navy to eighty-seven thousand men", and that portion of such sentence which reads as follows: "and hereafter the number of enlisted men of the Navy shall be exclusive of those sentenced by court martial to discharge".

(3) That portion of the first sentence after the heading "Commissioned Personnel" in such chapter, which appears at page 576, as amended by the first section of chapter 402, Forty-ninth Statutes at Large, page 487, and which, so amended, reads as follows: "Hereafter the total authorized number of commissioned officers of the active list of the line of the Navy, exclusive of commissioned warrant officers, shall be equal to 4¾ per centum of the total authorized enlisted strength of the active list, exclusive of the Hospital Corps, prisoners undergoing sentence of discharge, enlisted men detailed for duty with the Naval Militia, and the Flying Corps."

34 U. S. C. § 2;
Supp. V, § 2.

(4) That portion of the first sentence after the subheading "Pay of enlisted men, active list", in such chapter, which appears at page 612 and which reads as follows: "and hereafter the number of enlisted men of the Marine Corps shall be exclusive of those sentenced by court martial to discharge."

34 U. S. C. § 691a.

(5) The third sentence after the subheading "Pay of enlisted men, active list:" in such chapter, which appears at page 612 and which reads as follows: "The President is authorized, when, in his judgment, it becomes necessary to place the country in a complete state of preparedness, to further increase the enlisted strength of the Marine Corps to seventeen thousand and four hundred: *And provided further*, That the distribution in the various grades shall be in the same proportion as that authorized at the time when the President avails himself of the authority herein granted,".

(g) The first and second sections of chapter 20, Fortieth Statutes at Large, page 84, as amended.

34 U. S. C. § 152;
Supp. V, § 152.

(h) That portion of the second sentence after the heading "Maintenance" in chapter 9, Forty-first Statutes at Large, page 131, which appears at page 137 and which reads as follows: "and the President is hereby authorized, whenever in his judgment a sufficient national

34 U. S. C. § 151;
Supp. V, § 151.
Post, p. 96.

emergency exists, to increase the authorized enlisted strength of the Navy to one hundred and ninety-one thousand men”.

34 U. S. C. § 691;
Supp. V, § 691.

(i) That portion of the fourth sentence after the heading “Marine Corps. Pay, Marine Corps;” in chapter 228, Forty-first Statutes at Large, page 812, which appears at page 830 and which reads as follows: “The authorized enlisted strength of the active list of the Marine Corps is hereby permanently established at twenty-seven thousand four hundred, distribution in the various grades to be made in the same proportion as provided under existing law: *Provided, That*”.

34 U. S. C. § 691-1.

(j) Section 2 and subsection (d) of section 15 of chapter 598, Fifty-second Statutes at Large, page 944, at pages 944 and 952, respectively.

34 U. S. C., Supp. V
§§ 151, 691.
Ante, p. 95.

(k) Chapter 74, Fifty-fifth Statutes at Large, page 145, as amended by chapter 1, Fifty-sixth Statutes at Large, page 3.

Approved April 18, 1946.

[CHAPTER 142]

AN ACT

April 19, 1946
[H. R. 5644]
[Public Law 348]

To facilitate voting by members of the armed forces and certain others absent from the place of their residence, and to amend Public Law 712, Seventy-seventh Congress, as amended.

Servicemen's voting
act, amendments.
58 Stat. 136.
50 U. S. C., Supp.
V, §§ 321-354.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 712, Seventy-seventh Congress, as amended, is amended by striking out titles II, III, and IV, and inserting in lieu thereof the following:

“TITLE II

“RECOMMENDATIONS TO THE STATES

Enactment of ap-
propriate legislation.

“SEC. 201. The Congress hereby expresses itself as favoring, and recommends to the several States the immediate enactment of, appropriate legislation to enable each person absent from the place of his residence and serving in the armed forces of the United States or in the merchant marine of the United States, or who is a civilian outside the United States officially attached to and serving with the armed forces of the United States, who is eligible to vote in any election district or precinct, to vote by absentee ballot in any primary, special, or general election held in his election district or precinct; and in order to afford ample opportunity for such persons to vote for Federal, State, and local officials and to utilize the absentee balloting procedures of the various States to the greatest extent possible, the following provisions are enacted.

Use of post cards.

“SEC. 202. (a) It is recommended that the several States, in order to avoid expense, duplication of effort, and loss of time, shall accept, as applications for absentee ballots under such States' absentee balloting laws, as applications for registration under such States' election laws, and as sources of information to implement State absentee balloting laws, the form of post card (when duly executed by a person to whom this title is applicable) provided pursuant to section 209 (a) of this title, as amended, or pursuant to section 203 of this title prior to its amendment.

Post, p. 99.

Waiver of registra-
tion.

“ (b) It is recommended that the several States waive registration of the persons to whom this title is applicable who, by reason of their service, have been deprived of an opportunity to register.

Persons discharged
too late to register.

“ (c) It is recommended that the States make provision for persons eligible to register and qualified to vote, who have been honorably discharged from the armed forces too late to register at the time

when, and at the place where, registration is required, to vote at the election next ensuing after their discharge.

“SEC. 203. (a) It is recommended that the secretary of state of each of the several States, upon receipt of any such post-card application, promptly forward it to the proper county, city, or other election official or officials in order that the request for an absentee ballot may be acted upon as expeditiously as possible.

Forwarding of application to election officials.

“(b) It is recommended that the several States cooperate, to the end that county, city, or other election officials be authorized and instructed, upon receipt of an application made upon such a post card, to mail promptly to the voter making the application, if legally permissible under the laws of the State, a suitable absentee ballot, including therewith a self-addressed envelope for the use of the voter in returning the ballot and any instructions to govern the use of such ballot and envelope.

Prompt mailing of ballots, etc.

“SEC. 204. (a) It is recommended, so that the envelope in which the ballot is sent to a person to whom this title is applicable, and the envelope supplied for the return of the ballot, may be identified by the Post Office Department and other authorities as carrying an election ballot, that there be printed across the face of each such envelope two parallel horizontal red bars, each one-quarter inch wide, extending from one side of the envelope to the other side, with an intervening space of one-quarter inch, the top bar to be one and one-quarter inches from the top of the envelope, and with the words ‘Official Election Balloting Material—Via Air Mail’, or similar language as prescribed in State law, between the bars; that there be printed in the upper right corner of each such envelope, in a box, the words ‘Free of U. S. Postage, Including Air Mail’; and that all printing on the face of each such envelope be in red. It is also recommended that there be printed in red in the upper left corner of each State ballot envelope an appropriate inscription or blanks for return address of sender (State or local election officials, or voter, as the case may be).

Identification on envelopes.

“(b) It is recommended, in order to minimize the possibility of physical adhesion of State balloting material, that the gummed flap of the State envelope supplied for the return of the ballot be separated by a wax paper or other appropriate protective insert from the remaining balloting material, and, because such inserts may not prove completely effective, that there also be included in State voting instructions a procedure to be followed by absentee voters in instances of such adhesion of the balloting material, such as a notation of the facts on the back of any such envelope, duly signed by the voter and witnessing officer.

Separation of gummed flap of State envelope.

“(c) It is recommended, in order to minimize action necessary to be taken by the voter and to assure legible and proper address, that each envelope supplied for the return of a State absentee ballot be preaddressed by State or local election officials insofar as possible.

Preaddressing of return envelopes.

“(d) It is recommended that the several States, in order to save postage and to assist in the air transport of absentee voting material being sent to persons to whom this title is applicable, reduce in size and weight of paper, as much as possible, envelopes, ballots, and instructions for voting procedure so that such State balloting unit will not exceed in weight the total of one ounce and in dimension four and one-eighth inches by nine and one-half inches.

Weight and size of State balloting unit.

“SEC. 205. (a) It is recommended that, in the case of States in which no provision is made, either on the envelope or separately, for sending with the absentee ballots a printed form to be used by a voter for the purpose of establishing his legal right to vote, appro-

Form for establishment of legal right to vote.

appropriate action be taken to have printed and enclosed with absentee ballots mailed in response to applications received on the post cards hereinbefore referred to, a form for the signature and oath or affirmation of the voter; and it is suggested that a form substantially as follows would be appropriate for such purpose:

"OATH OF ELECTOR FOR VOTING IN THE _____ ELECTION TO BE HELD ON _____, 19__

"I do hereby swear (or affirm) that—

"(1) I am a citizen of the United States;

"(2) The date of my birth was _____;

"(3) For _____ years preceding this election my home (not military) residence has been _____

"(Street and number or rural route)

"(City, town, or village)

(County)

"(State)

"(4) I am serving (check appropriate blank)—

"(a) in the armed forces of the United States _____ () ;

"(b) in the merchant marine of the United States _____ () ;

"(c) as a civilian outside the United States officially attached to and serving with the armed forces of the United States _____ () ; and

"(5) I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered, or promised to pay, contributed, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote.

"Voter must write his usual signature here and oath must be administered and attested.

"Subscribed and sworn to before me this _____ day of _____, 19__

"Commissioned or warrant officer, noncommissioned officer not below the rank of sergeant, or petty officer, or other person authorized to administer and attest this oath, shall write his name here.

"Officer or other person signing above shall print his rank, rating, or title clearly here.

Administration, etc., of oaths.

"(b) It is recommended, with respect to oaths required by State law in connection with applying for and voting by State absentee ballot by persons to whom this title is applicable, that the States authorize such oaths to be administered and attested by any commissioned or warrant officer, noncommissioned officer not below the rank of sergeant, or petty officer, in the armed forces of the United States or any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration.

State voting instructions.

"SEC. 206. (a) It is recommended that there be included in State voting instructions for persons to whom this title is applicable an express instruction, if legally permissible under the laws of the State, to the effect that the absentee voter, in marking his ballot, may use pencil, pen, crayon, or any other suitable method for indicating his

intention, and that States, the existing laws of which would be violated by compliance with such an instruction, cause necessary changes to be made in their election laws.

“(b) It is recommended that State voting instructions be expressed in simple terms and not by use of words of the statute alone.

“SEC. 207. It is recommended that, in States where the absentee ballot will not be available for mailing to persons to whom this title is applicable at least forty-five days prior to any primary, general, or special election, such States cause to be made such changes in the election laws of their States as will lengthen such time.

Changes in election laws.

“SEC. 208. It is recommended that each secretary of state furnish by registered mail to the Secretary of War, the Secretary of the Navy, the Secretary of the Treasury, and the Administrator of the War Shipping Administration, at least ninety days in advance, information as to primary, special, and general elections within the State at which persons to whom this title is applicable may vote by absentee ballot. The information furnished by the secretaries of state should contain substantially the following:

Information regarding elections. Post, p. 101.

“STATE OF _____

- “1. Date of election _____
- “2. Type of election (general, special, or primary) _____
- “3. Name or names of governmental units to which it applies _____
- _____
- “4. (a) Officers to be elected _____
- “(b) Constitutional amendments or other proposals to be voted upon _____
- _____
- “5. Which of the following may vote at this election:
 - “(a) Members of the armed forces _____
 - “(b) Members of the merchant marine _____
 - “(c) Civilians outside the United States officially attached to and serving with the armed forces _____
- “6. (a) From which of the following is the Federal post-card application acceptable as an application for a ballot:
 - “(1) Members of the armed forces _____
 - “(2) Members of the merchant marine _____
 - “(3) Civilians outside the United States officially attached to and serving with the armed forces _____
- “(b) What action is it necessary for the applicant to take if the post card is not acceptable as an application _____
- _____
- “7. Earliest date State will receive application _____
- “8. Earliest date the ballot will be mailed _____
- “9. Last day ballot may be received back to be counted _____

“Secretary of State,
“State of _____

“Dated: _____

“COOPERATION WITH THE STATES

“SEC. 209. (a) In order to afford an opportunity for persons to whom this title is applicable to vote for Federal, State, and local officials and to utilize State absentee balloting procedures to the greatest extent possible, the Secretary of War, the Secretary of the Navy, the Secretary of the Treasury, and the Administrator of the War Shipping Administration, as may be appropriate, shall cause to be printed an adequate number of post cards for use in accordance with the provisions of this title and shall, wherever practicable and compatible with military or merchant-marine operations, cause such

Printing and availability of post cards.

post cards to be made available to each person absent from the place of his residence and serving in the armed forces of the United States or in the merchant marine of the United States, or who is a civilian outside the United States officially attached to and serving with the armed forces of the United States, for use for any general election at which electors for President and Vice President or Senators and Representatives in Congress are to be voted for, such cards to be made available outside of the United States not later than August 15 prior to the election, and within the United States not later than September 15 prior to the election. The post cards referred to shall also, wherever practicable and compatible with military or merchant-marine operations, be made available to such persons at appropriate times for use in general elections other than those referred to above and in primary and special elections.

Text and form.

“(b) Upon one side of the post card shall be printed the following:

“Secretary of State, or other appropriate official within the State of -----

“(1) I hereby request an absentee ballot to vote in the coming
(general) (primary) (special) election.
“(Strike out inapplicable words)”

“(2) I am a citizen of the United States, serving—
“in the armed forces of the United States -----
“in the merchant marine of the United States -----
“as a civilian outside the United States officially attached to and serving with the armed forces of the United States -----

“(3) I was born -----
“(Day) (Month) (Year)”

“(4) For ----- years preceding the above election my home (not military) residence in the above State has been -----
“(Street and number or rural route)”

“(City, town, or village) (County)” To the best of my knowledge, my voting precinct or district is -----

“(5) Mail my ballot to the following service (or merchant marine) address -----

“(Must include COMPLETE military, naval, or merchant marine MAIL address; include military or naval unit and APO or FPO and Postmaster; for merchant marine include vessel, foreign agent, and port)”

“You must both print and sign your name { -----
“(Print name and serial number plainly here)”

“(Sign here)”

“FILL OUT EVERY ITEM

“If this card is used in applying for a primary ballot (but not otherwise), state below choice of party: -----

“Subscribed and sworn to before me on -----

“(Day, month, year)”

“(Commissioned or warrant officer, noncommissioned officer not below the rank of sergeant, or petty officer, or other person authorized to administer and attest this oath, write his name and rank or title here)”

“(c) Upon the other side of the post card shall be printed in red the following:

“Name and complete military, naval, or merchant marine address

“Free of U. S. postage including air mail

“OFFICIAL ELECTION BALLOTING MATERIAL—
VIA AIR MAIL

“Secretary of State of -----

“(Home State)”

“(Capital city of home State)”

“(Home State)”

“(d) In lieu of and interchangeably with the post cards referred to, the Secretaries of War, Navy, and Treasury and the Administrator of the War Shipping Administration may continue to make available, and the persons to whom this title is applicable may continue to use, post cards provided under section 203 of this title prior to its amendment until the existing supply thereof is exhausted.

Use of existing supply.

58 Stat. 137,
50 U. S. C., Supp.
V, § 323.

Cooperation with States.

“SEC. 210. (a) It shall, wherever practicable and compatible with military or merchant-marine operations, be the duty of the Secretary of War, the Secretary of the Navy, the Secretary of the Treasury, the Postmaster General, and the Administrator of the War Shipping Administration, as may be appropriate, to cooperate with appropriate State officers and agencies in transmitting to and from persons to whom this title is applicable, making applications therefor to their several States, such absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, and to cooperate in the execution by such applicants of oaths in connection with such ballots.

Transmission of ballots, etc.

“(b) The Secretary of War, the Secretary of the Navy, the Secretary of the Treasury, the Postmaster General, the Administrator of the War Shipping Administration and other appropriate authorities shall, so far as practicable and compatible with military or merchant-marine operations, take all reasonable measures to facilitate transmission, delivery, and return of post cards, ballots, envelopes, and instructions for voting procedure, mailed to and by persons to whom this title is applicable pursuant to the laws of the several States, whether transmitted by air or by regular mail. Ballots executed outside the United States shall be returned by air, whenever practicable and compatible with military or merchant-marine operations.

Ballots executed outside U. S.

Information regarding elections.

“SEC. 211. Whenever practicable and compatible with military or merchant-marine operations, the Secretaries of War, Navy, and Treasury, and the Administrator of the War Shipping Administration, as may be appropriate, shall cause to be made available to persons to whom this title is applicable so much of the information referred to in section 208 of this title as may be received from a secretary of state.

Ante, p. 99.

“TITLE III

“VOTING SAFEGUARDS

“SEC. 301. (a) Every individual concerned with the administration of this Act shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast.

Steps to prevent fraud.

“(b) It shall be unlawful for any commissioned, noncommissioned, warrant, or petty officer in the armed forces of the United States (1) to attempt to influence any member of the armed forces to vote or not to vote for any particular candidate, or (2) to require any member of the armed forces to march to any polling place or place of voting, but nothing in this Act shall be deemed to prohibit free discussion regarding political issues or candidates for public office.

Unlawful acts.

Free discussion of political issues, etc.

“(c) No act done in good faith under this Act by a member of the armed forces of the United States, an officer or employee of the War Shipping Administration, or a member of the merchant marine of the United States, in the exercise of his judgment as to what was practicable and compatible with military or merchant-marine operations, shall constitute a violation of any provision of law prohibiting offenses against the elective franchise.

"TAKING OF POLLS PROHIBITED

"SEC. 302. (a) No person within or without the armed forces of the United States shall poll any member of such forces, either within or without the United States, either before or after he shall have executed any ballot under any State law, with reference to his choice of or his vote for any candidate for any of the offices authorized to be voted for by the use of the aforesaid ballot nor state, publish, or release any result of any purported poll taken from or among the members of the armed forces of the United States or including within it the statement of choice for or of votes cast by any member of the armed forces of the United States for any of the offices authorized to be voted for by the use of the aforesaid ballot.

"Poll."

"(b) The word 'poll' is defined as any request for information, either verbal or written, which by its language or form of expression requires or implies the necessity of an answer, where the request is made with the intent of compiling the result of the answers obtained, either for the personal use of the person making the request, or for the purpose of reporting the same to any other person, persons, political party, unincorporated association or corporation, or for the purpose of publishing the same orally, by radio, or in written or printed form.

Penalty.

"(c) Any person not a member of the armed forces of the United States who violates the provisions of this section, either within or outside of the United States, shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than one year, or both.

"TITLE IV

"DEFINITIONS

"SEC. 401. As used in this Act—

"Secretary of state."

"(a) The term 'secretary of state' shall include such other official in any State wherever an official other than the secretary of state is the appropriate State official to carry out any function vested in the secretary of state under this Act;

"United States."

"(b) The term 'United States' used geographically includes only the territorial limits of the several States of the United States and the District of Columbia; and

"Members of the merchant marine of the United States."

"(c) The term 'members of the merchant marine of the United States' means persons (other than members of the armed forces) employed as officers or members of crews of vessels documented under the laws of the United States, or of vessels owned by the United States, or of vessels of foreign-flag registry under charter to or control of the United States, and persons (other than members of the armed forces) enrolled with the United States for employment, or for training for employment, or maintained by the United States for emergency relief service, as officers or members of crews of any such vessels; but does not include persons so employed, or enrolled for such employment or for training for such employment, or maintained for emergency relief service, on the Great Lakes or the inland waterways.

"FREE POSTAGE

"SEC. 402. Official post cards, ballots, voting instructions, and envelopes referred to in this Act, whether transmitted individually or in bulk, shall be free of postage, including air-mail postage, in the United States mails: *Provided*, That in order to be entitled to free air-mail postage under this Act, a State balloting unit, composed of ballot, voting instructions, and envelope or envelopes, must not exceed in weight the total of one ounce.

"ADMINISTRATION

"SEC. 403. The Secretaries of War and Navy shall be responsible for the administration of this Act with respect to members of the armed forces and civilians outside the United States officially attached to and serving with the armed forces; but the Secretary of the Treasury shall be responsible for the administration of this Act with respect to members of the Coast Guard who are operating under the Treasury Department and civilians outside the United States officially attached to and serving with the Coast Guard. The Administrator of the War Shipping Administration shall be responsible for the administration of this Act with respect to members of the merchant marine of the United States. Any of the officers specified above may delegate to one or more of the others, with his or their consent, any of his functions under this Act.

"SEPARABILITY

"SEC. 404. If any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

"ACT TO BE CONSTRUED LIBERALLY

"SEC. 405. The provisions of this Act shall be construed liberally in order to effectuate its purposes."

Approved April 19, 1946.

[CHAPTER 143]

JOINT RESOLUTION

Making additional appropriations for the fiscal year 1946 to pay increased compensation authorized by law to officers and employees of sundry Federal and other agencies.

April 19, 1946
[H. J. Res. 342]
[Public Law 349]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, namely:

Additional appropriations for increased pay costs, fiscal year 1946.

INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1946, to meet increased pay costs authorized by the Acts of June 30, 1945 (Public Law 106), July 6, 1945 (Public Law 134), July 14, 1945 (Public Law 151), and July 21, 1945 (Public Law 158), and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

59 Stat. 295, 435, 470, 488.
5 U. S. C., Supp. V, § 901 note; 39 U. S. C., Supp. V, §§ 851-876.
Post, pp. 203, 216 *et seq.*, 417.
59 Stat. 238.

LEGISLATIVE BRANCH

For—

- "Salaries, officers and employees, Senate", \$490,000;
- "Salaries and expenses, Joint Committee on Printing, Senate", \$1,150;
- "Salaries and expenses, Legislative Counsel, Senate", \$12,000;
- "Contingent expenses, Senate, reporting debates and proceedings of the Senate", \$10,000;
- "Contingent expenses, Senate, services in cleaning, repairing, and varnishing furniture", \$385;
- "Contingent expenses, Senate, salaries and expenses, Joint Committee on Internal Revenue Taxation, Senate", \$7,000;

“Salaries, officers and employees, House of Representatives”, \$335,000;

“Clerk hire, Members and Delegates, House of Representatives”, \$925,000;

“Salaries and expenses, Legislative Counsel, House of Representatives”, \$5,000;

“Salary and expenses, Joint Committee on Printing, House of Representatives”, \$1,150;

“Contingent expenses, House of Representatives, folding documents”, \$10,000;

“Contingent expenses, House of Representatives, furniture and repairs”, \$9,500;

“Contingent expenses, House of Representatives, miscellaneous items”, \$2,500;

“Contingent expenses, House of Representatives, Joint Committee on Internal Revenue Taxation”, \$7,000;

“Contingent expenses, House of Representatives, Speaker's automobile”, \$675;

“Contingent expenses, House of Representatives, payment for certain services”, \$1,200;

“Contingent expenses, House of Representatives, attending physician”, \$385;

“Contingent expenses, House of Representatives, Revision of the Laws”, \$1,000;

“Contingent expenses, House of Representatives, preparation of a New Edition United States Code (no year)”, \$5,000;

Architect of the Capitol:

Office of the Architect of the Capitol: “Salaries”, \$19,000;

Capitol Buildings and Grounds:

“Capitol Buildings”, \$91,000;

“Capitol grounds”, \$32,300;

“Senate Office Building”, \$97,000;

“House Office Buildings”, \$129,500;

“Capitol power plant”, \$85,000;

Library of Congress:

Copyright Office: “Salaries”, \$50,900;

Legislative Reference Service: “Salaries”, \$35,734;

Index to State legislation: “Salaries and expenses”, \$6,242;

Union catalogs: “Salaries and expenses”, \$8,566;

“Motion-picture project”, \$696;

Library Buildings: “Salaries”, \$88,326;

Total, Legislative Branch, \$2,468,209.

50 Stat. 196;

THE JUDICIARY

For—

United States Supreme Court:

“Salaries”, \$70,000;

“Structural and mechanical care of the building and grounds”, \$29,300;

Court of Customs and Patent Appeals: “Salaries”, \$10,850;

United States Customs Court: “Salaries”, \$24,000;

Miscellaneous items of expense:

“Salaries of clerks of courts”, \$675,000;

“Probation system, United States courts”, \$225,000;

“Salaries of criers”, \$62,000;

“Fees of commissioners”, \$110,000;

“Miscellaneous salaries”, \$85,000;

Administrative Office of the United States Courts: “Salaries”, \$30,000;

Total, The Judiciary, \$1,321,150.

EXECUTIVE OFFICE OF THE PRESIDENT

59 Stat. 106.

For—

The White House Office: "Salaries and expenses", \$30,000;
 Bureau of the Budget: "Salaries and expenses", \$280,000;
 Office for Emergency Management:
 "Office of Alien Property Custodian". (The amount, \$332,900,
 which may be used for general administration expenses by
 other agencies on a reimbursable basis.)
 Total, Executive Office of the President, \$340,000.

INDEPENDENT OFFICES

59 Stat. 107.

For—

Civil Service Commission: "Salaries and expenses", \$1,300,000;
 Employees' Compensation Commission: "Salaries and expenses",
 \$140,000;
 Federal Communications Commission:
 "Salaries and expenses", \$363,000;
 "Salaries and expenses, national defense", \$194,000;
 "Federal Deposit Insurance Corporation": (The amount which
 may be used for administrative expenses is increased by
 \$417,000.)
 Federal Power Commission:
 "Salaries and expenses", \$287,300;
 "Flood control surveys", \$17,700;
 Federal Trade Commission: "Salaries and expenses", \$232,000;
 General Accounting Office: "Salaries", \$4,813,000;
 Interstate Commerce Commission:
 "General administrative expenses", \$380,000;
 "Safety of employees", \$42,000;
 "Signal safety systems", \$9,800;
 "Locomotive inspection", \$43,600;
 "Valuation of property of carriers", \$56,000;
 "Motor transport regulation", \$341,000;
 "Salaries and expenses, emergency", \$24,000;
 "National Capital Housing Authority", \$1,850;
 National Labor Relations Board:
 "Salaries", \$348,000;
 "Salaries and expenses (national defense)", \$57,600;
 National Mediation Board:
 "Salaries and expenses", \$19,600;
 National Railroad Adjustment Board: "Salaries and ex-
 penses", \$23,850;
 Securities and Exchange Commission: "Salaries and expenses",
 \$385,000;
 Tariff Commission: "Salaries and expenses", \$120,200;
 "The Tax Court of the United States", \$48,800;
 Veterans' Administration: "Administration, medical, hospital, and
 domiciliary services", \$54,168,000;
 Total, Independent Offices, \$63,416,300.

FEDERAL SECURITY AGENCY

59 Stat. 365.

For—

"Columbia Institution for the Deaf", \$13,000;
 Food and Drug Administration:
 "Enforcement operations", \$433,000;
 "General administration", \$16,900;
 Freedmen's Hospital: "Salaries and expenses", \$253,300;
 Howard University: "Salaries", \$13,500;

Office of Education:
 "Library service", \$3,700;
 "Services for the blind", \$980;
 "Salaries", \$61,440;
 "Salaries and expenses" (vocational education), \$53,300;
 Public Health Service:
 "Industrial hygiene", \$11,280;
 "Foreign quarantine service", \$232,700;
 "Hospitals and medical care", \$3,935,200;
 "National Institute of Health", \$228,000;
 "National Cancer Institute, operating expenses", \$58,700;
 "Salaries and miscellaneous expenses", \$160,000;
 Saint Elizabeths Hospital: "Salaries and expenses", \$663,700;
 Social Security Board:
 "Salaries, Bureau of Public Assistance", \$130,000;
 "Salaries, Bureau of Employment Security", \$105,700;
 "Salaries, Bureau of Old-Age and Survivors' Insurance",
 \$3,240,200;
 "Salaries, offices of the Social Security Board", \$525,200;
 Office of Vocational Rehabilitation:
 "For payments to States", \$11,500;
 "For general administrative expenses", \$45,400;
 Office of the Administrator:
 "Salaries, Office of the Administrator", \$25,800;
 "Community War Services", \$62,900;
 "Salaries, Division of Personnel Management", \$17,000;
 "Salaries, Division of Service Operations", \$50,700;
 "Salaries, Office of the General Counsel", \$94,000;
 Total, Federal Security Agency, \$10,447,100.

59 Stat. 112.

FEDERAL WORKS AGENCY

For—
 Office of the Administrator: "Salaries and expenses", \$35,530;
 Public Buildings Administration:
 "General administrative expenses", \$201,380;
 "Salaries and expenses, public buildings and grounds in the
 District of Columbia and adjacent area", \$4,372,460;
 "Salaries and expenses, public buildings and grounds outside
 the District of Columbia", \$1,547,130;
 Total, Federal Works Agency, \$6,156,500.

59 Stat. 121.

NATIONAL HOUSING AGENCY

For—
 Office of the Administrator: "Salaries and expenses": (The amount
 which may be used for administrative expenses is increased by
 \$52,900.)
 Federal Home Loan Bank Administration: "Salaries and expenses":
 (The amount which may be used for administrative expenses is
 increased by \$126,000.)
 Federal Housing Administration: "Salaries and expenses": (The
 amount which may be used for administrative expenses is
 increased by \$314,800.)
 Federal Public Housing Authority: "Salaries and expenses":
 (The amount which may be used for administrative expenses is
 increased by \$296,200.)

59 Stat. 136.

DEPARTMENT OF AGRICULTURE

For—
 Office of the Secretary: "Salaries and expenses", \$204,000;
 Office of the Solicitor: "Salaries and expenses", \$242,000;

Office of Information: "Salaries and expenses", \$72,000;
 Library, Department of Agriculture: "Salaries and expenses", \$84,000;
 Bureau of Agricultural Economics:
 "Economic investigations", \$310,000;
 "Crop and livestock estimates", \$217,000;
 Office of Foreign Agricultural Relations: "Salaries and expenses", \$85,000;
 Extension Service: "Administration and coordination of extension work", \$60,000;
 Agricultural Research Administration:
 Office of Administrator: "Salaries and expenses", \$40,000;
 "Special research fund, Department of Agriculture", \$120,000;
 Office of Experiment Stations:
 "Administration of grants and coordination of research with States", \$21,000;
 "Federal Experiment Station, Puerto Rico", \$9,000;
 Bureau of Animal Industry:
 "Animal husbandry", \$95,000;
 "Diseases of animals", \$76,000;
 "Eradicating tuberculosis and Bang's disease", \$430,000;
 "Inspection and quarantine", \$140,000;
 "Meat inspection", \$1,590,000;
 "Virus Serum Toxin Act", \$40,000;
 "Marketing agreements, hog cholera virus and serum" (increase in sum made available from appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, from "\$31,940" to "\$37,740");
 Bureau of Dairy Industry: "Salaries and expenses", \$99,800;
 Bureau of Plant Industry, Soils, and Agricultural Engineering:
 "Field crops", \$240,000;
 "Fruit, vegetable, and specialty crops", \$205,000;
 "Forest diseases", \$31,500;
 "Soils, fertilizers, and irrigation", \$105,000;
 "Agricultural engineering", \$46,000;
 "National Arboretum", \$4,800;
 Bureau of Agricultural and Industrial Chemistry:
 "Agricultural chemical investigations", \$44,000;
 "Naval-stores investigations", \$17,500;
 "Regional research laboratories", \$500,000;
 Bureau of Human Nutrition and Home Economics:
 "Salaries and expenses", \$73,000;
 "White pine blister rust control, Department of Agriculture", \$270,000;
 Forest Service:
 Salaries and expenses:
 "General administrative expenses", \$75,000;
 "National forest protection and management", \$2,550,000;
 "Forest management", \$116,900;
 "Range investigations", \$42,100;
 "Forest products", \$175,000;
 "Forest resources investigations", \$24,000;
 "Forest-fire cooperation", \$40,000;
 "Farm and other private forestry cooperation", \$36,000;
 "Forest roads and trails", \$480,000;
 Commodity Credit Corporation: "Salaries and administrative expenses" (increase in limitation for administrative expenses by \$743,000);

48 Stat. 38.
 7 U. S. C. § 612 (a)

Federal Crop Insurance Act: "Administrative and operating expenses", \$320,000;

Soil Conservation Service:

- "Soil conservation research", \$164,000;
- "Soil conservation operations", \$4,575,000;
- "Erosion control, Everglades region, Florida", \$10,200;
- "Land utilization and retirement of submarginal land", \$144,000;

Marketing Service:

- "Market news service", \$142,000;
- "Market inspection of farm products", \$68,000;
- "Marketing farm products", \$58,000;
- "Tobacco Acts", \$67,500;
- "Perishable Agricultural Commodities, Produce Agency, and Standard Container Acts", \$24,500;
- "Cotton Statistics, Classing, Standards, and Futures Acts", \$138,000;
- "United States Grain Standards Act", \$127,000;
- "United States Warehouse Act", \$60,000;
- "Federal Seed Act", \$14,000;
- "Packers and Stockyards Acts", \$48,000;
- "Naval Stores Act", \$4,500;
- "Insecticide Act", \$27,700;
- "Commodity Exchange Act", \$41,500;
- "Freight rates for farm products", \$12,000;

"Loans, grants, and rural rehabilitation", \$3,200,000;

Farm tenancy: "Salaries and expenses", \$365,000;

"Water facilities, arid and semiarid areas", \$25,000;

Rural Electrification Administration: "Salaries and expenses", \$490,000;

Farm Credit Administration:

- "Salaries and expenses", \$66,800; and increase the funds made available pursuant to Act of January 29, 1937, from "\$3,845,209" to "\$4,385,209";

Total, Department of Agriculture, \$19,203,300.

50 Stat. 5.
12 U. S. C. §§ 1020f-
1020g; Supp. V. § 1020k
note.

59 Stat. 187.

DEPARTMENT OF COMMERCE

For—

Office of the Secretary: "Salaries and expenses", \$98,000;

Bureau of the Census: "Compiling census reports, and so forth", \$735,000;

Office of Administrator of Civil Aeronautics:

- "General administration, Office of the Administrator", \$370,000;
- "Technical development", \$42,000;
- "Enforcement of safety regulations", \$386,000;
- "Airport Advisory Service", \$33,000;
- "Maintenance and operation of aircraft", \$43,000;
- "Maintenance and operation, Washington National Airport", \$107,000;

"Civil Aeronautics Board, salaries and expenses", \$135,000;

Coast and Geodetic Survey:

- "Salaries and expenses, departmental", \$169,000;
- "Salaries and expenses, field", \$258,000;

Bureau of Foreign and Domestic Commerce:

- "Departmental salaries and expenses", \$275,000;
- "Field office service", \$62,800;

Patent Office: "Salaries", \$400,000;

National Bureau of Standards:

“Operation and administration”, \$75,000;

“Testing, inspection, and information service”, \$178,000;

“Research and development”, \$192,000;

“Standards for commerce”, \$30,000;

Total, Department of Commerce, \$3,588,800.

DEPARTMENT OF THE INTERIOR

59 Stat. 318.

For—

Office of the Secretary:

“Salaries”, \$195,000;

“Office of Solicitor”, \$29,900;

“Division of Territories and Island Possessions”, \$14,200;

Petroleum Conservation Division: “Salaries and expenses”, \$12,600;

Division of Geography: “Salaries and expenses”, \$1,350;

“Soil and moisture conservation operations”, \$123,400;

“Commission of Fine Arts”, \$860;

Grazing Service:

“Salaries and expenses”, \$142,000;

“Range improvements”, \$9,050;

General Land Office:

“Salaries”, \$138,940;

“Surveying public lands”, \$50,000;

“Salaries and expenses, branch of field examination”, \$15,370;

“Salaries and expenses of land offices”, \$42,300;

“Forest management and protection, public domain, Alaska”, \$19,660;

“Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon (reimbursable)”, \$13,000;

“Range improvements on public lands outside of grazing districts (receipt limitation)”, \$2,000;

Bureau of Indian Affairs:

Salaries and general expenses:

“Departmental personal services”, \$115,200;

“Maintaining law and order on Indian reservations”, \$17,590;

Industrial assistance and advancement:

“Preservation of timber on Indian reservations”, \$134,500;

“Expenses incidental to the sale of timber (reimbursable)”, \$26,820;

“Developing agriculture and stock raising among the Indians”, \$80,000;

“Development of water supply”, \$6,700;

Irrigation and drainage:

“Construction, repair, and maintenance of irrigation systems (reimbursable)”, \$20,200;

“Operation and maintenance of the San Carlos project (receipt limitation)”, \$28,880;

“Improvement, operation, and maintenance of the irrigation and power systems on the Colorado River Indian Reservation (receipt limitation)”, \$3,030;

“Improvements, maintenance, and operation of the Fort Hall irrigation systems”, \$5,840;

“Improvements, maintenance, and operation of the Fort Hall irrigation systems (receipt limitation)”, \$5,760;

“Maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation (reimbursable)”, \$750;

“Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds, \$27,600)”;

Bureau of Reclamation:

Reclamation fund, special fund:

“Parker Dam power project, Arizona-California (from power revenues \$18,100)”;

“Yuma project, Arizona-California”, \$11,000;

“Boise project, Idaho”, \$10,000;

“Minidoka project, Idaho”, \$5,300;

“Minidoka project, Idaho (from power revenues, \$15,000)”;

“Rio Grande project, New Mexico-Texas (from power revenues, \$5,400)”;

“Owyhee project, Oregon”, \$21,200;

“Klamath project, Oregon-California”, \$11,000;

“Columbia Basin project, Washington (from power revenues, \$63,000)”;

“Yakima project, Washington”, \$21,500;

“Riverton project, Wyoming”, \$4,000;

“Shoshone project, Wyoming”, \$1,800;

“Shoshone project, Wyoming (from power revenues, \$2,000)”;

“Salaries and expenses (other than project offices)”, \$456,200;

General fund, construction: “Colorado River project, Texas (reimbursable)”, \$6,900;

“Geological Survey”, \$151,500;

Bureau of Mines:

“Salaries and expenses”, \$9,500;

“Operating mine-rescue cars and stations and investigation of mine accidents”, \$83,600;

“Coal-mine inspections and investigations”, \$122,380;

“Mineral mining investigations”, \$35,000;

“Buildings and grounds, Pittsburgh, Pennsylvania”, \$18,300;

“Economics of mineral industries”, \$40,000;

“National Park Service”, \$636,000;

“Recreational demonstration areas”, \$17,860;

“Salaries and expenses, National Capital parks”, \$70,500;

Fish and Wildlife Service: “Salaries and expenses”, \$543,100;

Government in the Territories:

Territory of Alaska: “Expenses of the offices of the Governor and the Secretary”, \$3,000;

Territory of Hawaii: “Expenses of the offices of the Governor and the Secretary”, \$1,100;

Government of the Virgin Islands: “Salaries of the Governor and employees”, \$7,370;

Total, Department of the Interior, \$7,687,440;

DEPARTMENT OF JUSTICE

60 Stat. 181.

For—

Legal activities and general administration:

“Office of the Attorney General”, \$9,600;

“Office of the Solicitor General”, \$5,000;

“Office of Assistant to the Attorney General”, \$16,000;

“Administrative Division”, \$201,500;

“Tax Division”, \$87,700;

“Criminal Division”, \$11,300;

“Claims Division”, \$129,000;

“Office of the Assistant Solicitor General”, \$15,000;

“Office of Pardon Attorney”, \$4,000;

"Salaries and expenses, Customs Division", \$18,000;
 "Salaries and expenses, Antitrust Division", \$175,000;
 "Miscellaneous salaries and expenses, field", \$18,000;
 "Salaries and expenses of district attorneys, and so forth",
 \$599,000;
 "Compensation of special attorneys, and so forth", \$7,900;
 "Salaries and expenses of marshals, and so forth", \$507,000;
 "Pay and expenses of bailiffs", \$39,000;
 Federal Bureau of Investigation: "Salaries and expenses, detec-
 tion and prosecution of crimes", \$1,249,000;
 Immigration and Naturalization Service: "Salaries and expenses,
 Immigration and Naturalization Service", \$3,720,000;
 Federal Prison System:
 "Salaries and expenses, Bureau of Prisons", \$53,800;
 "Salaries and expenses, penal and correctional institutions",
 \$3,639,000;
 "Medical and hospital service", \$224,700;
 Total, Department of Justice, \$10,729,500;

59 Stat. 361.

DEPARTMENT OF LABOR

For—

Office of the Secretary:
 "Salaries", \$68,600;
 "Salaries and expenses, Office of the Solicitor", \$110,900;
 "Salaries and expenses, Division of Labor Standards", \$23,500;
 "Commissioners of Conciliation", \$59,050;
 "Commissioners of Conciliation (national defense)", \$206,300;
 Bureau of Labor Statistics:
 "Salaries and expenses", \$215,100;
 "Salaries and expenses (national defense)", \$423,700;
 Children's Bureau:
 "Salaries and expenses", \$55,460;
 "Salaries and expenses, child labor provisions", \$35,970;
 "Salaries and expenses, maternal and child welfare", \$59,170;
 "Salaries and expenses, emergency maternity and infant care
 (national defense)", \$5,750;
 Women's Bureau: "Salaries and expenses", \$33,500;
 Wage and Hour Division: "Salaries", \$635,200;
 War manpower functions:
 "Apprentice training service", \$73,100;
 "Employment office facilities and services", \$5,504,800;
 Total, Department of Labor, \$7,510,100;

59 Stat. 66.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

For—

Post Office Department, Washington, District of Columbia:
 Office of the Postmaster General: "Salaries", \$52,800;
 Salaries in bureaus and offices:
 "Office of Budget and Administrative Planning", \$5,300;
 "Office of the First Assistant Postmaster General",
 \$138,000;
 "Office of the Second Assistant Postmaster General",
 \$140,400;
 "Office of the Third Assistant Postmaster General",
 \$202,700;
 "Office of the Fourth Assistant Postmaster General",
 \$93,000;

“Office of the Solicitor for the Post Office Department”,
 \$18,770;
 “Office of the Chief Inspector”, \$59,100;
 “Office of the Purchasing Agent”, \$11,500;
 “Bureau of Accounts”, \$57,100;
 Field Service, Post Office Department:
 Office of Chief Inspector:
 “Salaries of inspectors”, \$563,900;
 “Clerks, division headquarters”, \$187,300;
 Office of the First Assistant Postmaster General:
 “Rural Delivery Service”, \$17,385,000;
 Office of the Fourth Assistant Postmaster General:
 “Post office stationery, equipment, and supplies”, \$20,700;
 “Pneumatic-tube service, New York City”, \$52,800;
 Total, Post Office Department, \$18,988,370;

DEPARTMENT OF STATE

59 Stat. 169.

For—

Office of the Secretary of State:
 “Salaries”, \$1,861,810;
 “Passport agencies”, \$10,410;
 “Collecting and editing official papers of Territories of the
 United States”, \$400;
 Foreign Service:
 “Salaries, ambassadors and ministers”, \$13,000;
 “Salaries, Foreign Service officers”, \$294,000;
 “Salaries of clerks, Foreign Service”, \$518,150;
 “Miscellaneous salaries and allowances, Foreign Service”,
 \$55,850;
 “Foreign Service, auxiliary (emergency)”, \$400,000;
 International obligations:
 “Salaries and expenses, International Boundary Commission,
 United States and Mexico”, \$61,400;
 “Supplemental construction on the Rio Grande in the El Paso-
 Juarez Valley”, \$9,800;
 “International Boundary Commission, United States and
 Canada and Alaska and Canada”, \$2,530;
 “Salaries and expenses, International Joint Commission,
 United States and Great Britain”, \$3,080;
 “Special and technical investigations, International Joint
 Commission, United States and Great Britain”, \$8,300;
 “Cooperation with the American republics”, \$98,370;
 Total, Department of State, \$3,337,100;

TREASURY DEPARTMENT

59 Stat. 56.

For—

Office of the Secretary: “Salaries”, \$57,400;
 Division of Tax Research: “Salaries”, \$25,200;
 Office of Tax Legislative Counsel: “Salaries”, \$11,800;
 Division of Research and Statistics: “Salaries”, \$26,600;
 Office of General Counsel: “Salaries”, \$21,800;
 Division of Personnel: “Salaries”, \$32,200;
 Office of Chief Clerk: “Salaries”, \$68,200;
 Fiscal service:
 Bureau of Accounts:
 “Salaries and expenses”, \$180,800;
 “Division of Disbursement, salaries and expenses”,
 \$1,075,900;

Bureau of the Public Debt: "Administering the public debt", \$7,612,000;
 Office of the Treasurer of the United States:
 "Salaries and expenses", \$881,700;
 "Salaries (reimbursable)", \$17,300;
 Bureau of Customs: "Salaries and expenses", \$6,000,000;
 Office of the Comptroller of the Currency: "Salaries", \$44,200;
 Bureau of Narcotics: "Salaries and expenses", \$178,800;
 Bureau of Engraving and Printing: "Salaries and expenses", \$1,035,700;
 Secret Service Division:
 "White House Police", \$49,500;
 Bureau of the Mint:
 "Salaries and expenses, Office of the Director", \$23,000;
 "Salaries and expenses, mints and assay offices", \$242,900;
 Procurement Division: "Salaries and expenses", \$70,900;
 Total, Treasury Department, \$17,655,900;

59 Stat. 42.

WAR DEPARTMENT

For—

The Panama Canal:
 "Maintenance and operation of the Panama Canal", \$587,000;
 "Sanitation, Canal Zone", \$477,000;
 "Civil government", \$361,000;
 Total, War Department, \$1,425,000;

59 Stat. 271.

DISTRICT OF COLUMBIA

For—

General administration:
 "Executive office", \$17,550;
 "Office of the corporation counsel", \$17,720;
 "Board of Tax Appeals", \$2,790;
 Fiscal Service:
 "Assessor's office", \$45,870;
 "Collector's office", \$19,530;
 "Auditor's office", \$36,400;
 "Purchasing Division", \$7,640;
 Regulatory agencies:
 "Alcoholic Beverage Control Board", \$6,210;
 "Board of Indeterminate Sentence and Parole", \$4,840;
 "Coroner's office", \$7,050;
 "Department of Insurance", \$7,300;
 "Department of Weights, Measures, and Markets", \$19,670;
 "Minimum Wage and Industrial Safety Board", \$6,750;
 "Office of Administrator of Rent Control", \$6,510;
 "Office of Recorder of Deeds", \$32,500;
 "Poundmaster's office", \$9,230;
 "Public Utilities Commission", \$14,320;
 "Zoning Commission", \$2,170;
 Public schools:
 Operating expenses:
 "General administration", \$71,330;
 "General supervision and instruction", \$1,355,160;
 "Vocational education, George-Deen program", \$16,350;
 "Operation of buildings and maintenance of equipment", \$386,460;
 "Public Library", \$112,740;
 Recreation Department: "Operating expenses", \$56,410;
 "Metropolitan Police", \$777,040;

"Fire Department", \$383,400;

"Policemen's and Firemen's Relief", \$292,190;

Courts:

"Juvenile court", \$27,260;

"Psychiatric service, juvenile court", \$1,360;

"Municipal court", \$45,440;

"Municipal court of appeals", \$5,000;

"Probation system", \$4,920;

"Office of Register of Wills", \$13,730;

"Commission on Mental Health", \$2,840;

Health Department:

"Health Department (excluding hospitals)", \$209,010;

"Glenn Dale Tuberculosis Sanatorium", \$225,400;

"Operating expenses, Gallinger Municipal Hospital", \$504,130;

Public welfare:

"Office of the Director", \$7,920;

Family Welfare Service:

"Operating expenses, child care", \$20,000;

"Adult assistance", \$32,700;

"Operating expenses, institutions for the indigent", \$55,730;

Juvenile Correctional Service: "Operating expenses", \$65,410;

Adult Correctional Service: "Operating expenses", \$279,740;

Mental Rehabilitation Service:

"Operating expenses, District Training School", \$111,300;

"Saint Elizabeths Hospital", \$903,400;

Public works:

"Office of chief clerk", \$4,560;

"Office of Municipal Architect", \$13,800;

"Operating expenses, Office of Superintendent of District Buildings", \$91,650;

"Surveyor's office", \$7,960;

"Department of Inspections", \$60,550;

"Operating expenses, Electrical Division", \$49,790;

"Central garage", \$4,200;

"Department of Vehicles and Traffic (payable from highway fund)", \$40,500;

"Reimbursement of other appropriations (payable from highway fund)", \$109,600;

"Operating expenses, Refuse Division", \$46,900;

"Operating expenses, Sewer Division", \$59,260;

"Operating expenses, Water Division (payable from water fund)", \$83,650;

Washington Aqueduct: "Operating expenses (payable from water fund)", \$22,360;

"National Capital Parks", \$96,420;

"National Capital Park and Planning Commission", \$7,410;

"National Zoological Park", \$65,670;

Total, District of Columbia, \$6,994,700;

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1946.

SEC. 2. The restrictions contained in appropriations or affecting appropriations or other funds, available during the fiscal year 1946, limiting the amounts which may be expended for personal services or for other purposes, or amounts which may be transferred

District of Columbia.

59 Stat. 271.

Waiver of restrictions.

between appropriations or authorizations, are hereby waived to the extent necessary to meet increased pay costs authorized by the Acts of June 30, 1945 (Public Law 106), July 6, 1945 (Public Law 134), July 14, 1945 (Public Law 151), and July 21, 1945 (Public Law 158), and other legislation enacted during or applicable to the fiscal year 1946 authorizing increased pay for civilian employees of the Government.

Approved April 19, 1946.

[CHAPTER 144]

AN ACT

Granting to Guy A. Thompson, trustee, Missouri Pacific Railroad Company, debtor, and to his successors and assigns, authority to relocate, maintain, and operate a single-track railway across United States Government reservation at lock numbered 3, White River, Independence County, Arkansas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That license granted by the Secretary of War, of date September 14, 1943, to Guy A. Thompson, as trustee, Missouri Pacific Railroad Company, debtor, and to his successors and assigns, herein designated as grantee, to relocate Missouri Pacific Railroad tracks across United States Government reservation at lock numbered 3, White River, Independence County, Arkansas, and in connection therewith to remove a portion of the bluff and replace the previously existing trestle by solid fill obtained from the bluff, is ratified, and permission to maintain and to operate over said railroad track as so relocated is granted, subject to the following provisions and conditions, to wit: (a) That the exercise of the privileges hereby granted shall be without cost or expense to the United States, under the general supervision and subject to the approval of the officer of the Army having immediate jurisdiction over the property, and subject also to such regulations as may be prescribed by him from time to time; (b) that any property of the United States damaged or destroyed by the grantee incident to the exercise of the privileges herein granted shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer, or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damage to or destruction of Government property; (c) that the United States shall have the right to load or unload cars while on the main track in the vicinity of the lock: *Provided*, That regular scheduled trains are not thereby delayed; (d) that the grantee shall maintain at its own expense at some nearby point, a siding or spur track from which the United States can receive and forward freight, either in carload lots or less than carload lots; (e) that the grantee shall not use the river banks within a distance of one hundred and fifty feet above and below the limits of the lock walls, as a place for depositing spoil or waste, excepting under such conditions as may be approved by the said officer; (f) that the grantee shall supervise the said railroad track and cause it to be inspected at reasonable intervals, and shall immediately repair any defects found therein as a result of such inspection, or when requested by the said officer, to repair any defects; (g) that the grantee, at grantee's expense, shall maintain a pedestrian underpass; and (h) that the United States shall not be responsible for damages to property or injuries to persons which may arise from or be

59 Stat. 295, 435, 470, 488.
5 U. S. C., Supp. V, § 901 note; 39 U. S. C., Supp. V, §§ 851-876.
Post, pp. 203, 216 *et seq.*, 417.

April 20, 1946
[H. R. 4239]
[Public Law 350]

Relocation of railroad at lock No. 3, White River, Ark.

Conditions.

incident to the exercise of the privileges herein granted, or for damages to the property of the grantee, or for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees or others who may be on said premises at their invitation or the invitation of any one of them, arising from governmental activities on the said premises, and the grantee shall hold the United States harmless from any and all such claims.

SEC. 2. That permission herein granted supersedes and is in lieu of the license granted to the White River Railway Company, February 26, 1902, by Public Law Numbered 23 (32 Stat. L. 41).

SEC. 3. That the right to alter, amend, or repeal this Act is hereby expressly reserved, and if this permission is revoked, the grantee shall vacate the premises, remove said property therefrom, and restore the premises within such time as the Secretary of War may designate, and upon failure so to do, said property shall either become the property of the United States without compensation therefor, or the Secretary of War may cause the property to be removed and the premises to be restored at the expense of the grantee, and no claim for damages against the United States or its officers or agents shall arise by reason of such removal or restoration work.

Approved April 20, 1946.

[CHAPTER 145]

AN ACT

Authorizing the Secretary of the Navy in his discretion to deliver to the custody of the State of Arkansas the silver service presented to the United States for the battleship Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized in his discretion to deliver to the custody of the Governor of Arkansas for the Arkansas Historical Museum, for preservation and exhibition, the silver service which was presented to the United States for the battleship Arkansas by the citizens of that State: *Provided,* That no expense shall be incurred by the United States for the delivery of such silver service.

Approved April 20, 1946.

Prior license.

Rights reserved.

April 20, 1946
[H. R. 5121]
[Public Law 351]

U. S. S. Arkansas,
silver service.

[CHAPTER 146]

AN ACT

Authorizing the Secretary of the Navy in his discretion to deliver to the custody of the city of New Orleans the silver service and silver bell presented to the United States for the cruiser New Orleans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized in his discretion to deliver to the custody of the mayor of New Orleans for the Louisiana Historical Museum, for preservation and exhibition, the silver service and silver bell which were presented to the United States for the cruiser New Orleans by the citizens of that city: *Provided,* That no expense shall be incurred by the United States for the delivery of such silver service.

Approved April 20, 1946.

April 20, 1946
[H. R. 5765]
[Public Law 352]

U. S. S. New Orleans,
silver service.

[CHAPTER 199]

AN ACT

April 23, 1946
[S. 486]

[Public Law 353]

For the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Fort Peck project, Montana.

Fort Peck project.
Acquisition of Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in aid of the construction of the Fort Peck project, there is hereby granted to the United States, subject to the provisions of this Act, such right, title, and interest of the Indians as may be required in and to such tribal and allotted lands as may be designated by the Secretary of the Interior from time to time for the construction, operation, and maintenance of electric transmission lines and other works of the project or for the relocation or reconstruction of properties made necessary by the construction of the project.

Compensation.

SEC. 2. As lands or interests in lands are designated from time to time under this Act, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. The amounts due the tribe and the individual allottees or their heirs or devisees shall be paid from funds now or hereafter made available to the Department of the Interior for the Fort Peck project to the superintendent of the appropriate Indian agency, or such other officer as may be designated by the Secretary of the Interior, for credit on the books of such agency to the accounts of the tribe and the individuals concerned.

Use of deposits.

SEC. 3. Funds deposited to the credit of allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of this Act. Lands so acquired shall be held in the same status as those from which the funds were derived, and shall be nontaxable until otherwise provided by Congress.

Status of acquired lands.

Administration.

SEC. 4. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of this Act.

Reversionary provision.

SEC. 5. All designations of Indian lands pursuant to this Act shall be made subject to the condition that in the event any such lands shall no longer be required for the purposes for which they were designated, then the right, title, or interest so acquired in lands so designated shall revert to the United States in trust for the Fort Peck Indian Tribes.

Approved April 23, 1946.

[CHAPTER 200]

AN ACT

April 23, 1946
[S. 1363]

[Public Law 354]

To reimburse certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel for personal property lost or destroyed as the result of water damage occurring at certain naval and Marine Corps shore activities.

Navy and Marine Corps.
Reimbursement for personal property losses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,581.44 as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel for personal

property lost or destroyed as the result of water damage occurring in the baggage room, main bachelor officers' quarters, Marine Corps air station, Cherry Point, North Carolina, on February 20, 1944; and as the result of the destruction of commanding officers' quarters, amphibious training base, Ocracoke, North Carolina, on September 14, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 23, 1946.

[CHAPTER 201]

AN ACT

To revive and reenact the Act entitled "An Act granting the consent of Congress to the counties of Valley and McCone, Montana, to construct, maintain, and operate a free highway bridge across the Missouri River at or near Frazer, Montana", approved August 5, 1939.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved August 5, 1939, granting the consent of Congress to the counties of Valley and McCone, Montana, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at or near Frazer, Montana, be, and is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years after the date of the termination of the unlimited national emergency proclaimed by the President on May 27, 1941.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved April 23, 1946.

[CHAPTER 202]

AN ACT

To authorize the United States commissioner for the Sequoia National Park to exercise similar functions for the Kings Canyon National Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States commissioner for the Sequoia National Park, appointed pursuant to section 8 of the Act of June 2, 1920 (41 Stat. 731, 733; 16 U. S. C., secs. 66-68), shall exercise the additional functions of a United States commissioner for the Kings Canyon National Park. The United States District Court for the Southern District of California shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court.

SEC. 2. The commissioner shall have jurisdiction to issue process in the name of the United States for the arrest of any person charged with a violation of any of the rules and regulations made by the Secretary of the Interior in pursuance of law for the government and protection of the park, or with the commission within the park of a petty offense against the law, and to try the person so charged, who, if found guilty, shall be subject to the punishment prescribed by section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U. S. C., sec. 3), as

April 23, 1946

[S. 1601]

[Public Law 356]

Bridge.
Missouri River.
53 Stat. 1206.

55 Stat. 1647.
50 U. S. C., Supp.
V. app., note prec. §1.

April 23, 1946

[H. R. 2418]

[Public Law 356]

Sequoia and Kings
Canyon National
Parks.
U. S. c o m m i s -
sioner.

Jurisdiction.

"Petty offense."
35 Stat. 1152.

Other criminal
offenses.

Fees, costs, and ex-
penses.

amended. For the purposes of this Act, the term "petty offense" shall be defined as in section 335 of the Criminal Code (18 U. S. C., sec. 541). In all cases of conviction an appeal shall lie from the judgment of said commissioner to the district court.

SEC. 3. The commissioner shall have power to issue process in the name of the United States for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 2 of this Act, and to hear the evidence introduced. If he is of the opinion that probable cause is shown for holding the person so charged for trial, he shall commit such person for further appropriate action, and shall certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case.

SEC. 4. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. All fines, fees, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Southern District of California.

Approved April 23, 1946.

[CHAPTER 203]

AN ACT

To revive and reenact the Act entitled "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois", approved December 21, 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved December 21, 1944, authorizing the City of Clinton Bridge Commission to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at or near the cities of Clinton, Iowa, and Fulton, Illinois, be, and is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within two years and completed within four years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved April 23, 1946.

[CHAPTER 204]

AN ACT

To revive and reenact the Act granting the consent of Congress to the State Highway Department of South Carolina to construct, maintain, and operate a free highway bridge across the Pee Dee River, at or near Cashua Ferry, South Carolina, approved April 30, 1940.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved April 30, 1940, granting the consent of Congress to the State Highway Department of South Carolina to construct, maintain, and operate a bridge and approaches thereto across the Pee Dee River, at or near Cashua Ferry, be, and is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be completed within three years from the date of approval hereof.

April 23, 1946
[H. R. 4914]
[Public Law 357]

Bridge.
Mississippi River.
68 Stat. 846.

April 23, 1946
[H. R. 5275]
[Public Law 358]

Bridge.
Pee Dee River.
54 Stat. 175.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved April 23, 1946.

[CHAPTER 210]

AN ACT

To authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands.

April 24, 1946
[S. 718]

[Public Law 359]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of August 27, 1935 (49 Stat. 887), as amended by section 5 of the Act of June 20, 1938 (52 Stat. 779), authorizing the Secretary of the Interior to provide by agreement with the Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for the payment of operation and maintenance charges on newly reclaimed Pueblo Indian lands and lands purchased by the United States by virtue of the Act of June 7, 1924 (43 Stat. 636), as amended, for certain Pueblo Indians, are hereby extended for an additional period of ten years to 1955.

Middle Rio Grande
Conservancy District,
N. Mex.

Approved April 24, 1946.

[CHAPTER 211]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in building numbered 141 at the United States naval repair base, San Diego, California, on May 1, 1945.

April 24, 1946
[S. 1492]

[Public Law 360]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$22,434.28, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire in building numbered 141 at the United States naval repair base, San Diego, California, on May 1, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy.
Reimbursement for
personal property
losses.

Approved April 24, 1946.

[CHAPTER 212]

AN ACT

For the relief of Montgomery County, Mississippi, districts 2 and 3.

April 24, 1946
[H. R. 2842]

[Public Law 361]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$40,227 to Montgomery County, Mississippi, in full settlement of all claims against the United States for damages sustained by the roads in supervisors districts numbered 2 and 3 resulting

Settlement of
claims

from the use of said roads by military personnel of Camp McCain, between December 1942 and September 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 213]

AN ACT

For the relief of Grenada County, Mississippi.

April 24, 1946
[H. R. 3195]
[Public Law 362]

Settlement of claim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$47,685, to Grenada County, Mississippi, in full settlement of the county's claim against the United States of America for damages sustained by the county roads in the use of said roads for maneuver and other purposes by military personnel of Camp McCain, Mississippi, from December 1942 to September 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 214]

AN ACT

Granting the consent of Congress to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate a toll bridge across the Connecticut River at or near Old Saybrook, Connecticut.

April 24, 1946
[H. R. 4940]
[Public Law 363]

Bridge.
Connecticut River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent is hereby granted to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate a bridge and approaches thereto across the Connecticut River, at a point suitable to the interests of navigation, at or near Old Saybrook, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Tolls.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed thirty-one years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided,

Maintenance as free
bridge.

such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the costs of the bridge and its approaches, the expenditure for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 3. No toll or other charge shall be levied against any employee, civil or military, or any vehicle or conveyance, of the United States Government for the use of such bridge in the performance of official duties.

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

Approved April 24, 1946.

[CHAPTER 215]

AN ACT

Authorizing the village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River at or near Baudette, Minnesota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes the village of Baudette, Minnesota, its public successors and public assigns, be, and it is hereby, authorized to construct, maintain, and operate a toll bridge and approaches thereto across the Rainy River, so far as the United States has jurisdiction over the waters of said river, at a point suitable to the interests of navigation at or near Baudette, Minnesota, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act, and subject to the approval of the proper authorities in Canada.

SEC. 2. There is hereby conferred upon the village of Baudette, Minnesota, its public successors and public assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Minnesota, needed for the location, construction, operation, and maintenance of such bridge and its approaches as are now possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Minnesota upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said village of Baudette, Minnesota, its public successors and public assigns, are authorized to fix and charge tolls for transit over such bridge in accordance with any laws of Canada applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under authority contained in the Act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintenance, repairing, and operating the bridge and its approaches under efficient and economical management, and to provide funds sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After funds sufficient for such amortization of said bridge and its approaches shall have been so provided, such bridge shall

Federal use.

April 24, 1946
[H. R. 5544]
[Public Law 364]

Bridge.
Rainy River.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Approval of Canadian authorities.
Acquisition of property.

Tolls.

Supra.

Maintenance as free bridge.

thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditure for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Right to sell, etc.

SEC. 5. The right to sell, assign, transfer, and mortgage to any public agency or to an international bridge authority is hereby granted to the village of Baudette, Minnesota, its public successors and public assigns; and any such agency or authority to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such agency or authority.

Federal use.

SEC. 6. No toll or other charge shall be levied against any employee, civil or military, or any vehicle or conveyance of the United States Government for the use of such bridge in the performance of official duties.

SEC. 7. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved April 24, 1946.

[CHAPTER 216]

AN ACT

April 24, 1946

[H. R. 5574]

[Public Law 365]

To amend paragraph 8 of part VII, Veterans Regulation Numbered 1 (a), as amended, to authorize an appropriation of \$1,500,000 as a revolving fund in lieu of \$500,000 now authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 8 of part VII, Veterans Regulation Numbered 1 (a), as amended, is hereby amended by substituting "\$1,500,000" in lieu of "\$500,000", so that the paragraph shall read as follows:

57 Stat. 44.
38 U. S. C., Supp.
V, note foll. § 735.

Vocational rehabilitation.
Appropriation authorized.

Advancements.

"8. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of \$1,500,000 to be utilized by the Veterans' Administration under such rules and regulations as the Administrator may prescribe, as a revolving fund for the purpose of making advancements not exceeding \$100 in any case, to persons commencing or undertaking courses of vocational rehabilitation under this part, and advancement to bear no interest and to be reimbursed in such installments as may be determined by the Administrator by proper deductions from any future payments of pension or retirement pay."

Approved April 24, 1946.

[CHAPTER 232]

AN ACT

April 26, 1946

[H. R. 1562]

[Public Law 366]

For the relief of the Borough of Park Ridge, Park Ridge, New Jersey.

Settlement of claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$7,500, to the Borough of Park Ridge, Park Ridge, New Jersey, in full settlement of all claims against the United States for damages sustained by the borough roads as the result of hauling sand from a sand pit located in the interior of the borough in connection

with the grading and graveling of roads at Camp Shanks, Orangeburg, New York, during the spring of 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 26, 1946.

[CHAPTER 233]

JOINT RESOLUTION

To authorize suitable participation by the United States in the observance of the two-hundredth anniversary of the founding of Princeton University.

April 26, 1946
[H. J. Res. 331]
[Public Law 367]

Whereas there are to be held at Princeton, New Jersey, and at other places, during the academic year beginning September 22, 1946, and ending June 16, 1947, ceremonies, convocations, and conferences commemorating the two-hundredth anniversary of the founding of Princeton University; and

Princeton University,
Two-hundredth
anniversary of found-
ing

Whereas such ceremonies, convocations, and conferences will be devoted to applying, in consultation with scholars throughout the world, our common skills, knowledge, and wisdom to the reconsideration of the fundamental obligations of higher learning to human society, with a view to contributing to the advancement of the comity of all nations and to the building of a free and peaceful world; and

Whereas, Nassau Hall, for two centuries the traditional center of the university, is intimately associated with the earliest days of the Republic, having been alternately occupied by British and American troops and seriously damaged, and having then become temporarily the seat of the National Government in 1783 upon the removal of the Congress from Philadelphia to Princeton, and having been the site of the reception by Congress of the first properly accredited minister from abroad to the United States of America; and

Whereas graduates of Princeton were signers of the Declaration of Independence; and

Whereas alumni of Princeton played a distinctive part in the drafting and adoption of the Constitution of the United States; James Madison having taken the lead in the calling of the Constitutional Convention and in shaping and procuring the ratification of the document, and more alumni of Princeton than of any other college having been members of the Convention; and

Whereas many Princeton men have served with distinction in the executive, judicial, and legislative branches of the Government of the United States; and

Whereas Princeton has given to the United States of America two great Presidents and to the world two great contributors to the cause of human freedom, namely James Madison and Woodrow Wilson; and

Whereas since its founding Princeton has dedicated itself to the ideals of freedom in thought and in spirit; and

Whereas at the end of its second century and the beginning of its third it has, through its president, trustees, and faculty rededicated itself to such ideals: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government and the people of the United States unite with Princeton University in a

National observance.

fitting and appropriate observance of the two-hundredth anniversary of its founding.

Commission.

SEC. 2. There is hereby established a commission to be known as the United States Princeton University Bicentennial Commission (hereinafter referred to as the "Commission") to be composed of fifteen Commissioners, as follows: The President of the United States and four persons to be appointed by him, the President of the Senate and four Members of the Senate to be appointed by the President of the Senate, and the Speaker of the House of Representatives and four Members of the House to be appointed by the Speaker. Any vacancies occurring in the membership of the Commission shall be filled in the same manner in which original appointments to such Commission are made.

Functions.

SEC. 3. The Commission, on behalf of the United States, shall cooperate with the representatives of Princeton University, the State of New Jersey, and the Borough of Princeton, New Jersey, in the appropriate observance of such anniversary, and shall extend appropriate courtesies to the delegates of foreign universities and other foreign learned bodies, or individuals, attending the celebrations as guests of Princeton University. The Commission is authorized in performing its functions under this section to utilize the services and facilities of the various agencies and instrumentalities of the United States, with the consent of such agencies and instrumentalities.

Utilization of Federal agencies.

SEC. 4. The members of the Commission shall serve without compensation. They shall select a chairman and a secretary from among their number, but the President of the United States shall be designated as the honorary chairman of the Commission.

Approved April 26, 1946.

[CHAPTER 240]

AN ACT

April 27, 1946

[H. R. 4896]

[Public Law 368]

To provide for payment of travel allowances and transportation and for transportation of dependents of members of the military and naval forces, and for other purposes.

Transportation of certain military and naval personnel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any member of the military or naval forces who is hereafter separated from active service under conditions other than honorable may be furnished transportation in kind at Government expense from the place of separation from active service to the place at which he entered upon active service or home of record: *Provided,* That no transportation will be furnished under this section to any person who is in confinement pursuant to sentence of a civil court at the time of separation from active service.

Dependents. Payment in lieu of transportation.

SEC. 2. In lieu of transportation for dependents of personnel of the Army, Navy, Marine Corps, and Coast Guard, or of any of the components thereof authorized under any provision of law, payment at the rate of 4 cents per mile for dependents twelve years of age and over, and 2 cents per mile for dependents under twelve years of age to include dependents five years of age and over, may be made for land travel when such travel shall have been completed: *Provided,* That prior to July 1, 1946, such payments may be made, under such conditions as the Secretary of War or the Secretary of the Navy, respectively, may prescribe, in advance of actual travel by dependents otherwise entitled to transportation. No payment will be made for dependents less than five years of age. Reimbursement is authorized in the manner prescribed in this section, for travel performed,

in any case where payment for such travel has not theretofore been made.

SEC. 3. The Secretary of War and the Secretary of the Navy, respectively, are authorized to delegate authority to determine the availability of Government transportation for dependents of military and naval personnel to or from stations beyond the continental limits of the United States under any provision of law and such determinations heretofore made by administrative officers shall be deemed sufficient to support payments for transportation of dependents.

SEC. 4. The Secretary of War and the Secretary of the Navy, respectively, are authorized to prescribe regulations for carrying out the provisions of this Act.

SEC. 5. Determinations of dependency and distances for the purpose of this Act, made by the Secretary of War and the Secretary of the Navy, respectively, or such persons as they may designate, shall be conclusive.

SEC. 6. The provisions of section 5 of this Act shall terminate on September 1, 1948.

SEC. 7. In cases involving personnel of the Coast Guard at times when the Coast Guard is not operating as a part of the Navy, the authorities, powers, and functions prescribed for the Secretary of the Navy in sections 2, 3, 4, and 5 of this Act shall be performed by the Secretary of the Treasury in the same manner and under the same conditions as are prescribed herein for the Secretary of the Navy.

Approved April 27, 1946.

[CHAPTER 242]

AN ACT

Relating to the domestic raising of fur-bearing animals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of all classification and administration of Acts of Congress, Executive orders, administrative orders, and regulations pertaining to—

(a) fox, rabbit, mink, chinchilla, marten, fisher, muskrat, karakul and all other fur-bearing animals, raised in captivity for breeding or other useful purposes shall be deemed domestic animals;

(b) such animals and the products thereof shall be deemed agricultural products; and

(c) the breeding, raising, producing, or marketing of such animals or their products by the producer shall be deemed an agricultural pursuit.

SEC. 2. (a) All the functions of the Secretary of the Interior and the Fish and Wildlife Service of the Department of the Interior, which affect the breeding, raising, producing, marketing, or any other phase of the production or distribution, of domestically raised fur-bearing animals, or products thereof, are hereby transferred to and vested in the Secretary of Agriculture.

(b) Appropriations and unexpended balances of appropriations, or parts thereof, which the Director of the Budget determines to be available for expenditure for the administration of any function transferred by this Act, shall be available for expenditure for the continued administration of such function by the officer to whom such function is so transferred.

(c) All records and property (including office furniture and equipment) under the jurisdiction of the Secretary of the Interior and the

Stations outside U.S.

Regulations.

Determinations of dependency, etc.

Coast Guard.

April 30, 1946
[H. R. 2115]

[Public Law 369]

Domestic raising of fur-bearing animals.

Classification.

Transfer of functions.

Funds available.

Transfer of property.

Fish and Wildlife Service of the Department of the Interior used primarily in connection with the administration of functions transferred by this Act are hereby transferred to the jurisdiction of the Secretary of Agriculture.

Effective date.

SEC. 3. This Act shall take effect sixty days after the date of its enactment.

Approved April 30, 1946.

[CHAPTER 243]

AN ACT

For the rehabilitation of the Philippines:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Philippine Rehabilitation Act of 1946".

TITLE I—COMPENSATION FOR WAR DAMAGE

SEC. 101. (a) There is hereby established a Philippine War Damage Commission (in this title referred to as the "Commission"). The Commission shall consist of three members, to be appointed by the President of the United States, by and with the advice and consent of the Senate. One of the members of the Commission shall be a Filipino. The members of the Commission shall receive compensation at the rate of \$12,000 a year. The terms of office of the members of the Commission shall expire at the time fixed in subsection (d) for winding up the affairs of the Commission. A vacancy in the membership of the Commission shall not impair the authority of the remaining two members of the Commission to exercise all of its functions. Vacancies occurring in the membership of the Commission shall be filled in the same manner as in the case of the original selection. Members of the Commission shall receive their necessary traveling and other expenses incurred in connection with their duties as such members, or a per diem allowance in lieu thereof, to be fixed by the Commission without regard to the limitation prescribed in any existing law.

(b) The Commission may, without regard to the civil-service laws or the Classification Act of 1923, as amended, appoint and fix the compensation and allowances of such officers, attorneys, and employees, and may make such expenditures, as may be necessary to carry out its functions. Officers and employees of any other department or agency of the Government may, with the consent of the head of such department or agency, be assigned to assist the Commission in carrying out its functions. The Commission may, with the consent of the head of any other department or agency of the Government, utilize the facilities and services of such department or agency in carrying out the functions of the Commission.

(c) The Commission may prescribe such rules and regulations as are necessary for carrying out its functions, and may delegate functions to any member, officer, or employee of the Commission or of any other department or agency of the United States or of the Commonwealth of the Philippines and shall give public notice of the time when, and the limit of the time within which, claims may be filed, which notice shall be given in such manner as the Commission shall prescribe.

(d) The Commission shall, so far as practicable, give consideration to, but need not await, or be bound by, the recommendations of the Filipino Rehabilitation Commission (created by the Act approved June 29, 1944) with respect to Philippine war damage. The Commission shall wind up its affairs not later than two years after

April 30, 1946

[S. 1610]

[Public Law 370]

Philippine Rehabilitation Act of 1946.
Post, pp. 805, 916.

Post, p. 140.

Commission established.
Composition, salaries, etc.

Powers.

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 et seq.
Post, pp. 216, 219.

Rules and regulations.

Filing of claims.

Recommendations of Filipino Rehabilitation Commission.
58 Stat. 626.
48 U. S. C., Supp. V, § 1243.
Post, p. 158.
Closing of affairs.

the expiration of the time for filing claims under this title if possible, but, in no event later than five years from the enactment of this Act.

SEC. 102. (a) The Commission is hereby authorized to make compensation to the extent hereinafter provided on account of physical loss or destruction of or damage to property in the Philippines occurring after December 7, 1941 (Philippine time), and before October 1, 1945, as a result of one or more of the following perils: (1) Enemy attack; (2) action taken by or at the request of the military, naval, or air forces of the United States to prevent such property from coming into the possession of the enemy; (3) action taken by enemy representatives, civil or military, or by the representatives of any government cooperating with the enemy; (4) action by the armed forces of the United States or other forces cooperating with the armed forces of the United States in opposing, resisting or expelling the enemy from the Philippines; (5) looting, pillage, or other lawlessness or disorder accompanying the collapse of civil authority determined by the Commission to have resulted from any of the other perils enumerated in this section or from control by enemy forces: *Provided*, That such compensation shall be payable only to qualified persons having, on December 7, 1941 (Philippine time), and continuously to and including the time of loss or damage, an insurable interest as owner, mortgagee, lien holder, or pledgee in such property so lost or damaged: *Provided further*, That any qualified person who acquired any deceased person's interest in any property either (1) as heir, devisee, legatee, or distributee, or (2) as executor or administrator of the estate of any such deceased person for the benefit of one or more heirs, devisees, legatees, or distributees, all of whom are qualified persons, shall be deemed to have had the same interest in such property during such deceased person's lifetime that such deceased person had: *Provided further*, That no claim shall be approved in an aggregate amount which exceeds whichever of the following amounts, as determined by the Commission, is less: (a) The actual cash value, at the time of loss, of property lost or destroyed and the amount of the actual damage to other property of the claimant which was damaged as a direct result of the causes enumerated in this section; (b) the cost of repairing or rebuilding such lost or damaged property, or replacing the same with other property of like or similar quality: *Provided further*, That in case the aggregate amount of the claims which would be payable to any one claimant under the foregoing provisions exceeds \$500, the aggregate amount of the claims approved in favor of such claimant shall be reduced by 25 per centum of the excess over \$500.

(b) When used in this section, the term "qualified person" means—

(1) any individual, who on December 7, 1941 (Philippine time), and continuously to the time of filing claim pursuant to this title, was a citizen of the United States or of the Commonwealth of the Philippines or of the Republic of the Philippines or who, being a citizen of a nation not an enemy of the United States, which nation grants reciprocal war damage payments to American citizens resident in such countries was for five years prior to December 7, 1941, a resident of the Philippines;

(2) any individual, who at any time subsequent to September 16, 1940, and prior to August 14, 1945, served honorably in the armed forces of the United States or of the Commonwealth of the Philippines, or honorably performed "service in the merchant marine" (as defined in the first section of the Act entitled "An Act to provide reemployment rights for persons who leave

Compensation for loss of property, etc.

Payment to qualified persons.
Infra.

Deceased person's interest.

Claims disallowed.

Reduction of aggregate amount.

"Qualified person."

their positions to serve in the merchant marine, and for other purposes", approved June 23, 1943);

(3) any church or other religious organization; and

(4) any unincorporated association, trust, or corporation (or, upon dissolution, its successor) organized pursuant to the laws of any of the several States or of the United States or of any Territory or possession thereof (including any other unincorporated association, trust, corporation or sociedad anonima organized pursuant to the laws in effect in the Philippines at the time of its organization), but excluding any corporation wholly owned by the Commonwealth of the Philippines (or the Republic of the Philippines).

SEC. 103. The Commission shall make no payment under the provisions of this title—

(a) to any enemy alien;

(b) to any person who, by a civil or military court having jurisdiction, has been found guilty of collaborating with the enemy, or of any act involving disloyalty to the United States or the Commonwealth of the Philippines;

(c) to any unincorporated association, trust, corporation or sociedad anonima owned or controlled by any of the persons specified in clauses (a) and (b) of this section;

(d) to compensate for any loss of or damage to property which, at the time of loss or damage, was insured against any one or more of the perils specified in section 102 hereof, except to the extent that the loss or damage exceeds the amount of such insurance, whether or not collectible;

(e) to compensate for any loss or damage—

(1) for which the War Department or the Navy Department is authorized to make payment, or

(2) for which compensation or indemnity is otherwise payable, or has been paid, or is authorized to be paid, by the Government of the Commonwealth of the Philippines (Republic of the Philippines), or by the United States Government or by their respective departments, establishments, or agencies,

unless the War Department, Navy Department, respective department, establishment, or agency concerned has declined to pay compensation or indemnity for such loss or damage;

(f) unless the claimant shall file with the Commission, within twelve months after the date on which public notice is given as prescribed in section 101 (c) of this title, a claim in reasonable conformity with the requirements of this title and such reasonable regulations as shall be established by the Commission.

SEC. 104. (a) No claim shall be paid unless approved by the Commission or its authorized representatives, and on account of each claim so approved the Commission may make immediate payment of (1) so much of the approved amount of the claim as does not exceed five hundred dollars or one thousand Philippine pesos, plus (2) such percentage, not in excess of 80 per centum of the remainder of the approved amount of the claim as the Commission shall make applicable to all approved claims, due consideration having been given to the total funds available for distribution. After the time for filing claims has expired, the Commission shall determine the amount of money available for the further payment of claims. Such funds shall be applied pro rata toward the payment of the unpaid balances of the amounts authorized to be paid pursuant to section 102 of this title.

57 Stat. 162.
50 U. S. C., Supp.
V, app. § 1471.
Post, pp. 905, 945.

Restrictions on pay-
ments.

Approval and pay-
ment of claims.

(b) The Commission may, at its option, make payment, in whole or in part, of the amount payable in the case of any claim authorized to be paid under this title by replacing lost, damaged, or destroyed property with other property of like or similar kind. The amount expended for such purpose in any case, including the fair value of property transferred to the claimant, shall be deemed to have been paid to the claimant on account of his claim, and such amount shall in no case exceed the amount authorized to be paid under this title on account of such claim. The Commission is authorized to acquire such property, to have such work done, to make such contracts, and to take such other action as may be necessary for the purposes of this subsection. To accomplish the purposes of this section such surplus property of the United States, wherever located, as the President of the United States by Executive order shall direct, shall be transferred to the Commission. The Commission shall pay to the disposal agency the fair value of the property as agreed to by the Commission and the disposal agency.

Replacement of property.

Transfer of surplus property.

Replacement, etc., before payment.
Infra; *post*, p. 805.

Reports to Congress.
Post, p. 805.
Payment without replacement, etc.

Reinvestment.

Partial payment.

Appropriation authorized.
Post, p. 613.

Expenses of Commission.

Japanese reparations.

Post, pp. 135, 621, 916.

(c) All of the provisions of this title shall be subject to the requirement that, to the fullest extent practicable, the Commission shall require that the lost or damaged property be rebuilt, replaced, or repaired before payments of money are actually made to claimants under this title.

SEC. 105. Not later than six months after its organization, and every six months thereafter, the Commission shall make a report to the Congress concerning operations under this title: *Provided*, That if the Commission determines it is impossible for any reason beyond the control of the claimant, or is impractical to rebuild, replace, or repair the lost or damaged property, the Commission may make payment to the claimant without making said requirement: *Provided, however*, That, as a condition to the making of such payment, the Commission shall require that the whole of such payment shall be reinvested in such manner as will further the rehabilitation or economic development of the Philippines: *And provided further*, That nothing in this subsection shall preclude the partial payment of claims as the rebuilding, replacing, or repairing of the property progresses.

SEC. 106. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the amount of \$400,000,000 for the purposes of paying compensation to the extent authorized by this title, and of such sum, not to exceed \$4,000,000 shall be available to pay the expenses of the Commission.

(b) Any money or bullion received by the United States from the Japanese Government or the Japanese people by way of reparations or indemnity on account of war losses in the Philippines—

(1) shall be covered into the Treasury of the United States until the value of said money or bullion so covered into the Treasury is equal to the sum of the amounts appropriated for the payment of compensation under this title and the amounts appropriated for carrying out the purposes of title III of this Act;

(2) when the amounts covered into the Treasury under clause (1) are equal to the amounts so appropriated, the excess over the amounts so appropriated shall be used, first, to satisfy in full the balance unpaid of any approved claims under this title; second, toward the payment of any amount by which any claim was reduced under Section 102 (a) hereof; third, toward the satisfaction of any approved claim of the Government of the Commonwealth of the Philippines (or the Republic of the Philippines), its provinces, cities, municipalities, and instrumentalities, not compensated under this Act; and

(3) the balance shall be covered into the Treasury of the United States.

Transfer of prop-
erty.

(c) Notwithstanding any other provision of law, any other property received by the United States from the Japanese Government or the Japanese people, whether by way of reparations or restitution on account of war losses in the Philippines, may be transferred, by Executive order of the President of the United States, to the Commission, to be applied in kind, under such regulations as may be adopted by it, to the payment of losses or damages covered by this Act, or in such other manner as the Commission may determine to be necessary to carry out the purposes and policy of this Act.

Recovery of dam-
ages.

(d) Nothing in this Act shall prejudice the right of any claimant not covered by this Act to recover damages from the Japanese Government or the Japanese people, by way of reparations or indemnity on account of the war, for losses not, or not fully, compensated for hereunder.

False statements.

SEC. 107. Whoever, in the Philippines or elsewhere, makes any statement or representation knowing it to be false, or whoever willfully and fraudulently overvalues loss of or damage to property for the purpose of obtaining for himself or for any claimant any compensation pursuant to this title, or for the purpose of influencing in any way the action of the Commission with respect to any claim for compensation pursuant to this title, or for the purpose of obtaining money, property, or anything of value under this title, shall, upon conviction, be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both, and shall not receive any payments or other benefits under this title and, if any payment or benefit shall have been made or granted, the Commission shall take such action as may be necessary to recover the same.

Remuneration for
services.

SEC. 108. No remuneration on account of services rendered or to be rendered to or on behalf of any claimant in connection with any claim for compensation pursuant to this title shall exceed 5 per centum of the compensation paid by the Commission on account of such claim. Any agreement to the contrary shall be unlawful and void. Whoever, in the Philippines, or elsewhere, pays or offers to pay, or promises to pay, or receives, on account of services rendered or to be rendered in connection with any claim for compensation hereunder, any remuneration in excess of the maximum permitted by this section, shall be deemed guilty of a misdemeanor and, upon conviction thereof shall be fined not more than \$5,000, or imprisoned for not more than twelve months or both, and, if any such payment or benefit shall have been made or granted, the Commission shall take such action as may be necessary to recover the same, and, in addition thereto, any such claimant shall forfeit all rights under this title.

War Damage Cor-
poration.
Authority to furnish
protection, etc.

56 Stat. 175.
15 U. S. C., Supp.
V, § 606b-2 (a).

SEC. 109. Except as lawfully provided in policies of insurance heretofore or hereafter issued by the War Damage Corporation pursuant to subsection (a) of section 5g of the Reconstruction Finance Corporation Act, as amended, the authority herein granted to the Philippine War Damage Commission shall be in lieu of and shall supersede all authority previously conferred on the War Damage Corporation to furnish protection or pay compensation with respect to property situated, at the time of loss or damage, in the Philippines, and the protection authorized to be extended and the compensation authorized to be paid by the Philippine War Damage Commission shall be in lieu of all protection heretofore extended or authorized to be extended by the War Damage Corporation with respect to property situated, at the time of loss or damage, in the Philippines, except to the extent provided in policies of insurance heretofore or

hereafter issued by the War Damage Corporation. The War Damage Corporation is hereby prohibited from providing for or paying compensation for war damage in the Philippines except to the extent provided in its policies of insurance heretofore or hereafter issued in consideration of a premium paid therefor.

SEC. 110. The classes of property enumerated in this section, whether situated in the Philippines or elsewhere, are hereby excluded from protection, compensation, or consideration under this title, and the Commission shall not make any payment, directly or indirectly, on account of loss of or damage to such classes of property:

Property excluded.

(1) Accounts, bills, records, films, plans, drawings, formulas, currency, deeds, evidences of debt, securities, money, bullion, furs, jewelry, stamps, precious and semiprecious stones, works of art, antiques, stamp and coin collections, manuscripts, books and printed publications more than fifty years old, models, curiosities, objects of historical or scientific interest, and pleasure watercraft and pleasure aircraft: *Provided, however,* That such protection, compensation, or consideration shall extend to such of the foregoing items as may have constituted inventories, supplies or equipment for carrying on a trade or business within the Philippines;

Inventories, supplies, or equipment.

(2) Vessels and watercraft, their cargoes and equipment, except (a) vessels used or intended to be used exclusively for storage, housing, manufacturing, or generating power, (b) vessels while under construction until delivery by the builder, or sailing on delivery or trial trip, whichever shall first occur, (c) watercraft and commercial vessels of Philippine registry and watercraft of Philippine or American ownership, in harbors and territorial and inland waters of the Philippines, and (d) cargoes and equipment on vessels and watercraft described in (a), (b) and (c) above; except as modified by and subject to clauses (1) and (5) of this section;

Vessels, etc., excepted.

(3) Intangible property;

(4) Property diverted to the Philippine Islands, by authority of the United States Government or otherwise, as a result of war conditions; and

(5) Property in transit (a) which at the time of loss or damage was insured against war perils, or (b) with respect to which insurance against such perils was available, at the time of loss or damage either at reasonable commercial rates or from the United States Maritime Commission.

SEC. 111. All departments, commissions, offices, agencies, and instrumentalities of the United States Government, upon the written request of the Commission, are authorized to make delivery and conveyance to designated claimants, or to the Commission, of any surplus property of the United States in the Philippines deemed by the Commission to be similar to that for which compensation is requested, or to be suitable for the rebuilding or repair of the property damaged or destroyed. The transfer of such property to such claimants shall be at the fair value of the property as agreed by the Commission and the disposal agency. The Commission shall pay such fair value to the disposal agency.

Transfer of surplus property in Philippines.

SEC. 112. The War Damage Corporation is authorized and directed to consult with, and in every manner possible to assist and cooperate with, the Commission, to aid the Commission in its performance of duties hereunder, and to make available to or deliver to the Commission all records, claims, files, and other documents in its possession pertaining to Philippine claims. The Commission is authorized to give such weight as it may deem proper to any reports, certificates, or recommendations of the War Damage Corporation, or its adjusters or claims service offices.

Assistance of War Damage Corporation.

Notification of action on claims.

SEC. 113. The Commission shall notify all claimants of the approval or denial of their claims, and, if approved, shall notify such claimants of the amount for which such claims are approved. Any claimant whose claim is denied, or is approved for less than the full allowable amount of said claim, shall be entitled, under such regulations as the Commission may prescribe, to a hearing before the Commission or its representatives with respect to such claim. Upon such hearing, the Commission may affirm, modify, or reverse its former action with respect to such claim, including a denial or reduction in the amount of a claim theretofore approved. All findings of the Commission concerning the amount of loss or damage sustained, the cause of such loss or damage, the persons to whom compensation pursuant to this title is payable, and the value of the property lost or damaged, shall be conclusive and shall not be reviewable by any court.

Finality of findings.

TITLE II—DISPOSAL OF SURPLUS PROPERTY

Authority of disposal agency.
Post, p. 806.

SEC. 201. In order to expedite the disposition of surplus property of the United States in the Philippines and to aid in repairing and replacing buildings (including hospitals, educational, and charitable institutions furnishing essential health, educational, and welfare services), works, utilities, equipment, or other property, owned by the Commonwealth of the Philippines, provincial governments, chartered cities or municipalities, or other governmental units in the Philippines, in cases where such government-owned buildings, works, utilities, equipment, or other property have been damaged, lost, or destroyed in the war, and otherwise to aid in facilitating the normal operations of existing governmental units in the Philippines, the Department of State, the disposal agency for the Philippines designated under the Surplus Property Act of 1944, acting through the Foreign Liquidation Commissioner (hereinafter referred to as the "Commissioner"), is hereby authorized to transfer to the Commonwealth of the Philippines, provincial governments, chartered cities or municipalities, without reimbursement, property of the United States now or hereafter located in the Philippines and declared surplus under the Surplus Property Act of 1944, upon such terms and conditions, including the use or disposition of such property by the Commonwealth of the Philippines, as the Commissioner may deem appropriate to carry out the purposes of this title.

58 Stat. 765.
50 U. S. C., Supp.
V, app. §§ 1611-1646.
Post, pp. 168, 169,
599, 754, 836.
Transfer to Commonwealth, etc.

Record of transfer; reports.

SEC. 202. At the time any such property is so transferred to the Commonwealth of the Philippines (Republic of the Philippines), the Commissioner shall make a record of (1) the items transferred, (2) the condition of such items, and (3) his estimate of the fair value of such items. The Commissioner shall make quarterly reports to the President and the Congress concerning the administration of this title.

Disposals.

58 Stat. 765.
50 U. S. C., Supp.
V, app. §§ 1611-1646.
Post, pp. 168, 169,
599, 754, 836.

SEC. 203. Surplus property now or hereafter located in the Philippines shall be disposed of only in accordance with the provisions of this Act and the Surplus Property Act of 1944 as heretofore or hereafter amended. Such disposals shall not be subject to the provisions of any law inconsistent herewith. The Commission shall, so far as practicable, dispose of surplus property in the Philippines in such a manner and in such quantities, within the provisions of the Surplus Property Act, as will prevent unnecessary distribution costs and excessive profits.

Munitions.

SEC. 204. No military weapons, munitions, or toxic gas shall be transferred or otherwise disposed of under section 201.

Aggregate value.

SEC. 205. The fair value of the property transferred to the Commonwealth of the Philippines (Republic of the Philippines) provincial governments, chartered cities or municipalities under section 201,

as estimated by the Commissioner, shall not exceed \$100,000,000 in the aggregate.

SEC. 206. The Commissioner may prescribe such rules and regulations as may be necessary for the performance of his functions under this title, and may delegate and authorize successive redelegations of any authority conferred upon him by this title to any officer or employee of his agency or of any other department or agency of the United States or of the Commonwealth of the Philippines (Republic of the Philippines).

Rules and regulations.

TITLE III—RESTORATION AND IMPROVEMENT OF PUBLIC PROPERTY AND ESSENTIAL PUBLIC SERVICES

SEC. 301. As a manifestation of good will to the Filipino people, there are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, (1) the sum of \$120,000,000, to be allocated from time to time, but not later than the fiscal year 1950, by the President of the United States among the various programs set forth in sections 302, 303, 304, and 305, and (2) such additional sums as may be necessary to carry out the purposes of sections 306 to 311, inclusive.

Appropriation authorized.
Post, pp. 621, 916.

PUBLIC ROADS

SEC. 302. (a) As recommended in a report based upon an investigation made in the Philippines by the Public Roads Administration of the Federal Works Agency and to the extent that the findings in such report are approved by the President, the Public Roads Administration is authorized, after consultation with the Philippine Government, to plan, design, restore, and build, in accordance with its usual contract procedures, such roads, essential streets, and bridges as may be necessary from the standpoint of the national defense and economic rehabilitation and development of the Philippines.

(b) The Commissioner of Public Roads is authorized, under such regulations as he may adopt, to provide training for not to exceed ten Filipino engineers, to be designated by the President of the Philippines from the regularly employed staff of the Philippine Public Works Department subject to the provisions of section 311 (c), in the construction, maintenance, and highway traffic engineering and control necessary for the continued maintenance and for the efficient and safe operation of highway transport facilities.

Filipino trainees.

PORT AND HARBOR FACILITIES

SEC. 303. (a) As recommended in a report based upon an investigation made in the Philippines by the Corps of Engineers of the United States Army and to the extent that the findings in such report are approved by the President, the Corps of Engineers is authorized, after consultation with the Philippine Government, to carry out a program for the rehabilitation, improvement, and construction of port and harbor facilities in the Philippines, such work to be done by contract, insofar as practicable, under the direction of the Secretary of War and the supervision of the Chief of Engineers, and in accordance with established procedures applicable to river and harbor projects.

(b) The Chief of Engineers of the Army is authorized, under such regulations as he may adopt, to provide training for not to exceed ten Filipino engineers, to be designated by the President of the Philippines from among the engineer officers of the Philippine Army and the regularly employed staff of the Philippine Public Works

Filipino trainees.

Department subject to the provisions of section 311 (c), in the construction, improvement, and maintenance of port facilities and other works of improvements on rivers and harbors.

PUBLIC PROPERTY

Compensation. **SEC. 304.** The Philippine War Damage Commission, within the limits of the appropriations allocated to it for carrying out the provisions of this section, is authorized to compensate the Commonwealth of the Philippines (or the Republic of the Philippines), the provincial governments, chartered cities, municipalities, and corporations wholly owned by the Commonwealth of the Philippines (or the Republic of the Philippines), in the Philippines, for physical loss of or damage to public property in the Philippines occurring after December 7, 1941 (Philippine time), and before October 1, 1945, as a result of the perils listed in section 102 (a) hereof, in any case in which compensation for such losses or the rebuilding, repair, or replacement of the lost or damaged property is not provided for by the transfer of surplus property under section 201 hereof, or provided for under the provisions of this title other than this section or otherwise provided for by the United States Government or any department or agency thereof. To the fullest extent practicable, the Commission shall require that any lost or damaged property for which it decides to award compensation under this section shall be rebuilt, replaced, or repaired before payments of money are actually made to claimants under this section. The Commission in its discretion may request the Federal Works Agency or the Corps of Engineers of the United States Army to undertake, after consultation with the Philippine Government, the rebuilding, repair, or replacement of property for which the Commission awards compensation under this section, and, from the funds available for carrying out the provisions of this section, may transfer to such Agency or Corps of Engineers the funds necessary to pay for the work requested. The Federal Works Agency and the Corps of Engineers are authorized to rebuild, repair, or replace property in accordance with any such request of the Commission and to expend the funds so transferred to them for such purpose. The Commission shall have full power to select, and fix the priority of, cases in which compensation will be awarded or property rebuilt, repaired, or replaced under this section, and to determine the amount of such compensation and the extent to which such property will be rebuilt, repaired, or replaced, taking into account the relative importance of various projects to the reconstruction and rehabilitation of the economy of the Philippines and such other factors as the Commission deems relevant.

Ante, p. 129.

Ante, p. 134.

Replacement, etc., before payment.

Repair, etc., by PWA or Corps of Engineers of U. S. Army.

Selection and priority of cases.

PUBLIC HEALTH

Cooperation of PHS. **SEC. 305.** (a) The Public Health Service of the Federal Security Agency is authorized to cooperate with the Government of the Philippines (Republic of the Philippines), and with other appropriate agencies or organizations, in the rehabilitation and development of public health services and facilities throughout the Philippines.

Survey. (b) To accomplish such purposes the Public Health Service shall at the earliest practicable time survey the health situation in the Philippines, and is authorized to replace, expand, or install such health services and facilities in the Philippines as are deemed essential to preservation of health, and may assist in the rehabilitation and development of a Philippine quarantine service for prevention of introduction of disease from abroad or from one island to another.

The Public Health Service may set up demonstrations and establish training centers in the Philippines; may establish and maintain in the Philippines a school or schools for the purpose of providing practical instruction in public health; and may, at any time prior to January 1, 1948, provide one year of training in appropriate schools or colleges in the United States to not more than one hundred Filipinos, to be designated by the President of the Philippines subject to the provisions of section 311 (c), in public health methods and administration. It may replace equipment and supply reasonably necessary additional equipment, utilizing for this purpose, so far as possible, surplus property, and may recommend to the Commission the repair or construction under the provisions of section 304, at any time prior to July 1, 1950, of buildings deemed essential to the rehabilitation of public health and quarantine functions.

Instruction.

Equipment.

INTER-ISLAND COMMERCE

SEC. 306. (a) In order to restore and improve inter-island commerce in the Philippines, notwithstanding the provisions of any existing law, the United States Maritime Commission is authorized to charter under such terms and conditions (including nominal rates of charter hire) vessels suitable for operation in the inter-island commerce of the Philippines to individuals, corporations, or cooperatives or other forms of business organizations in the Philippines if the Commission determines that they possess the ability, experience, financial resources, and other qualifications, necessary to enable them to operate and maintain the vessel in the inter-island commerce in the Philippines: *Provided*, That any charter entered into under the authority of this section shall contain a provision requiring that the vessel shall be operated only in the inter-island commerce in the Philippines.

Charters.

(b) The Chairman, United States Maritime Commission, is hereby authorized to permit not exceeding fifty Filipinos each year prior to July 1, 1950, to be designated by the President of the Philippines subject to the provisions of section 311 (c), to receive instruction in the United States Merchant Marine Cadet Corps and at a United States Merchant Marine Academy. The persons receiving instruction under authority of this section shall receive the same pay, allowances, and emoluments, to be paid from the same appropriations, and, subject to such exceptions as may be determined by the Chairman, United States Maritime Commission, shall be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadet midshipmen at the Merchant Marine Academy appointed from the United States; but such persons shall not be entitled to appointment to any office or position in the United States merchant marine by reason of their graduation from the Merchant Marine Academy.

Instruction of Filipinos.

INTER-ISLAND AIR NAVIGATION

SEC. 307. (a) The Administrator of Civil Aeronautics of the Department of Commerce is authorized to acquire, establish, operate, and to maintain a system of air-navigation facilities and associated airways communications services in the Philippines for inter-island airways operation and to connect the Philippine airways with international and interoceanic routes.

(b) The Administrator of Civil Aeronautics is authorized, under such regulations as he may adopt, to train not exceeding fifty Filipinos each year prior to July 1, 1950, to be designated by the President of the Philippines subject to the provisions of section 311 (c),

Filipino trainees.

in air-traffic control, aircraft communications, maintenance of air-navigation facilities, and such other airman functions as are deemed necessary for the maintenance and operation of aids to air navigation and other services essential to the orderly and safe operation of air traffic.

WEATHER INFORMATION

Meteorological facilities.

SEC. 308. (a) The Chief of the Weather Bureau of the Department of Commerce is authorized to establish meteorological facilities in the Philippines as may be required to provide weather information, warnings, and forecasts for general agricultural and commercial activities, including meteorological service for the air routes on which air-navigation facilities are operated by the Civil Aeronautics Administration, and to maintain such meteorological offices until the Philippine Weather Bureau is reestablished and in position to assume responsibility for the service.

Filipino trainees.

(b) The Chief of the Weather Bureau of the Department of Commerce is authorized, under such regulations as he may adopt, to train not to exceed fifty Filipinos in the first year and not to exceed twenty-five Filipinos in each succeeding year prior to July 1, 1950, the trainees to be designated by the President of the Philippines subject to the provisions of section 311 (c), and the training to include meteorological observations, analyses, forecasting, briefing of pilots, and such other meteorological duties as are deemed necessary in maintenance of general weather service, including weather information required for air navigation and the safe operation of air traffic. The training of these employees shall be in addition to and not in lieu of Weather Bureau employees to be trained under current Weather Bureau appropriations.

PHILIPPINE FISHERIES

Cooperation of Fish and Wildlife Service.

SEC. 309. (a) The Fish and Wildlife Service of the Department of the Interior is authorized to cooperate with the Government of the Philippines, and with other appropriate agencies or organizations, in the rehabilitation and development of the fishing industry, and in the investigation and conservation of the fishery resources of the Philippines and adjacent waters.

Studies.

(b) To accomplish such purposes the Fish and Wildlife Service shall conduct oceanographic, biological, fish cultural, technological, engineering, statistical, economic, and market development studies and demonstrations and fishery explorations, and in conjunction therewith may establish and maintain a vocational school or schools of fisheries in the Philippines for the purpose of providing practical instruction and training in the fisheries; and may, at any time prior to July 1, 1950, provide one year of training to not more than one hundred and twenty-five Filipinos, to be designated by the President of the Philippines subject to the provisions of section 311 (c), in methods of deep-sea fishing and in other techniques necessary to the development of fisheries.

Research and experimental facilities.

(c) The Fish and Wildlife Service is authorized to acquire, construct, maintain, equip, and operate such research and experimental stations, schools, research and exploratory fishing vessels, or any other facilities in the Philippines that may be necessary to carry out the purposes of this section.

Transfer of small vessels.

(d) The United States Maritime Commission is authorized, upon recommendation of the Fish and Wildlife Service of the Department of the Interior, to make arrangements for the transfer by sale or charter of small vessels, considered by the United States Maritime Commission to be satisfactory for the purpose, to be used in the

establishment and continuance of a fishing industry to be operated in or near the Philippines. Such transfers may be made on such terms and conditions, including transfer for a nominal consideration, as the United States Maritime Commission may approve, but only if, in the opinion of the Fish and Wildlife Service, such small vessels so to be used for Philippine Island fishing are not needed by the fishing industry of the United States, its Territories, and possessions.

COAST AND GEODETIC SURVEYS

SEC. 310. The Coast and Geodetic Survey of the Department of Commerce is authorized to continue, until June 30, 1950, the survey work which was being conducted by it in the Philippines prior to December 7, 1941. The Director of the Coast and Geodetic Survey is authorized to train not exceeding twenty Filipinos each year prior to July 1, 1950, to be designated by the President of the Philippines subject to the provisions of section 311 (c), in order that they may become qualified to take over and continue such survey work on and after July 1, 1950, and to pay all expenses incident to their temporary employment and training.

GENERAL PROVISIONS

SEC. 311. (a) The Government of the Philippines shall provide all lands, easements, and rights-of-way necessary for the execution of the projects herein authorized.

Easements, etc.

(b) The several bureaus and agencies of the Government authorized by this title to undertake projects in the Philippines are hereby authorized, in the prosecution of such projects, to cooperate with the Government of the Philippines, and to accept contributions of labor, materials, and money from such government and its political subdivisions and to utilize such labor, materials, and money in the prosecution of such projects.

Cooperation of Government agencies.

(c) Wherever in this title the training of Filipinos at the expense of the United States Government is authorized, the head of the bureau or agency under whose supervision or control the training is given may establish minimum requirements as to education and experience, provide for competitive examinations, or establish such other standards for qualification for such training as in his judgment may seem necessary and advisable, and under such regulations as may be adopted from time to time may provide for the payment of all expenses incidental to such training, including, but not limited to, actual transportation expenses to and from and in the United States, allowances for tuition, educational fees, and subsistence.

Trainees. Standards for qualification.

(d) Any Filipino who is designated for training or instruction as provided in this Act may be admitted to the United States for such training or instruction upon certification to the Immigration and Naturalization Service by the head of the bureau or agency under whose supervision the training or instruction is to be given that such entry is necessary in connection with the training or instruction, notwithstanding the provisions of section 8 of the Act of March 24, 1934 (48 Stat. 462; 48 U. S. C. 1238), and notwithstanding any provision of the laws of the United States relating to the immigration, exclusion, or expulsion, except registration and fingerprinting as provided in the Alien Registration Act of 1940 (8 U. S. C. 451, and the following): *Provided*, That such admissions shall be deemed pursuant to section 3 (2) of the Immigration Act of 1924 (43 Stat. 154; 47 Stat. 607; 54 Stat. 711; 8 U. S. C. 203): *Provided further*, That the privilege of entering or remaining in the United States for such purposes shall end within a reasonable time, to be fixed by regulation of the Commissioner of Immigration and Naturalization

Payment of expenses.

Entry of trainees into U. S.

54 Stat. 673.
8 U. S. C. §§ 451-460;
Supp. V, § 451 *et seq.*

8 U. S. C., Supp. V,
§ 203.
Termination.

with the approval of the Attorney General, after termination of the training or instruction: *Provided further*, That the head of the bureau or agency concerned may at any time terminate the training or instruction of any person under this Act if in his judgment the best interests of either the United States or the Philippines makes such action advisable, and his decision shall be final and conclusive: *Provided further*, That any such Filipino who shall fail to depart from the United States within the reasonable time fixed by regulation, as herein prescribed, shall be subject to being taken into custody and deported, as provided by section 14 of the Immigration Act of 1924 (43 Stat. 162; 8 U. S. C. 214).

Expiration of title.

(e) Unless otherwise provided by law this title, except the last proviso to subsection (d) of this section, shall expire on June 30, 1950.

TITLE IV—THE UNITED STATES HIGH COMMISSIONER

SEC. 401. Until the Philippines attain their independence, the functions, powers, and duties exercised in the Philippines by any officer, employee, department, or agency of the United States in carrying out the provisions of this Act shall be exercised under the general supervision of the United States High Commissioner to the Philippines, and the officers, employees, offices, missions, and other agencies exercising such functions, powers, and duties shall be deemed to be attached to the office of the High Commissioner.

SEC. 402. On and after the date upon which the Philippines attain their independence the power, authority, duties, and functions authorized under this Act to be exercised by the High Commissioner to the Philippines shall vest in and be exercised by such representative or representatives of the United States as shall be appointed for that purpose by the President of the United States.

TITLE V—RESTORATION AND IMPROVEMENT OF THE PROPERTY OF THE UNITED STATES

SEC. 501. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000,000 for the restoration, repair of damage to and improvement of lands and buildings referred to in paragraph (3) of subsection (c) of section 3 of Public Law Numbered 300, Seventy-sixth Congress, first session (53 Stat. 1226), and for the acquisition or construction of additional buildings to house the civil agencies, including the diplomatic and consular establishments of the United States operating in the Philippine Islands.

TITLE VI—GENERAL PROVISIONS

SEC. 601. No payments under title I of this Act in excess of \$500 shall be made until an executive agreement shall have been entered into between the President of the United States and the President of the Philippines, and such agreement shall have become effective according to its terms, providing for trade relations between the United States and the Philippines, and which agreement shall also provide for the same offenses, and penalties upon conviction, thereof, as are set forth in section 107 and section 108 of title I of this Act.

SEC. 602. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Approved April 30, 1946.

Appropriation authorized.
Post, pp. 621, 916.

53 Stat. 1231.
48 U. S. C. § 1240 (c)
(3); Supp. V, § 1240
note.

Restrictions on payments; trade relations.
Post, p. 158.

Ante, p. 132.
Separability of provisions.

[CHAPTER 244]

AN ACT

To provide for trade relations between the United States and the Philippines, and for other purposes.

April 30, 1946
[H. R. 5856]
[Public Law 371]

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

TITLE I—SHORT TITLE AND DEFINITIONS

SECTION 1. SHORT TITLE.

This Act may be cited as the "Philippine Trade Act of 1946".

SEC. 2. DEFINITIONS.

(a) For the purposes of this Act—

(1) The term "person" includes partnerships, corporations, and associations.

"Person."

(2) The term "United States", when used in a geographical sense, means the States, the District of Columbia, the Territories of Alaska and Hawaii, and Puerto Rico.

"United States."

(3) The term "ordinary customs duty" means a customs duty based on the article as such (whether or not such duty is also based in any manner on the use, value, or method of production of the article, or on the amount of like articles imported, or on any other factor); but does not include—

"Ordinary customs duty."

(A) a customs duty based on an act or omission of any person with respect to the importation of the article, or of the country from which the article is exported, or from which it comes; or

Exceptions.

(B) a countervailing duty imposed to offset a subsidy, bounty, or grant; or

(C) an anti-dumping duty imposed to offset the selling of merchandise for exportation at a price less than the prevailing price in the country of export; or

(D) any tax, fee, charge, or exaction, imposed on or in connection with importation unless the law of the country imposing it designates or imposes it as a customs duty or contains a provision to the effect that it shall be treated as a duty imposed under the customs laws; or

(E) the tax imposed by section 2491 (c) of the Internal Revenue Code with respect to an article, merchandise, or combination, 10 per centum or more of the quantity by weight of which consists of, or is derived directly or indirectly from, one or more of the oils, fatty acids, or salts specified in section 2470 of the Internal Revenue Code; or the tax imposed by section 3500 of the Internal Revenue Code.

53 Stat. 267.
26 U. S. C. § 2491 (c);
Supp. V, § 2491 nota.

53 Stat. 264, 428.
26 U. S. C. §§ 2470,
3500; Supp. V, § 2470
note.

Post, p. 157.
"Philippine article."

(4) The term "Philippine article" means an article which is the product of the Philippines, unless, in the case of an article produced with the use of materials imported into the Philippines from any foreign country (except the United States) the aggregate value of such imported materials at the time of importation into the Philippines was more than twenty per centum of the value of the article imported into the United States, the value of such article to be determined in accordance with, and as of the time provided by, the customs laws of the United States in effect at the time of importation of such article. As used in this paragraph the term "value", when used in reference to a material imported into the Philippines, includes the value of the material ascertained under the customs laws of the Philippines in effect at the time of importation into the Philippines, and, if not included in such value, the cost of bringing the material to the Philippines,

"Value."

Imported material.

but does not include the cost of landing it at the port of importation, or customs duties collected in the Philippines. For the purposes of this paragraph any imported material, used in the production of an article in the Philippines, shall be considered as having been used in the production of an article subsequently produced in the Philippines, which is the product of a chain of production in the Philippines in the course of which an article, which is the product of one stage of the chain, is used by its producer or another person, in a subsequent stage of the chain, as a material in the production of another article.

"United States article."

(5) The term "United States article" means an article which is the product of the United States, unless, in the case of an article produced with the use of materials imported into the United States from any foreign country (except the Philippines) the aggregate value of such imported materials at the time of importation into the United States was more than twenty per centum of the value of the article imported into the Philippines, the value of such article to be determined in accordance with, and as of the time provided by, the customs laws of the Philippines in effect at the time of importation of such article. As used in this paragraph the term "value", when used in reference to a material imported into the United States, includes the value of the material ascertained under the customs laws of the United States in effect at the time of importation into the United States, and, if not included in such value, the cost of bringing the material to the United States, but does not include the cost of landing it at the port of importation, or customs duties collected in the United States. For the purposes of this paragraph any imported material, used in the production of an article in the United States, shall be considered as having been used in the production of an article subsequently produced in the United States, which is the product of a chain of production in the United States in the course of which an article, which is the product of one stage of the chain, is used by its producer or another person, in a subsequent stage of the chain, as a material in the production of another article.

"Value."

Imported material.

(6) The term "United States duty" means the rate or rates of ordinary customs duty which (at the time and place of entry, or withdrawal from warehouse, in the United States for consumption, of the Philippine article) would be applicable to a like article if imported from that foreign country which is entitled to the lowest rate, or the lowest aggregate of rates, of ordinary customs duty with respect to such like article.

"United States duty."
Post, p. 143.

(7) The term "Philippine duty" means the rate or rates of ordinary customs duty which (at the time and place of entry, or withdrawal from warehouse, in the Philippines for consumption, of the United States article) would be applicable to a like article if imported from that foreign country which is entitled to the lowest rate, or the lowest aggregate of rates, of ordinary customs duty with respect to such like article.

"Philippine duty."
Post, p. 143.

(8) The term "internal tax" includes an internal fee, charge, or exaction, and includes—

"Internal tax."

(A) the tax imposed by section 2491 (c) of the Internal Revenue Code with respect to an article, merchandise, or combination, 10 per centum or more of the quantity by weight of which consists of, or is derived directly or indirectly from, one or more of the oils, fatty acids, or salts

53 Stat. 267.
26 U. S. C. § 2491 (c);
Supp. V, § 2491 note.

specified in section 2470 of the Internal Revenue Code; and the tax imposed by section 3500 of the Internal Revenue Code; and

53 Stat. 264, 428.
26 U. S. C. §§ 2470,
3500; Supp. V, § 2470
note.
Post, p. 157.

(B) any other tax, fee, charge, or exaction, imposed on or in connection with importation unless the law of the country imposing it designates or imposes it as a customs duty or contains a provision to the effect that it shall be treated as a duty imposed under the customs laws.

(b) For the purposes of sections 221 (b) and 321 (b), any material, used in the production of an article, shall be considered as having been used in the production of an article subsequently produced, which is the product of a chain of production in the course of which an article, which is the product of one stage of the chain, is used by its producer or another person, in a subsequent stage of the chain, as a material in the production of another article.

Post, pp. 147, 150.

(c) For the purposes of paragraphs (6) and (7) of subsection (a) of this section—

(1) if an article is entitled to be imported from a foreign country free of ordinary customs duty, that country shall be considered as the country entitled to the lowest rate of ordinary customs duty with respect to such article; and

(2) a reduction in ordinary customs duty granted any country, by law, treaty, trade agreement, or otherwise, with respect to any article, shall be converted into the equivalent reduction in the rate of ordinary customs duty otherwise applicable to such article.

(d) The terms "includes" and "including" when used in a definition contained in this Act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

"Includes"; "including."

TITLE II—LAWS AND PROPOSED OBLIGATIONS OF UNITED STATES

Post, pp. 153–155.

Part 1—Customs Duties

SEC. 201. FREE ENTRY OF PHILIPPINE ARTICLES.

During the period from the day after the date of the enactment of this Act to July 3, 1954, both dates inclusive, Philippine articles entered, or withdrawn from warehouse, in the United States for consumption shall be admitted into the United States free of ordinary customs duty.

SEC. 202. ORDINARY CUSTOMS DUTIES ON PHILIPPINE ARTICLES.

Post, p. 147.

(a) JULY 4, 1954—JULY 3, 1974.—The ordinary customs duty to be collected on Philippines articles, which during the following portions of the period from July 4, 1954, to July 3, 1974, both dates inclusive, are entered, or withdrawn from warehouse, in the United States for consumption, shall be determined by applying the following percentages of the United States duty:

Determination.

(1) JULY 4 TO DECEMBER 31, 1954.—During the period from July 4, 1954, to December 31, 1954, both dates inclusive, 5 per centum.

(2) CALENDAR YEAR 1955.—During the calendar year 1955, 10 per centum.

(3) CALENDAR YEARS 1956–1972.—During each calendar year after the calendar year 1955 until and including the calendar year 1972, a percentage equal to the percentage for the preceding calendar year increased by 5 per centum of the United States duty.

(4) PERCENTAGE AFTER 1972.—During the period from January 1, 1973, to July 3, 1974, both dates inclusive, 100 per centum.

(5) **EXCEPTIONS TO ABOVE RULES.**—The provisions of this subsection shall not be applicable to the classes of articles referred to in section 214 (a) of Part 2 of this title (relating to quotas).

(b) **PERIOD AFTER JULY 3, 1974.**—The ordinary customs duty to be collected on Philippine articles which after July 3, 1974, are entered, or withdrawn from warehouse, in the United States for consumption, shall be determined without regard to the provisions of subsection (a) of this section or of section 214.

SEC. 203. CUSTOMS DUTIES OTHER THAN ORDINARY.

Customs duties on Philippine articles, other than ordinary customs duties, shall be determined without regard to the provisions of sections 201 and 202 (a), but shall be subject to the provisions of section 204.

SEC. 204. EQUALITY IN SPECIAL IMPORT DUTIES, ETC.

(a) With respect to Philippine articles imported into the United States, no duty on or in connection with importation shall be collected or paid in an amount in excess of the duty imposed with respect to like articles which are the product of any other foreign country, or collected or paid in any amount if the duty is not imposed with respect to such like articles.

“Duty.”

(b) As used in this section the term “duty” includes taxes, fees, charges, or exactions, imposed on or in connection with importation; but does not include internal taxes or ordinary customs duties.

SEC. 205. EQUALITY IN DUTIES ON PRODUCTS OF PHILIPPINES.

(a) With respect to products of the Philippines, which do not come within the definition of Philippine articles, imported into the United States, no duty on or in connection with importation shall be collected or paid in an amount in excess of the duty imposed with respect to like articles which are the product of any other foreign country (except Cuba), or collected or paid in any amount if the duty is not imposed with respect to such like articles which are the product of any other foreign country (except Cuba).

“Duty.”

(b) As used in this section the term “duty” includes taxes, fees, charges, or exactions, imposed on or in connection with importation; but does not include internal taxes.

Post, p. 158.

Part 2—Quotas

SEC. 211. ABSOLUTE QUOTA ON SUGARS.

(a) **DEFINITION OF PHILIPPINE SUGARS.**—For the purpose of this section, an article shall not be considered “Philippine sugars” unless it is a Philippine article.

(b) **DEFINITION OF REFINED SUGARS.**—As used in this section the term “refined sugars” has the same meaning as the term “direct-consumption sugar” as defined in section 101 of the Sugar Act of 1937.

50 Stat. 903.
7 U. S. C. § 1101.

(c) **AMOUNT OF QUOTA.**—During the period from January 1, 1946, to July 3, 1974, both dates inclusive, the total amount of all Philippine sugars which, in any calendar year, may be entered, or withdrawn from warehouse, in the United States for consumption, shall not exceed 952,000 short tons (the equivalent of 850,000 long tons), of which not to exceed 56,000 short tons (the equivalent of 50,000 long tons) may be refined sugars; except that during the period from January 1, 1974, to July 3, 1974, both dates inclusive, such total amount shall not exceed 476,000 short tons (the equivalent of 425,000 long tons), of which not to exceed 28,000 short tons (the equivalent of 25,000 long tons) may be refined sugars.

Refined sugars.

(d) **ALLOCATION OF QUOTAS FOR UNREFINED SUGARS.**—The quota for unrefined sugars, including that required to manufacture the refined

sugars, established by this section, shall be allocated annually to the sugar-producing mills and plantation owners in the Philippines in the calendar year 1940 whose sugars were exported to the United States during such calendar year, or their successors in interest, proportionately on the basis of their average annual production (or in the case of such a successor in interest, the average annual production of his predecessor in interest) for the calendar years 1931, 1932, and 1933, and the amount of sugars which may be so exported shall be allocated in each year between each mill and the plantation owners on the basis of the proportion of sugars to which each mill and the plantation owners are respectively entitled, in accordance with any milling agreements between them, or any extension, modification, or renewal thereof.

(e) **ALLOCATION OF QUOTAS FOR REFINED SUGARS.**—The quota for refined sugars established by this section shall be allocated annually to the manufacturers of refined sugars in the Philippines in the calendar year 1940 whose refined sugars were exported to the United States during such calendar year, or their successors in interest, proportionately on the basis of the amount of refined sugars produced by each such manufacturer (or in the case of such successor in interest, the amount of refined sugars produced by his predecessor in interest) which was exported to the United States during the calendar year 1940.

SEC. 212. ABSOLUTE QUOTA ON CORDAGE.

(a) **DEFINITION OF "CORDAGE".**—As used in this section the term "cordage" includes yarns, twines (including binding twine described in paragraph 1622 of the Tariff Act of 1930, as amended), cords, cordage, rope, and cable, tarred or untarred, wholly or in chief value of manila (abaca) or other hard fiber.

46 Stat. 675,
19 U. S. C. § 1201,
par. 1622.

(b) **DEFINITION OF "PHILIPPINE CORDAGE".**—For the purpose of this section, an article shall not be considered "Philippine cordage" unless it is a product of the Philippines.

(c) **AMOUNT OF QUOTA.**—During the period from January 1, 1946, to July 3, 1974, both dates inclusive, the total amount of all Philippine cordage which, in any calendar year, may be entered, or withdrawn from warehouse, in the United States for consumption, shall not exceed 6,000,000 pounds; except that during the period from January 1, 1974, to July 3, 1974, both dates inclusive, such total amount shall not exceed 3,000,000 pounds.

(d) **ALLOCATION OF QUOTAS.**—The quota for cordage established by this section shall be allocated annually to the manufacturers of cordage in the Philippines in the calendar year 1940 whose cordage was exported to the United States during such calendar year, or their successors in interest, proportionately on the basis of the amount of cordage produced by each such manufacturer (or in the case of such successor in interest, the amount of the cordage produced by his predecessor in interest) which was exported to the United States during the twelve months immediately preceding the inauguration of the Commonwealth of the Philippines.

SEC. 213. ABSOLUTE QUOTA ON RICE.

(a) **DEFINITION OF RICE.**—As used in this section the term "rice" includes rice meal, flour, polish, and bran.

(b) **DEFINITION OF PHILIPPINE RICE.**—For the purposes of this section, an article shall not be considered "Philippine rice" unless it is a Philippine article.

(c) **AMOUNT OF QUOTA.**—During the period from January 1, 1946, to July 3, 1974, both dates inclusive, the total amount of all Philippine rice which, in any calendar year may be entered, or withdrawn from

warehouse, in the United States for consumption, shall not exceed 1,040,000 pounds; except that during the period from January 1, 1974, to July 3, 1974, both dates inclusive, such total amount shall not exceed 520,000 pounds.

SEC. 214. ABSOLUTE AND DUTY-FREE QUOTAS ON CERTAIN ARTICLES.

(a) ABSOLUTE QUOTAS.—

AMOUNT OF QUOTA.—During the period from January 1, 1946, to July 3, 1974, both dates inclusive, the total amount of the following articles which are Philippine articles, and which, in any calendar year, may be entered, or withdrawn from warehouse, in the United States for consumption, shall not exceed the amounts specified as to each:

(1) Cigars (exclusive of cigarettes, cheroots of all kinds, and paper cigars and cigarettes, including wrappers), two hundred million cigars;

(2) Scrap tobacco, and stemmed and unstemmed filler tobacco described in paragraph 602 of the Tariff Act of 1930, as amended, six million five hundred thousand pounds;

(3) Coconut oil, two hundred thousand long tons; and

(4) Buttons of pearl or shell, eight hundred and fifty thousand gross.

During the period from January 1, 1974, to July 3, 1974, both dates inclusive, such total amount shall not exceed one-half of the amount above specified with respect to each class of articles, respectively.

(b) DUTY-FREE QUOTAS.—

(1) **IN GENERAL.—**Philippine articles falling within one of the classes specified in subsection (a) of this section, which during the period from January 1, 1946, to July 3, 1974, both dates inclusive, are entered, or withdrawn from warehouse, in the United States for consumption, shall be free of ordinary customs duty, in the quantities and for the periods set forth in the following table:

PERIODS [Calendar Year]	AMOUNT OF DUTY-FREE QUOTAS			
	Cigars Referred to in subsection (a) (1) [Number]	Tobacco Referred to in subsection (a) (2) [Pounds]	Coconut Oil [Long Tons]	Buttons of Pearl or Shell [Gross]
Each of Calendar Years 1946-1954.....	200,000,000	6,500,000	200,000	850,000
1955.....	190,000,000	6,175,000	190,000	807,500
1956.....	180,000,000	5,850,000	180,000	765,000
1957.....	170,000,000	5,525,000	170,000	722,500
1958.....	160,000,000	5,200,000	160,000	680,000
1959.....	150,000,000	4,875,000	150,000	637,500
1960.....	140,000,000	4,550,000	140,000	595,000
1961.....	130,000,000	4,225,000	130,000	552,500
1962.....	120,000,000	3,900,000	120,000	510,000
1963.....	110,000,000	3,575,000	110,000	467,500
1964.....	100,000,000	3,250,000	100,000	425,000
1965.....	90,000,000	2,925,000	90,000	382,500
1966.....	80,000,000	2,600,000	80,000	340,000
1967.....	70,000,000	2,275,000	70,000	297,500
1968.....	60,000,000	1,950,000	60,000	255,000
1969.....	50,000,000	1,625,000	50,000	212,500
1970.....	40,000,000	1,300,000	40,000	170,000
1971.....	30,000,000	975,000	30,000	127,500
1972.....	20,000,000	650,000	20,000	85,000
1973.....	10,000,000	325,000	10,000	42,500
1974.....	0	0	0	0

(2) **DUTY ON IMPORTS IN EXCESS OF DUTY-FREE QUOTA.—**Any such Philippine article so entered or withdrawn from warehouse in excess of the duty-free quota provided in paragraph (1) shall be subject to 100 per centum of the United States duty, despite

Cigars.

Scrap tobacco, etc.

46 Stat. 631.
19 U. S. C. § 1001,
par. 602.

Coconut oil.

Buttons.

the provisions of section 202 of this title (which provides rates of less than 100 per centum of the United States duty with respect to Philippine articles). Nothing in this subsection shall be construed as enlarging the absolute quotas provided in subsection (a) of this section.

Ante, p. 143.

(c) **ALLOCATION OF QUOTAS.**—Each of the quotas established by this section shall be allocated annually to the manufacturers in the Philippines in the calendar year 1940 of products of a class for which such quota is established, and whose products of such class were exported to the United States during such year, or their successors in interest, proportionately on the basis of the amount of the products of such class produced by each such manufacturer (or in the case of such successor in interest, the amount of the products of such class produced by his predecessor in interest) which was exported to the United States during the calendar year 1940.

SEC. 215. LAWS PUTTING INTO EFFECT ALLOCATIONS OF QUOTAS.

The necessary laws and regulations for putting into effect the allocation of quotas on the basis provided for in sections 211, 212, and 214, respectively, shall not be enacted by the United States, it being the purpose of this title that such laws and regulations shall be enacted by the Philippines.

SEC. 216. TRANSFERS AND ASSIGNMENTS OF QUOTA ALLOTMENTS.

The holder of any allotment under existing law, including his successor in interest, and the holder of any allotment under any of the quotas established by sections 211, 212, or 214, may transfer or assign all or any amount of such allotment on such terms as may be agreeable to the parties in interest. If, after the first nine months of any calendar year, the holder of any allotment, for that year, under any of the quotas established by such sections, is or will be unable for any reason to export to the United States all of his allotment, in time to fulfill the quota for that year, that amount of such allotment which it is established by sufficient evidence cannot be so exported during the remainder of the calendar year may be apportioned by the Philippine Government to other holders of allotments under the same quota, or in such other manner as will insure the fulfillment of the quota for that year: *Provided*, That no transfer or assignment or reallocation under the provisions of this section shall diminish the allotment to which the holder may be entitled in any subsequent calendar year.

Part 3—Internal Taxes

SEC. 221. EQUALITY IN INTERNAL TAXES.

(a) With respect to articles which are products of the Philippines coming into the United States, or with respect to articles manufactured in the United States wholly or in part from such articles, no internal tax shall be—

(1) collected or paid in an amount in excess of the internal tax imposed with respect to like articles which are the product of the United States, or collected or paid in any amount if the internal tax is not imposed with respect to such like articles;

(2) collected or paid in an amount in excess of the internal tax imposed with respect to like articles which are the product of any other foreign country, or collected or paid in any amount if the internal tax is not imposed with respect to such like articles.

(b) Where an internal tax is imposed with respect to an article which is the product of a foreign country to compensate for an internal tax imposed (1) with respect to a like article which is the product of the United States, or (2) with respect to materials used in the

Product of foreign country.
Ante, p. 143.

production of a like article which is the product of the United States, if the amount of the internal tax which is collected and paid with respect to the article which is the product of the Philippines is not in excess of that permitted by paragraph (2) of subsection (a) such collection and payment shall not be regarded as in violation of subsection (a).

(c) This section shall not apply to the taxes imposed under section 2306, 2327, or 2356 of the Internal Revenue Code.

SEC. 222. EXEMPTION FROM TAX OF MANILA FIBER.

No processing tax or other internal tax shall be imposed or collected in the United States with respect to manila (abaca) fiber not dressed or manufactured in any manner.

SEC. 223. PROHIBITION OF EXPORT TAXES.

No export tax shall be imposed or collected by the United States on articles exported to the Philippines.

SEC. 224. EXEMPTION FROM TAXES OF ARTICLES FOR OFFICIAL USE.

No processing tax or other internal tax shall be imposed or collected in the United States with respect to articles coming into the United States for the official use of the Philippine Government or any department or agency thereof.

Part 4—Immigration

SEC. 231. CERTAIN PHILIPPINE CITIZENS GRANTED NON-QUOTA STATUS.

(a) Any citizen of the Philippines who actually resided in the United States for a continuous period of three years during the period of forty-two months ending November 30, 1941, if entering the United States during the period from July 4, 1946, to July 3, 1951, both dates inclusive, for the purpose of resuming residence in the United States, shall, for the purposes of the immigration laws, be considered a non-quota immigrant; and shall not be excluded from entry into the United States by reason of section 13 (c) of the Immigration Act of 1924, or by reason of so much of section 3 of the Immigration Act of 1917 as provides for the exclusion from admission into the United States of natives of a therein specified geographical area.

(b) After such admission as a non-quota immigrant he shall, for the purposes of the immigration and naturalization laws, be considered as lawfully admitted to the United States for permanent residence.

(c) The benefits of this section shall also apply to his wife, if a citizen of the Philippines or eligible to United States citizenship, and to his unmarried children under 18 years of age, if such wife or children are accompanying or following to join him during such period.

(d) This section shall not apply to a citizen of the Philippines admitted to the Territory of Hawaii, without an immigration or passport visa, under the provisions of paragraph (1) of section 8 (a) of the Act of March 24, 1934 (48 Stat. 456, ch. 84).

TITLE III—OBLIGATIONS OF PHILIPPINES

Part 1—Purposes of Title

SEC. 301. STATEMENT OF PURPOSES OF TITLE.

(a) **PERIOD UNTIL JULY 4, 1946.**—The following Parts and sections of this title, insofar as they are applicable to the period from the date of the enactment of this Act to July 3, 1946, both dates inclusive, are intended to, and shall, operate as statutes of the United States, binding on one of its possessions.

53 Stat. 250, 255, 258.

26 U. S. C. §§ 2306, 2327, 2356.

Post, p. 302.

43 Stat. 162.

8 U. S. C. § 213 (c);

Post, p. 975.

39 Stat. 875.

8 U. S. C. § 136;

Supp. V, § 136.

Status after admission.

Applicability of benefits.

48 Stat. 462.

48 U. S. C. § 1233 (a)

(1).

(b) **PERIOD JULY 4, 1946—JULY 3, 1974.**—The following Parts and sections of this title, although expressed in statutory form, are not in any manner intended, insofar as they are applicable to the period after July 3, 1946, as an attempt on the part of the Congress of the United States to legislate for the Republic of the Philippines as a sovereign nation, but constitute a statement in precise terms of provisions—

(1) which the Government of the Philippines, on the taking effect of the executive agreement provided for in Title IV of this Act, will be obligated to observe and execute as the law of the Republic of the Philippines during the effectiveness of the agreement; except that the observance of such part of the provisions of section 341 as is in conflict with the Constitution of the Philippines will not be required under such agreement for the period prior to the amendment to the constitution referred to in section 402 (b); and

Post, p. 151.

(2) which, between the proclamation of the independence of the Philippines and the date of the taking effect of such executive agreement, will, according to the policy and expectations of the Congress of the United States, be observed and executed by the Government of the Philippines.

11 F. R. 7517.

Part 2—Customs Duties

SEC. 311. FREE ENTRY OF UNITED STATES ARTICLES.

During the period from the day after the date of the enactment of this Act to July 3, 1954, both dates inclusive, United States articles entered, or withdrawn from warehouse, in the Philippines for consumption shall be admitted into the Philippines free of ordinary customs duty.

SEC. 312. ORDINARY CUSTOMS DUTIES ON UNITED STATES ARTICLES.

(a) **JULY 4, 1954—JULY 3, 1974.**—The ordinary customs duty to be collected on United States articles, which during the following portions of the period from July 4, 1954, to July 3, 1974, both dates inclusive, are entered, or withdrawn from warehouse, in the Philippines for consumption, shall be determined by applying the following percentages of the Philippine duty:

Determination.

(1) **JULY 4, TO DECEMBER 31, 1954.**—During the period from July 4, 1954, to December 31, 1954, both dates inclusive, 5 per centum.

(2) **CALENDAR YEAR 1955.**—During the calendar year 1955, 10 per centum.

(3) **CALENDAR YEARS 1956—1972.**—During each calendar year after the calendar year 1955 until and including the calendar year 1972, a percentage equal to the percentage for the preceding calendar year increased by 5 per centum of the Philippine duty.

(4) **PERCENTAGE AFTER 1972.**—During the period from January 1, 1973, to July 3, 1974, both dates inclusive, 100 per centum.

(b) **PERIOD AFTER JULY 3, 1974.**—The ordinary customs duty to be collected on United States articles which after July 3, 1974, are entered, or withdrawn from warehouse, in the Philippines for consumption, shall be determined without regard to the provisions of subsection (a) of this section.

SEC. 313. CUSTOMS DUTIES OTHER THAN ORDINARY.

Customs duties on United States articles, other than ordinary customs duties, shall be determined without regard to the provisions of sections 311 and 312 (a), but shall be subject to the provisions of section 314.

SEC. 314. EQUALITY IN SPECIAL IMPORT DUTIES, ETC.

(a) With respect to United States articles imported into the Philippines, no duty on or in connection with importation shall be collected or paid in an amount in excess of the duty imposed with respect to like articles which are the product of any other foreign country, or collected or paid in any amount if the duty is not imposed with respect to such like articles.

“Duty.”

(b) As used in this section the term “duty” includes taxes, fees, charges, or exactions, imposed on or in connection with importation; but does not include internal taxes or ordinary customs duties.

SEC. 315. EQUALITY IN DUTIES ON PRODUCTS OF UNITED STATES.

(a) With respect to products of the United States, which do not come within the definition of United States articles, imported into the Philippines, no duty on or in connection with importation shall be collected or paid in an amount in excess of the duty imposed with respect to like articles which are the product of any other foreign country, or collected or paid in any amount if the duty is not imposed with respect to such like articles which are the product of any other foreign country.

“Duty.”

(b) As used in this section the term “duty” includes taxes, fees, charges, or exactions, imposed on or in connection with importation; but does not include internal taxes.

Part 3—Internal Taxes**SEC. 321. EQUALITY IN INTERNAL TAXES.**

(a) With respect to articles which are products of the United States coming into the Philippines, or with respect to articles manufactured in the Philippines wholly or in part from such articles, no internal tax shall be—

(1) collected or paid in an amount in excess of the internal tax imposed with respect to like articles which are the product of the Philippines, or collected or paid in any amount if the internal tax is not imposed with respect to such like articles;

(2) collected or paid in an amount in excess of the internal tax imposed with respect to like articles which are the product of any other foreign country, or collected or paid in any amount if the internal tax is not imposed with respect to such like articles.

(b) Where an internal tax is imposed with respect to an article which is the product of a foreign country to compensate for an internal tax imposed (1) with respect to a like article which is the product of the Philippines, or (2) with respect to materials used in the production of a like article which is the product of the Philippines, if the amount of the internal tax which is collected and paid with respect to the article which is the product of the United States is not in excess of that permitted by paragraph (2) of subsection (a) such collection and payment shall not be regarded as in violation of subsection (a).

Product of foreign
country.
Ante, p. 143.

SEC. 322. PROHIBITION OF EXPORT TAXES.

No export tax shall be imposed or collected by the Philippines on articles exported to the United States.

SEC. 323. EXEMPTION FROM TAXES OF ARTICLES FOR OFFICIAL USE.

No processing tax or other internal tax shall be imposed or collected in the Philippines with respect to articles coming into the Philippines for the official use of the United States Government or any department or agency thereof.

Part 4—Immigration

SEC. 331. CERTAIN UNITED STATES CITIZENS GIVEN NON-QUOTA STATUS.

Any citizen of the United States who actually resided in the Philippines for a continuous period of three years during the period of forty-two months ending November 30, 1941, if entering the Philippines during the period from July 4, 1946, to July 3, 1951, both dates inclusive, for the purpose of resuming residence in the Philippines, shall, for the purposes of the immigration laws, be considered a non-quota immigrant. After such admission as a non-quota immigrant he shall, for the purposes of the immigration and naturalization laws, be considered as lawfully admitted to the Philippines for permanent residence. The benefits of this section shall also apply to his wife, if a citizen of the United States, and to his unmarried children under 18 years of age, if such wife or children are accompanying or following to join him during such period.

Status after admission.

Applicability of benefits.

SEC. 332. IMMIGRATION OF UNITED STATES CITIZENS INTO THE PHILIPPINES.

Citizens of the United States, admissible to the Philippines under the provisions required by section 402 (e) to be included as a part of the executive agreement made under Title IV, shall be entitled to enter the Philippines, in the numbers and during the periods of years, and to remain therein for the time, specified in that part of the agreement which embodies the provisions of section 402 (e).

Part 5—Miscellaneous

SEC. 341. RIGHTS OF UNITED STATES CITIZENS AND BUSINESS ENTERPRISES IN NATURAL RESOURCES.

The disposition, exploitation, development, and utilization of all agricultural, timber, and mineral lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces and sources of potential energy, and other natural resources of the Philippines, and the operation of public utilities, shall, if open to any person, be open to citizens of the United States and to all forms of business enterprise owned or controlled, directly or indirectly, by United States citizens.

SEC. 342. CURRENCY STABILIZATION.

The value of Philippine currency in relation to the United States dollar shall not be changed, the convertibility of pesos into dollars shall not be suspended, and no restrictions shall be imposed on the transfer of funds from the Philippines to the United States, except by agreement with the President of the United States.

SEC. 343. ALLOCATION OF QUOTAS.

The allocation, reallocation, transfer, and assignment of quotas established by sections 211, 212, and 214, respectively, of Part 2 of Title II, shall be on the basis provided for in such Part.

Ante, pp. 144-146.

TITLE IV—EXECUTIVE AGREEMENT BETWEEN UNITED STATES AND PHILIPPINES

SEC. 401. AUTHORIZATION OF AGREEMENT.

The President of the United States is authorized (except as hereinafter in this title otherwise provided) to enter into an executive agreement with the President of the Philippines providing for the acceptance on the part of each country of the provisions of Title II and of Title III (except Part 1) of this Act. The President of the United States is not authorized by this section to enter into such

Ante, pp. 143, 148.

agreement unless it contains a provision that it shall not take effect—

(a) Unless and until the Congress of the Philippines accepts it by law; and

(b) Unless and until the Congress of the Philippines (in the act of acceptance, or separately) has enacted such legislation as may be necessary to make all the provisions of Parts 2, 3, 4, and 5 of Title III take effect as laws of the Philippines, except (during the period prior to the amendment to the Constitution of the Philippines referred to in subsection (b) of section 402) such provisions of section 341 as are in conflict with such constitution.

Ante, pp. 149-151.

SEC. 402. OBLIGATIONS OF PHILIPPINES.

The President of the United States is not authorized by section 401 to enter into such executive agreement unless in the agreement the Government of the Philippines agrees—

Continuance of designated provisions.

Ante, pp. 149-151.

(a) That the Republic of the Philippines will continue in effect as laws of the Philippines, during the effectiveness of the agreement, the provisions of Parts 2, 3, 4, and 5 of Title III, except (for the period prior to the amendment of the Constitution of the Philippines referred to in subsection (b) of this section) such part of the provisions of section 341 as is in conflict with such constitution.

Amendment of Constitution.

(b) That the Government of the Philippines will promptly take such steps as are necessary to secure the amendment of the Constitution of the Philippines so as to permit the taking effect as laws of the Philippines of such part of the provisions of section 341 as is in conflict with such constitution before such amendment.

Supplementary legislation.

(c) That the Republic of the Philippines will promptly enact, and keep in effect during the effectiveness of the agreement, such legislation as may be necessary—

Ante, pp. 149-151.

(1) to supplement the legislation referred to in section 401 (b), and to implement the provisions of Parts 2, 3, 4, and 5 of Title III; and

(2) to put and keep in effect during the effectiveness of the agreement, the allocation, reallocation, transfer, and assignment of quotas on the basis provided for in Part 2 of Title II.

Ante, p. 144.

Quotas.

(d) That the United States shall have the right to provide the basis for the allocation of the quotas established under that portion of the agreement which sets forth the provisions of section 403 (c) of this Act, and that, if the United States exercises such right, the Republic of the Philippines will promptly enact, and keep in force during the period for which each such quota is established, such legislation as is necessary to put and keep in effect, on the basis provided by the United States, the allocation of such quotas.

Entry, etc., of U. S. citizens.

(e) That there shall be permitted to enter the Philippines, without regard to any numerical limitations under the laws of the Philippines, in each of the years of a specified period of years, a specified number of citizens of the United States. The number of years (which shall not be less than five) the number of citizens of the United States (which shall not be less than one thousand) entitled to be so admitted in each year, and the length of time each shall be entitled to remain in the Philippines, shall be stated in the agreement.

Currency.

(f) That the value of Philippine currency in relation to the United States dollar shall not be changed, the convertibility of pesos into dollars shall not be suspended, and no restrictions shall be imposed on the transfer of funds from the Philippines to the United States, except by agreement with the President of the United States.

SEC. 403. OBLIGATIONS OF UNITED STATES.

The President of the United States is not authorized by section 401 to enter into such executive agreement unless in such agreement the Government of the United States agrees—

(a) That upon the taking effect of the agreement the provisions of Title II—

Ante, p. 143.

Continuance of designated provisions as U. S. laws.

(1) if in effect as laws of the United States at the time the agreement takes effect, shall continue in effect as laws of the United States during the effectiveness of the agreement; or

(2) if not so in effect at the time the agreement takes effect (because suspended under section 502 of Title V) shall take effect and continue in effect as laws of the United States during the effectiveness of the agreement.

Post, p. 155.

(b) That the United States will promptly enact, and keep in effect during the effectiveness of the agreement, such legislation as may be necessary to supplement and implement the provisions of Title II so continued in effect, or so made to take effect, as laws of the United States.

Supplementary legislation.

(c) That with respect to quotas on Philippine articles (other than the quotas established in Part 2 of Title II, and other than quotas established in conjunction with quantitative limitations, applicable to products of all foreign countries, on imports of like articles), the United States will not establish any such quota for any period before January 1, 1948; and that, for any part of the period from January 1, 1948, to July 3, 1974, both dates inclusive, it will establish such a quota only if—

Quotas.

Ante, p. 144.

(1) the President of the United States, after investigation, finds that such Philippine articles are coming, or are likely to come, into substantial competition with like articles the product of the United States; and

(2) the quota established for any Philippine article for any twelve-month period is not less than the amount determined by the President as the total amount of Philippine articles of such class which (during the twelve months ended on the last day of the month preceding the month in which occurs the date proclaimed by the President as the date of the beginning of the investigation) was entered, or withdrawn from warehouse, in the United States for consumption; or, if the quota is established for any period other than a twelve-month period, is not less than a proportionate amount.

(d) That during the effectiveness of the agreement the United States will not reduce the preference of 2 cents per pound provided in section 2470 of the Internal Revenue Code (relating to processing taxes on coconut oil, etc.) with respect to articles “wholly the production of the Philippine Islands” or articles “produced wholly from materials the growth or production of the Philippine Islands”; except that it may suspend the provisions of subsection (a) (2) of such section during any period as to which the President of the United States, after consultation with the President of the Philippines, finds that adequate supplies of neither copra nor coconut oil, the product of the Philippines, are readily available for processing in the United States.

Coconut oil, etc.

53 Stat. 264.
26 U. S. C. § 2470;
Supp. V, § 2470 note.
Post, p. 157.

SEC. 404. TERMINATION OF AGREEMENT.

The President of the United States is not authorized by section 401 to enter into such executive agreement unless it provides—

(a) **TERMINATION IN GENERAL.**—That the agreement shall have no effect after July 3, 1974; and

(b) TERMINATION BY EITHER PARTY.—

(1) that the agreement may be terminated by either party at any time, upon not less than five years' notice; and

(2) that if the President of the United States or the President of the Philippines determines and proclaims that the other country has adopted or applied measures or practices which would operate to nullify or impair any right or obligation provided for in such agreement, then the agreement may be terminated upon not less than six months' notice; and

(c) TERMINATION OR SUSPENSION BY THE UNITED STATES.—

(1) that if the President of the United States determines that a reasonable time for the making of the amendment to the Constitution of the Philippines referred to in section 402 (b) has elapsed, but that such amendment has not been made, he shall so proclaim and the executive agreement shall have no effect after the date of such proclamation; and

(2) that if the President of the United States determines and proclaims, after consultation with the President of the Philippines, that the Republic of the Philippines or any of its political subdivisions or the Philippine Government is in any manner discriminating against citizens of the United States or any form of United States business enterprise, then the United States shall have the right to suspend the effectiveness of the whole or any portion of the agreement; and

(3) that if the President of the United States determines and proclaims, after consultation with the President of the Philippines, that the discrimination which was the basis for the suspension under paragraph (2) of this subsection—

(A) has ceased, the suspension effected under paragraph (2) shall end; or

(B) has not ceased after the lapse of a time determined by the President of the United States to be reasonable, then the United States shall have the right to terminate the agreement upon not less than six months' notice.

SEC. 405. EFFECT OF TERMINATION OF AGREEMENT.

Upon the termination of the agreement as provided in section 404, the provisions of Title II shall cease to have effect as laws of the United States.

Ante, p. 143.

SEC. 406. INTERPRETATION OF AGREEMENT.

The President of the United States is not authorized by section 401 to enter into such executive agreement unless it provides that the acceptance of the provisions of Titles II and III is on the understanding that the definitions, and provisions in the nature of definitions, contained in section 2 of Title I, shall apply in the interpretation of the provisions so accepted.

Ante, pp. 143, 148.

Ante, p. 141.

SEC. 407. TERMINATION OF AUTHORITY TO MAKE AGREEMENT.

Whenever the President of the United States determines that a reasonable time for the entering into, acceptance and taking effect, of the executive agreement has elapsed, but that such agreement has not taken effect, he shall so proclaim, and thereupon his authority to enter into such executive agreement shall terminate, and the provisions of Title II shall cease to have effect as laws of the United States.

Ante, p. 143.

SEC. 408. EFFECTIVE DATE OF AGREEMENT.

When the President of the United States determines that the executive agreement entered into under section 401 has been accepted by the Congress of the Philippines by law and that the Congress of

the Philippines has enacted the legislation the enactment of which is, under section 401, a condition precedent to the taking effect of the agreement, he shall so proclaim, and in his proclamation specify the effective date of the agreement.

TITLE V—MISCELLANEOUS

SEC. 501. SUSPENSION AND TERMINATION OF AGREEMENT IN CASE OF DISCRIMINATION.

(a) **SUSPENSION.**—If the President of the United States determines, after consultation with the President of the Philippines, that the Republic of the Philippines or any of its political subdivisions or the Philippine Government is in any manner discriminating against citizens of the United States or any form of United States business enterprise, he shall so proclaim, and thereupon the effectiveness of the agreement, or such part thereof as he may in the proclamation specify as necessary in order adequately to protect the interests of the United States, shall be suspended.

(b) **TERMINATION OF SUSPENSION.**—If the President of the United States, after consultation with the President of the Philippines, determines that the discrimination which was the basis for the suspension under subsection (a) of this section has ceased, he shall so proclaim, and thereupon the suspension effected under subsection (a) shall end.

(c) **TERMINATION OF AGREEMENT.**—If the President of the United States, after consultation with the President of the Philippines, determines that such discrimination has not ceased, after the lapse of a time determined by him to be reasonable, he shall so proclaim and give to the Philippine Government notice of the intention of the United States to terminate the agreement.

(d) **LAWS OF THE UNITED STATES.**—

(1) **IN CASE OF SUSPENSION.**—If the effectiveness of the agreement is suspended under subsection (a) of this section, the provisions of Title II of this Act shall cease to have effect as laws of the United States during the period of the suspension. If the suspension is of the effectiveness of only part of the agreement, then such provisions of Title II as the President may in his proclamation under subsection (a) specify as necessary adequately to protect the interests of the United States, shall cease to have effect as laws of the United States during the period of this suspension.

Ante, p. 143.

(2) **IN CASE OF TERMINATION.**—If the agreement is terminated under subsection (c) of this section, the provisions of Title II of this Act shall cease to have effect as laws of the United States.

SEC. 502. SUSPENSION OF TITLE II.

If the President finds that, during the period after July 3, 1946, and before the taking effect of the executive agreement provided for in Title IV, the Government of the Philippines is not putting into effect, or making every effort to put into effect, to the fullest extent possible under its Constitution, the provisions of Title III of this Act, or is not providing for the allocation of quotas on the basis provided in section 211, 212, or 214, respectively, he shall so proclaim. On the day following the date of such proclamation, such provisions of Title II shall be suspended as he may in the proclamation specify as necessary in order adequately to protect the interests of the United States. Such suspension shall continue until the taking effect of the executive agreement provided for in Title IV, whereupon the suspension shall terminate and the suspended provisions shall again take effect and continue in effect as laws of the United States during the effectiveness of the agreement.

Ante, p. 143.

Ante, p. 151.

Ante, p. 148.

Ante, pp. 144-146.

SEC. 503. CUSTOMS DUTIES ON IMPORTATIONS FROM PHILIPPINES.

Articles coming or imported into the United States from the Philippines, and Philippine products coming or imported into the United States, shall, except as otherwise provided with respect to Philippine articles by Title II of this Act during the period such title is in effect—

Ante, p. 143.

(1) if entered, or withdrawn from warehouse, in the United States for consumption, during the period from the day after the date of the enactment of this Act to July 3, 1946, both dates inclusive, be subject to the same duties as like articles coming or imported into the United States from foreign countries, except Cuba; and

(2) if so entered or withdrawn during the period after July 3, 1946, be subject to the same duties as like articles coming or imported into the United States from other foreign countries, except Cuba.

SEC. 504. QUOTAS ON PHILIPPINE ARTICLES.*Ante*, p. 151.

(a) **ESTABLISHMENT BY PRESIDENT.**—After the executive agreement referred to in Title IV has taken effect, then whenever the President of the United States, after the investigation by the United States Tariff Commission provided for in subsection (d), finds, with respect to any Philippines articles (other than those for which quotas are established by Part 2 of Title II), that they are coming, or likely to come, into substantial competition with like articles which are the product of the United States, he shall so proclaim, and in his proclamation shall establish the total amount of such Philippine articles which may in each of specified periods be entered, or withdrawn from warehouse, in the United States for consumption. If he finds that the allocation of any quota so established is necessary to make the application of the quota just and reasonable between the United States and the Philippines, he shall, in such proclamation or a subsequent proclamation, provide the basis for such allocation.

Ante, p. 141.

(b) **MAXIMUM AND MINIMUM QUOTAS.**—No quota shall be established under subsection (a), with respect to a Philippine article, which is greater than the amount of such article which in each of such specified periods the President determines may be so entered or withdrawn from warehouse without coming into substantial competition with like articles which are the product of the United States; except that in no case shall the quota be less than the minimum amount provided in that portion of such executive agreement which sets forth the provisions of section 403 (c) (2) of this Act.

Ante, p. 153.

(c) **DURATION OF QUOTAS.**—Any quota established pursuant to this section shall become effective at such time as the President shall designate (but not before January 1, 1948), and shall continue in effect until the President, after investigation, finds and proclaims that the conditions which gave rise to the establishment of such quota no longer exist, but no such quota shall continue in effect after the termination of the executive agreement provided for in Title IV.

Ante, p. 151.

Articles in competition with U. S. products.

(d) **INVESTIGATIONS BY TARIFF COMMISSION.**—The United States Tariff Commission shall at the request of the President, upon resolution of either House of Congress or concurrent resolution of both Houses of Congress, upon its own motion, or when in its judgment there is good reason therefor, upon application of any interested party, make an investigation to ascertain (1) whether imports of a Philippine article (other than an article for which a quota is established by Part 2 of Title II) are coming, or are likely to come, into substantial competition with like articles which are the product of the United States; (2) what is the greatest amount of such article which may be entered,

Ante, p. 144.

or withdrawn from warehouse, in the United States for consumption, without coming into substantial competition with like articles which are the product of the United States; and (3) the total amount of such article which (during the twelve months ended on the last day of the month preceding the month in which occurs the date of the beginning of the investigation) was entered, or withdrawn from warehouse, in the United States for consumption. During the course of the investigation the Commission shall hold a public hearing, of which reasonable public notice shall be given and at which parties interested shall be afforded reasonable opportunity to be present, to produce evidence, and to be heard. The Commission shall give precedence to such investigations. The Commission shall report the results of its investigations to the President, and shall send copies of such report to each House of the Congress.

Hearings.

Report.

SEC. 505. PROCESSING TAX ON COCONUT OIL.

(a) EXEMPTION FOR PHILIPPINES.—Section 2470 (a) (2) of the Internal Revenue Code is amended by striking out the word “other” wherever it appears in clauses (A) and (B) thereof; and by inserting at the end of the paragraph a new sentence to read as follows: “The tax imposed by this paragraph shall not apply to any domestic processing after July 3, 1974.”

53 Stat. 264.
26 U. S. C. § 2470 (a)
(2); Supp. V, § 2470
note.

(b) SUSPENSION OF SECTION 2470 (a) (2) OF INTERNAL REVENUE CODE.—Whenever the President, after consultation with the President of the Philippines, finds that adequate supplies of neither copra nor coconut oil, the product of the Philippines, are readily available for processing in the United States, he shall so proclaim, and after the date of such proclamation the provisions of section 2470 (a) (2) of the Internal Revenue Code shall be suspended until the expiration of 30 days after he proclaims that, after consultation with the President of the Philippines, he has found that such adequate supplies are so readily available.

Supra.

SEC. 506. TERMINATION OF PAYMENTS INTO PHILIPPINE TREASURY.

(a) Notwithstanding the provisions of section 4 of the Act of March 8, 1902 (32 Stat. 54, ch. 140), or of section 19 of the Act of March 24, 1934 (48 Stat. 456, ch. 84), as added to such Act by section 6 of the Act of August 7, 1939 (53 Stat. 1232, ch. 502), or of the Act of November 8, 1945 (59 Stat. 577, ch. 454), or of any other provision of law, the proceeds of any duties or taxes, collected subsequent to July 3, 1946, which but for the enactment of this Act would be required to be paid into the general funds of the Treasury of the Philippines or would be held in separate or special funds and paid into the Treasury of the Philippines, shall be covered into the general fund of the Treasury of the United States.

48 U. S. C. § 1248.
48 U. S. C., Supp.
V, § 1249.

(b) Sections 2476 and 3343 of the Internal Revenue Code are repealed, effective July 4, 1946.

53 Stat. 265, 404.
26 U. S. C. §§ 2476,
3343; Supp. V, § 3343
note.

SEC. 507. SPECIAL EXCISE PROVISIONS RELATING TO THE PHILIPPINES REPEALED.

(a) Section 2800 (a) (4) of the Internal Revenue Code is amended by amending the heading to read:

53 Stat. 298.
26 U. S. C. § 2800 (a)
(4).

“(4) Alcoholic Compounds from Puerto Rico and Virgin Islands.—”;

and by amending subparagraph (B) to read as follows:

“(B) Virgin Islands.—For provisions relating to tax on alcoholic compounds from the Virgin Islands, see section 3350.”

53 Stat. 404.
26 U. S. C. § 3350.
Post, p. 158.

(b) Sections 3340, 3341, and 3342 of the Internal Revenue Code are repealed, effective July 4, 1946.

53 Stat. 403, 404.
26 U. S. C. §§ 3340-
3342; Supp. V, § 3341.

53 Stat. 403.
26 U. S. C. §§ 3340-
3361; Supp. V, § 3341
et seq.
Ante, p. 157.

(c) Subchapter B of Chapter 28 of the Internal Revenue Code is amended as follows:

(1) By amending the heading of such subchapter to read as follows:

“SUBCHAPTER B—PROVISIONS OF SPECIAL APPLICATION TO THE VIRGIN ISLANDS AND PUERTO RICO

(2) By striking out the heading:

“Part I—Philippine Islands”

(3) By renumbering Parts II and III of such subchapter as “Part I” and “Part II”, respectively.

SEC. 508. TRADE AGREEMENTS WITH THE PHILIPPINES.

48 Stat. 943.
19 U. S. C. § 1351;
Supp. V, § 1351.
Ante, pp. 154, 151.

Until July 4, 1974, no trade agreement shall be made with the Philippines under section 350, as amended, of the Tariff Act of 1930, unless, prior to such time, the President of the United States has made the proclamation provided for in section 407 of this Act, or the executive agreement provided for in Title IV of this Act has been terminated.

SEC. 509. RIGHTS OF THIRD COUNTRIES.

Ante, p. 151.

The benefits granted by this Act, and by the executive agreement provided for in Title IV, to the Philippines, Philippine articles or products, and Philippine citizens, shall not, by reason of any provision of any existing treaty or agreement with any third country, be extended to such country or its products, citizens, or subjects.

SEC. 510. ADMINISTRATION OF TITLE II.

Ante, p. 143.

(a) The provisions of Parts 1, 2, and 3 of Title II shall be administered as parts of the customs and internal revenue laws of the United States.

Ante, p. 143.

(b) The provisions of Part 4 of Title II shall be administered as a part of the immigration laws of the United States.

SEC. 511. REPEALS.

The following parts of Acts are repealed, effective on the day following the date of the enactment of this Act:

48 Stat. 685.
19 U. S. C. § 1301.

(1) section 301 of the Tariff Act of 1930;

48 U. S. C. § 1236;
Supp. V, § 1236 note.

(2) section 6 (except subsection (g)) of the Act of March 24, 1934 (48 Stat. 456, ch. 84), as amended by the Act of August 7, 1939 (53 Stat. 1226, ch. 502); and

48 U. S. C., Supp.
V, § 1243.

(3) so much of section 13 of such Act of March 24, 1934, as amended by the joint resolution of June 29, 1944 (58 Stat. 626, ch. 323), as reads as follows: “After the Philippine Islands have become a free and independent nation there shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from other foreign countries.”

SEC. 512. EFFECTIVE DATE.

Ante, p. 144.

This Act shall take effect on the day after the date of its enactment, except Part 2 of Title II, which shall take effect as of January 1, 1946.

SEC. 513. APPLICATION OF INTERNAL REVENUE LAWS TO PUERTO RICO.

48 U. S. C. § 734.

Section 9 of the Act of March 2, 1917 (39 Stat. 951, ch. 145) is amended to read as follows:

“SEC. 9. That the statutory laws of the United States not locally inapplicable, except as hereinbefore or hereinafter otherwise provided, shall have the same force and effect in Puerto Rico as in the United

States, except the internal revenue laws other than those contained in the Philippine Trade Act of 1946: *Provided, however,* That hereafter all taxes collected under the internal revenue laws of the United States on articles produced in Puerto Rico and transported to the United States, or consumed in the island shall be covered into the Treasury of Puerto Rico.”

Approved April 30, 1946.

[CHAPTER 245]

AN ACT

To effectuate the purposes of the Servicemen’s Readjustment Act of 1944 in the District of Columbia, and for other purposes.

May 1, 1946
[S. 1152]
[Public Law 372]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “District of Columbia Servicemen’s Readjustment Enabling Act of 1945”.

Short title.

SEC. 2. (a) The disability of minority of a resident of the District of Columbia who is eligible for guaranty of a loan pursuant to the Servicemen’s Readjustment Act of 1944 (58 Stat. L. 284) and of a minor spouse of any such resident (when acting jointly with such resident) is hereby removed with respect to the incurring of any obligation all or part of which is guaranteed under the provisions of said Act or in conjunction with which a secondary loan is so guaranteed, and with respect to the exercise of the rights of ownership in any property acquired with the proceeds of any such obligation, including the right to sell, convey, lease, encumber, improve, or maintain the same and to further obligate himself incident to his exercise of such rights.

Removal of disability of minority for loan benefits.
38 U. S. C., Supp. V, §§ 693-697g.
Post, pp. 299, 932.

Rights of ownership.

(b) Notwithstanding any other provision of law, any building association or building and loan association or any savings and loan association, incorporated or unincorporated, organized and operating under the laws of the District of Columbia, or any Federal savings and loan association whose main office is in the District of Columbia, may invest its funds in: (1) Property-improvement loans insured or insurable under title I of the National Housing Act; (2) loans to veterans of World War II when guaranteed in whole or in part by a loan guaranty certificate issued under the Servicemen’s Readjustment Act of 1944 including, without limitation, such loans as are unsecured and such loans as are junior to another mortgage or lien upon the security; and (3) other secured or unsecured loan for property alteration, repair, or improvement or for home equipment: *Provided,* That no such unsecured loan not insured or guaranteed by a Federal agency shall be made in excess of \$2,000: *Provided further,* That the total amount loaned or invested and held in unsecured loans not insured or guaranteed by a Federal agency as provided for under this subsection at any one time shall not exceed 15 per centum of the association’s assets.

Designated investments by building and loan associations.

48 Stat. 1246.
12 U. S. C. §§ 1702-1706; Supp. V, § 1702 et seq.
58 Stat. 284.
38 U. S. C., Supp. V, §§ 693-697g.
Post, pp. 299, 932.

Unsecured loans.

SEC. 3. Any building association, building and loan association, or savings and loan association organized and operating under the laws of the District of Columbia, is authorized to lend money to veterans of World War II and others upon the security of a first deed of trust or first mortgage upon real estate, to be repaid in monthly or quarterly payments to be applied first to interest and the balance to principal until the indebtedness is paid in full, and without subscription to, or ownership of any shares, and such loans shall be known as direct-reduction loans. Direct-reduction-loan borrowers, and all persons assuming or obligated under direct-reduction loans made or

Direct-reduction loans.

held by such association shall be members of the association, and at all meetings of the members of the association, each borrower or each obligor upon a direct-reduction loan shall be entitled to one vote as such member.

Approved May 1, 1946.

[CHAPTER 246]

JOINT RESOLUTION

To provide for the reappointment of Doctor Vannevar Bush as citizen regent of the Board of Regents of the Smithsonian Institution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor Vannevar Bush, of Washington, District of Columbia, on April 4, 1946, be filled by the reappointment of the present incumbent for the statutory term of six years.

Approved May 2, 1946.

[CHAPTER 247]

AN ACT

Making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes, namely:

CIVIL FUNCTIONS OF THE WAR DEPARTMENT

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

Post, p. 268.

Maintenance of National cemeteries.

Cemeterial expenses: For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of grave sites; purchase of tools and materials; purchase (not to exceed five), repair, maintenance, and operation of passenger-carrying motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and including the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; for headstones or markers for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873, February 3, 1879, February 26, 1929, and April 18, 1940 (24 U. S. C. 279-280b), and civilians interred in post cemeteries; for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate

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

Confederate cemeteries.

May 2, 1946
[H. J. Res. 333]
[Public Law 373]

Board of Regents of Smithsonian Institution.

May 2, 1946
[H. R. 5400]
[Public Law 374]

War Department Civil Appropriation Act, 1947.
Post, pp. 268, 565, 917.

burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; and for care and maintenance of graves used by the Army for burials in commercial cemeteries, \$2,433,000: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Commercial cemeteries.

Encroachment by railroad.

Roadway repairs.

SIGNAL CORPS

ALASKA COMMUNICATION SYSTEM

Alaska Communication System: For operation, maintenance, and improvement of the Alaska Communication System, including travel allowances and travel in kind as authorized by law, and operation and maintenance of passenger-carrying vehicles, \$543,000, to be derived from the receipts of the Alaska Communication System which have been covered into the Treasury of the United States, and to remain available until the close of the fiscal year 1948: *Provided*, That the Secretary of War shall report to Congress the extent and cost of any extensions and betterments which may be effected under this appropriation.

Post, p. 917.

Report to Congress.

CORPS OF ENGINEERS

RIVERS AND HARBORS AND FLOOD CONTROL

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the Office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors and flood control, surveys, and preparation for and the consideration of river and harbor and flood control estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1947 shall not exceed \$1,000,000, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each: *Provided further*, That no appropriation under the Corps of Engineers for the fiscal year 1947 shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business:

Post, pp. 634, 641.

Additional personnel.

Limitation on expenditures.

Report to Congress.

Power-driven boats.

RIVERS AND HARBORS

Maintenance and improvement of existing river and harbor works: For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and

Maintenance, etc.
Post, p. 634.

California Débris Commission. 27 Stat. 507.

Student officers.

41 Stat. 785. 10 U. S. C., Supp. V, § 535.

Printing and binding.

Vehicles and motorboats.

Unauthorized surveys, etc.

Bridge, Illinois River.

Harbor channels.

Permanent International Commission of the Congresses of Navigation.

Alteration of bridges.

54 Stat. 497. 33 U. S. C. §§ 511-523.

Construction and maintenance. Post, p. 641.

49 Stat. 1570. 33 U. S. C. §§ 701a-701f, 701h; Supp. V, § 701b et seq.

Vehicles.

injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States, including maintenance of the Hennepin Canal in Illinois; for payment annually of tuition fees of not to exceed fifty student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as amended (10 U. S. C. 535); for examinations, surveys, and contingencies of rivers and harbors; for the execution of detailed investigations and the preparation of plans and specifications for projects heretofore or hereafter authorized; for printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, including such printing as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase in the fiscal year 1947, of not to exceed five hundred and fifty motor-propelled passenger-carrying vehicles and ten motorboats: *Provided*, That no part of this appropriation shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, \$110,125,250, including \$25,000 for the removal of the Upper Free Bridge over the Illinois River at Peoria, Illinois: *Provided further*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board of Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That not to exceed \$3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the expenses of the properly accredited delegates of the United States to the meeting of the Congresses and of the Commission.

Alteration of bridges over navigable waters of the United States: For payment of the share of the United States of the cost of alteration of bridges over navigable waters of the United States in accordance with the provisions of the Act of June 21, 1940 (Public Law 647), \$2,900,000, to remain available until expended.

FLOOD CONTROL

Flood control, general: For the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for the purchase in the fiscal year 1947, of

not to exceed two hundred motor-propelled passenger-carrying vehicles, and for preliminary examinations, surveys, and contingencies in connection with the flood control, \$144,065,000: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated herein may be used to execute detailed surveys, and prepare plans and specifications, necessary for the construction of flood-control projects heretofore or hereafter authorized or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938, and section 3 of the Flood Control Act approved August 18, 1941 (55 Stat. 638): *Provided further*, That the expenditure of funds for completing the necessary surveys shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That no part of this appropriation shall be available or used to maintain or operate the Garrison (North Dakota) Reservoir at a higher maximum normal pool elevation than one thousand eight hundred and thirty feet, or for constructing dikes or levees which would be required by a higher maximum normal pool elevation than one thousand eight hundred and thirty feet for operating such dam: *Provided further*, That in the construction of the Fort Gibson flood-control project in Oklahoma, the Chief of Engineers is authorized and directed to cooperate with the officials of the city of Muskogee in protecting the domestic water supply of such city.

Flood control, Kings River and Tulare Lake, California: For construction of works for flood control and other purposes on the Kings River and Tulare Lake, California, \$1,000,000, as authorized in Public Law Numbered 534, Seventy-eighth Congress, second session, approved December 22, 1944: *Provided*, That none of the appropriation for the Kings River and Tulare Lake project, California, shall be used for the construction of the dam until the Secretary of War has received the reports as to the division of costs between flood control, navigation, and other water uses from the Bureau of Reclamation and local organizations and, with the concurrence of the Secretary of the Interior, shall have made a determination as to what the allocation shall be: *Provided further*, That the reports from these continuing studies shall be made not later than six months from the date of the enactment of this Act and that the agreement of concurrence shall be made not later than nine months from the date of the enactment of this Act.

Flood control, Sutton Reservoir, West Virginia: For flood control works in connection with the Sutton Reservoir, West Virginia, as authorized in the 1938 Flood Control Act, \$750,000.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved May 15, 1928, as amended (33 U. S. C. 702a), including printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for the purchase, in the fiscal year 1947 of not to exceed one hundred and sixteen motor-propelled passenger-carrying vehicles, and four motorboats, \$46,000,000.

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

Flood control, Sacramento River, California: For prosecuting work of flood control, Sacramento River, California, in accordance with

Salmon River,
Alaska.

Surveys, plans, etc.

52 Stat. 1216.
33 U. S. C. § 701j;
Supp. V, §§ 702a-134,
702a-12.

Garrison Reservoir,
N. Dak.
Post, p. 167.

Fort Gibson project,
Okla.

Kings River and
Tulare Lake, Calif.

58 Stat. 901.
Restriction.

Reports and agree-
ment.

Sutton Reservoir,
W. Va.

Mississippi River
and tributaries.
45 Stat. 534.

33 U. S. C. § 702g-1.

Sacramento River,
Calif.

39 Stat. 949.
33 U. S. C. §§ 701-703.

Fort Peck Dam,
Mont.

52 Stat. 403.
16 U. S. C. §§ 833-
833k.

the provisions of the Act approved March 1, 1917, as amended (33 U. S. C. 703, 704; 50 Stat. 849; 55 Stat. 638-651), \$2,000,000.

Power plant, Fort Peck Dam, Montana: For completing the construction of the hydroelectric power plant at Fort Peck Dam, Montana, as authorized by the Act approved May 18, 1938 (16 U. S. C. 833), to remain available until expended, \$1,505,000.

MISCELLANEOUS CIVIL WORKS

Federal water mains
outside D. C.

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

UNITED STATES SOLDIERS' HOME

Restriction.

For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, \$1,596,248: *Provided*, That \$54,768 of such amount shall be immediately available: *Provided further*, That this appropriation shall not be available for the payment of hospitalization of members of the home in United States Army hospitals at rates in excess of those prescribed by the Secretary of War, upon the recommendation of the Board of Commissioners of the home and the Surgeon General of the Army.

THE PANAMA CANAL

Maintenance, etc.

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, and construction of additional facilities, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; lawbooks; textbooks and books of reference; printing and binding, including printing of annual report; personal services in the District of Columbia, purchase (not to exceed twenty in the fiscal year 1947), maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels, cargo, crew, or passengers, as authorized by section 10 of title 2, Canal Zone Code, as amended (54 Stat. 387); claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; travel expenses when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; not to exceed \$2,000 for travel and subsistence expenses of members of the police and fire forces

Damage claims.

48 U. S. C. § 1319.

37 Stat. 560.
48 U. S. C. §§ 1301-
1387; Supp. V, § 1306
et seq.

Emergencies.

Travel expenses.

of the Panama Canal incident to their special training in the United States; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; purchase, construction, repair, replacement, alteration, or enlargement of buildings, structures, equipment, and other improvements; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

For maintenance and operation of the Panama Canal: Salary of the Governor, \$10,000; contingencies of the Governor, including entertainment, to be expended in his discretion, not exceeding \$3,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; relief payments authorized by the Act approved July 8, 1937 (50 Stat. 478); and not to exceed \$7,500 for deposit in the general fund of the Treasury for cost of penalty mail for offices of the Panama Canal in the United States as required by section 2 of the Act of June 28, 1944 (Public Law 364); in all, \$12,749,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, and payments of not to exceed \$50 in any one case to persons within the Government service who shall furnish blood from their veins for transfusion to the veins of patients in Panama Canal Hospitals, \$2,010,000.

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, \$2,424,000: *Provided*, That \$18,000 of such amount shall be immediately available.

Construction of additional facilities, Panama Canal: For construction of additional facilities for the improvement and enlargement of the capacity of the Panama Canal, in accordance with the Act of August 11, 1939 (53 Stat. 1409), and for carrying out the purposes of Public Law 280, approved December 28, 1945, including reimbursements to the appropriations for "Maintenance and operation, sanitation, and civil government, Panama Canal", in such amounts as the Governor of the Panama Canal shall from time to time determine to be additional costs incurred for the objects specified in said appropriations on account of the prosecution of the work; in all, \$2,618,000, to be immediately available.

Total Panama Canal, \$19,801,000, to be available until expended.

In addition to the foregoing sums there is hereby made available for the fiscal year 1947 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, and to remain available until

Buildings and improvements.

Maintenance and operation of Panama Canal.

Alien cripples.
39 Stat. 750.
5 U. S. C., Supp. V, § 793.

Relief payments.
48 U. S. C. § 1372.

Penalty mail costs.
58 Stat. 394.
39 U. S. C., Supp. V, § 321d.
37 Stat. 560.
48 U. S. C. §§ 1301-1387; Supp. V, § 1306 *et seq.*

Blood for transfusions.

Civil government.

Additional facilities.

48 U. S. C. § 1307 note.
59 Stat. 663.

Additional sums.

expended, all moneys received by the Panama Canal during the fiscal year 1947 and prior fiscal years (exclusive of net profits for such prior fiscal years) from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Net profits.

Waterworks, etc.,
Panama and Colon.

There is also made available for the fiscal year 1947 for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, to remain available until expended, the necessary portions of such sums as shall be paid during that fiscal year as water rentals or directly by the Government of Panama for such expenses; and notwithstanding the transfer of the waterworks and sewer systems pursuant to the joint resolution approved May 3, 1943 (Public Law 48), any unexpended balances of the sums made available by this paragraph, together with the unexpended balances of sums heretofore made available for the same purpose in prior fiscal years, shall be immediately available and shall remain available until expended for the purposes for which they were made available.

57 Stat. 74.

Canal Zone.
Citizenship require-
ment.

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

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

Limitation.

Employees with 15
years of service.

Selection of person-
nel.

Hours of employ-
ment; pay rates.

Applicability.

States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1947, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

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

SEC. 4. The Governor of the Panama Canal is hereby authorized to employ by contract or otherwise without regard to section 3709, Revised Statutes, and at such rates as he may determine, the services of architects, engineers, and other technical and professional personnel, or firms or corporations thereof, as may be necessary.

SEC. 5. Appropriations for the Military Establishment and for civil functions administered by the War Department for the fiscal year 1947 may be used for carrying into effect the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army", approved July 3, 1943.

SEC. 6. No part of the appropriation for the Garrison Reservoir herein contained may be expended for actual construction of the dam itself until the Secretary of War shall have selected and offered, through the Secretary of the Interior, to the Three Affiliated Tribes, land which the Secretary of the Interior approves as comparable in quality and sufficient in area to compensate the said tribes for the land on the Fort Berthold Reservation which shall be inundated by the construction of the Garrison Dam: *Provided further*, That said selection and offer by the Secretary of War and approval by the Secretary of the Interior shall be consummated before January 1, 1947, after which consummation actual construction of the dam itself may proceed: *And provided further*, That funds appropriated for the construction of said dam may be transferred to the Secretary of the Interior for use by him in acquiring title to the lands thus selected.

SEC. 7. This Act may be cited as the "War Department Civil Appropriation Act, 1947".

Approved May 2, 1946.

Wartime or emergency suspension.

Housing shortage.

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Technical and professional personnel.
41 U. S. C. § 5.
Post, p. 809.

War Department and Army damage claims.

57 Stat. 372.
31 U. S. C., Supp. V. §§ 215-217 notes, 222a note, 222b note, 223b, 223c.
Post, pp. 332, 846, 817.

Garrison Reservoir, construction.
Ante, p. 163.

Time limit.

Transfer of funds.

Short title.

[CHAPTER 248]

AN ACT

To amend the Surplus Property Act of 1944 with reference to veterans' preference, and for other purposes.

May 3, 1946
[S. 1757]

[Public Law 375]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of the Surplus Property Act of 1944 is amended to read as follows:

58 Stat. 773.
50 U. S. C., Supp.
V, app. § 1625.

“DISPOSITIONS TO VETERANS

Priority.

“SEC. 16. (a) The Administrator shall prescribe regulations to effectuate the objectives of this Act to aid veterans in the acquisition of surplus property, in appropriate quantities and types, to enable them to establish and maintain their own small business, professional, or agricultural enterprises. Disposals of surplus property (except real property) to veterans under this subsection shall be given priority over all other disposals of property provided for in this Act except transfers to Government agencies under section 12.

Infra; post, p. 169.

Availability of quantities and types.

“(b) Notwithstanding the provisions of section 12 of this Act, the Administrator may cause to be set aside or otherwise to be made available quantities and types of any surplus property, except real property, which he determines to be appropriate for exclusive disposal to veterans for their own personal use, and to enable them to establish and maintain their own small business, professional, or agricultural enterprises. The Administrator shall prescribe regulations designed to achieve the equitable distribution of such surplus property among veterans. In selecting any types or quantities of surplus property for disposal in accordance with the provisions of this subsection, the Administrator shall give due consideration to the availability of adequate facilities for and the costs of the distribution of such property. The Administrator shall from time to time cause to be compiled and widely publicized information as to the types and quantities of such surplus property which has or will become available within a given period of time for exclusive disposal to veterans in accordance with the provisions of this subsection.

Selection.

Information.

Time for disposal.

“(c) The Administrator shall prescribe a reasonable time of not less than 15 days after public notice during which property offered to veterans under this section shall be held for disposal to them.”

58 Stat. 770.
50 U. S. C., Supp.
V, app. § 1621 (a).

Interagency transfers.

SEC. 2. Section 12 (a) of the Surplus Property Act of 1944 is amended to read as follows:

Priority of disposals.

“(a) It shall be the duty of the Administrator to facilitate the transfer of surplus property from one Government agency to other Government agencies for their own use and not for transfer or disposition; and the transfer of surplus property under this section shall be given priority over all other disposals provided for in this Act, except disposals to veterans of property reserved exclusively for veterans under subsection (b) of section 16 of this Act. The Administrator shall prescribe a reasonable time within which Government agencies shall exercise the priority provided by this subsection, but the time so fixed shall not exceed twenty days from the time public notice is given of the availability of the surplus property for disposal to Government agencies.”

Supra.

58 Stat. 770.
50 U. S. C., Supp.
V, app. § 1621 (c).

Transfers at fair value.

SEC. 3. Section 12 (c) of the Surplus Property Act of 1944 is amended to read as follows:

“(c) The disposal agency responsible for any such property shall transfer it to the Government agency acquiring it at the fair value

of the property as fixed by the disposal agency, under regulations prescribed by the Administrator, unless transfer without reimbursement or transfer of funds is authorized under subsection (d) of this section.”

SEC. 4. Section 12 of the Surplus Property Act of 1944 is amended by adding a new subsection (d) to read as follows:

“(d) Notwithstanding the provisions of section 34 (a) of this Act, no Government agency may transfer any property to any other Government agency without reimbursement or transfer of funds under authority of any law approved prior to June 22, 1944. Any disposal agency may transfer surplus property to a Government agency without reimbursement or transfer of funds whenever a transfer on such terms by the owning agency (by which such property was declared surplus) would be authorized by any law approved subsequent to June 21, 1944, to be made to the Government agency desiring such property.”

SEC. 5. Section 13 (f) of the Surplus Property Act of 1944 is amended to read as follows:

“(f) The disposal of surplus property under this section to States and political subdivisions and instrumentalities thereof shall be given priority over all other disposals of property provided for in this Act, except transfers to Government agencies under section 12 and disposals to veterans under section 16 and purchases made under subsection (e) of section 18: *Provided*, That the Administrator may prescribe a reasonable time during which such priority shall be exercised.”

SEC. 6. The last sentence of subsection (e) of section 18 thereof is hereby amended to read as follows: “The disposal of surplus property under this subsection shall be given priority immediately following transfers to other Government agencies under section 12 and disposals to veterans under section 16. The provisions of subsection (c) of section 12 shall be applicable to purchases made under this subsection.”

Approved May 3, 1946.

[CHAPTER 249]

AN ACT

To amend the Act entitled “An Act to authorize black-outs in the District of Columbia, and for other purposes”, approved December 26, 1941, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled “An Act to authorize black-outs in the District of Columbia, and for other purposes”, approved December 26, 1941, as amended, be further amended by adding thereto the following new section:

“SEC. 15. Up to and including December 31, 1947, the Commissioners of the District of Columbia are authorized and empowered, in their discretion, to provide services to veterans and war workers and to expend any moneys otherwise available for expenditure under this Act for all necessary expenses, including personal services without regard to civil service or classification laws.”

SEC. 2. There is hereby authorized to be appropriated out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated such sums as may be necessary to carry out the provisions of this amendment.

Approved May 9, 1946.

Infra.

Ante, p. 168.

Reimbursement for property transferred.
58 Stat. 783.
50 U. S. C., Supp. V, app. § 1643 (a).

58 Stat. 772.
50 U. S. C., Supp. V, app. § 1622 (f).
Disposals to States, etc.

Supra; *ante*, p. 168.

58 Stat. 774.
50 U. S. C., Supp. V, app. § 1627 (e).
Infra.

Smaller War Plants Corporation.

Supra; *ante*, p. 168.

May 9, 1946
[H. R. 5719]

[Public Law 376]

Black-outs, D. C.
55 Stat. 858.
D. C. Code, Supp. V, §§ 6-1001 to 6-1014.

Services to veterans and war workers.

Appropriation authorized.

[CHAPTER 251]

AN ACT

To provide Federal aid for the development of public airports.

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Airport Act".

PROVISIONS OF GENERAL APPLICATION

Definitions

SEC. 2. (a) As used in this Act—

"Administrator."

(1) "Administrator" means the Administrator of Civil Aeronautics.

"Airport."

(2) "Airport" means any area of land or water which is used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

"Airport development."

(3) "Airport development" means (A) any work involved in constructing, improving, or repairing a public airport or portion thereof, including the construction, alteration, and repair of airport administrative buildings and the removal, lowering, relocation, and marking and lighting of airport hazards, and (B) any acquisition of land or of any interest therein, or of any easement through or other interest in air space, which is necessary to permit any such work or to remove or mitigate, or prevent or limit the establishment of, airport hazards; but such term does not include the construction, alteration, or repair of airport hangars.

Airport hangars.

"Airport hazard."

(4) "Airport hazard" means any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the air space required for the flight of aircraft in landing or taking off at such airport or is otherwise hazardous to such landing or taking off of aircraft.

"Project."

(5) "Project" means a project for the accomplishment of airport development with respect to a particular airport.

"Project costs."

(6) "Project costs" means any costs involved in accomplishing a project under this Act, including those of making field surveys, preparation of plans and specifications, supervision and inspection of construction work, procurement of the accomplishment of such work by contract, and acquisition of land or interests therein or easements through or other interests in air space, and also including administrative and other incidental costs incurred specifically in connection with the accomplishment of a project, and which would not have been incurred otherwise.

"Public agency."

(7) "Public agency" means the United States Government or an agency thereof; a State, the Territory of Alaska, the Territory of Hawaii, or Puerto Rico, or an agency of any of them; a municipality or other political subdivision; or a tax-supported organization.

"Public airport."

(8) "Public airport" means any airport which is used or to be used for public purposes, under the control of a public agency, the landing area of which is publicly owned.

"Sponsor."

(9) "Sponsor" means any public agency which, either individually or jointly with one or more other public agencies, submits to the Administrator, in accordance with this Act, an application for a grant of funds for airport development.

(10) "United States share" means that portion of the project costs of approved projects under this Act which is to be paid from appropriations made under authority of this Act.

"United States share."

(11) "Military and naval aircraft" means aircraft owned and operated by the United States Army, the United States Navy, the United States Coast Guard, or the United States Marine Corps.

"Military and naval aircraft."

(12) "State" means a State of the United States or the District of Columbia.

"State."

Airport Classifications

(b) For purposes of this Act, a project shall be considered one for development of an airport of a certain class if upon completion of the airport development proposed, the airport so developed would be properly classifiable as of that class according to the airport classification standards of the Administrator stated in Civil Aeronautics Administration Bulletin "Airport Design" dated April 1, 1944.

NATIONAL AIRPORT PLAN

Formulation of Plan

SEC. 3. (a) The Administrator is hereby authorized and directed to prepare, and revise annually, a national plan for the development of public airports in the United States, including the Territory of Alaska, the Territory of Hawaii, and Puerto Rico. Such plan shall specify, in terms of general location and type of development, the projects considered by the Administrator to be necessary to provide a system of public airports adequate to anticipate and meet the needs of civil aeronautics. In formulating and revising such plan, the Administrator shall take into account the needs of both air commerce and private flying, the probable technological developments in the science of aeronautics, the probable growth and requirements of civil aeronautics, and such other considerations as he may deem appropriate, and shall, to the extent feasible, consult, and give consideration to the views and recommendations of, the Civil Aeronautics Board, the States, the Territories, and Puerto Rico, and their political subdivisions, and shall, to the extent feasible, consult, and give consideration to the views and recommendations of, the Federal Communications Commission, and shall make all reasonable efforts to cooperate with that Commission for the purpose of eliminating, preventing, or minimizing airport hazards caused by construction or operation of any radio station. In carrying out this section the Administrator is authorized to make such surveys, studies, examinations, and investigations as he may deem necessary.

Preparation and annual revision.

Consultations.

Hazards caused by radio stations.

Surveys, etc.

Consultation with War and Navy Departments

(b) In carrying out this section the Administrator shall also consider the views and recommendations of the War and Navy Departments to the end that the airport development included in such plan may be as useful for national defense as is feasible, and shall ascertain from such Departments the extent to which military and naval airports and airport facilities will be available for civil use. The War and Navy Departments shall consider the views and recommendations of the Administrator to the end that military and naval airports and airport facilities may be made available for civil use to such extent as is feasible.

FEDERAL-AID AIRPORT PROGRAM

SEC. 4. In order to bring about, in conformity with the national airport plan prepared and from time to time revised as provided in this

Grants of funds.

Act, the establishment of a Nation-wide system of public airports adequate to meet the present and future needs of civil aeronautics, the Administrator is authorized, within the limits of available appropriations made therefor by the Congress, to make grants of funds to sponsors for airport development as hereinafter provided.

Authorizations.
Post, p. 468.

APPROPRIATIONS

Appropriation for Preliminary Expenses

Planning and sur-
veys.

SEC. 5. (a) In addition to amounts hereinafter authorized to be appropriated for administrative expenses, the sum of \$3,000,000 is hereby authorized to be appropriated immediately upon the enactment of this Act for expenses of preliminary planning and surveys incident to the initiation of the airport program provided for by this Act, including administrative expenses, which sum shall remain available until expended.

Annual Appropriations for Projects in States

Planning and re-
search.

(b) For the purpose of carrying out this Act with respect to projects in the several States, annual appropriations amounting in the aggregate to \$500,000,000 are hereby authorized to be made to the Administrator over a period of seven fiscal years, beginning with the fiscal year ending June 30, 1947. The appropriation for any such fiscal year shall not exceed \$100,000,000 and shall remain available until June 30, 1953, unless sooner expended. Not to exceed 5 per centum of any such annual appropriation, as specified in the Act making such appropriation, shall be available to the Administrator for necessary planning and research and for administrative expenses incident to the administration of this Act in the several States; except that if 5 per centum of the appropriation for any fiscal year is less than \$3,500,000, or if there is no appropriation for such fiscal year, not to exceed \$3,500,000 in the aggregate may be made available to the Administrator, for such fiscal year, for such planning and research and administrative expenses. Any amounts made available to the Administrator for such planning and research and administrative expenses shall be deducted for purposes of determining the amounts available for grants for projects in the several States.

Annual Appropriations for Projects in Alaska, Hawaii, and Puerto Rico

Planning and re-
search.

(c) For the purpose of carrying out this Act with respect to projects in the Territories of Alaska and Hawaii, and in Puerto Rico, annual appropriations amounting in the aggregate to \$20,000,000 are hereby authorized to be made to the Administrator over a period of seven fiscal years beginning with the fiscal year ending June 30, 1947. The appropriation for any such fiscal year shall remain available until June 30, 1953, unless sooner expended. Not to exceed 5 per centum of any such annual appropriation, as specified in the Act making such appropriation, shall be available to the Administrator for necessary planning and research and for administrative expenses incident to the administration of this Act with respect to projects in the Territories of Alaska and Hawaii, and in Puerto Rico; and the amount so available shall be deducted from such appropriation for purposes of determining the amount thereof available for grants for projects therein. Of the total amount available for such grants, 50 per centum shall be available for projects in the Territory of Alaska,

25 per centum shall be available for projects in the Territory of Hawaii, and 25 per centum shall be available for projects in Puerto Rico.

Administrative Expenses

(d) As used in this section, the term "administrative expenses" includes expenses under this Act of the character specified in section 204 of the Civil Aeronautics Act of 1938, as amended (U. S. C., 1940 edition, title 49, sec. 424).

52 Stat. 983.

DISTRIBUTION OF FUNDS AVAILABLE FOR PROJECTS IN STATES

Post, p. 468

Apportionment of Funds

SEC. 6. (a) As soon as possible after any appropriation is made under section 5 (b), 75 per centum of the amount thereof available for grants for projects in the several States shall be apportioned by the Administrator among the several States, one-half in the proportion which the population of each State bears to the total population of all the States, and one-half in the proportion which the area of each State bears to the total area of all the States. All sums so apportioned for a State shall be available only to pay the United States share of the allowable project costs of approved projects located in that State, or sponsored by that State or some public agency thereof but located in an adjoining State. Upon making an apportionment as provided in this subsection, the Administrator shall inform the executive head of each State, and any public agency which has requested such information, as to the sums apportioned for each State. As used in this subsection the term "population" means the population according to the latest decennial census of the United States and the term "area" includes both land and water.

"Population."
"Area."

Discretionary Fund

(b) (1) All moneys appropriated under section 5 (b) which are available for grants for projects in the several States, and which are not apportioned as provided in subsection (a) of this section, shall constitute a discretionary fund.

(2) The moneys in such discretionary fund shall be available to pay the United States share of the allowable project costs of such approved projects in the several States as the Administrator may deem most appropriate for carrying out the national airport plan, regardless of the States in which they are located. The Administrator shall give consideration, in determining the projects for which the moneys in such fund are to be so used, to the existing airport facilities in the several States and to the need for or lack of development of airport facilities in the several States.

U. S. share of costs.

(3) The moneys in such discretionary fund shall also be available to pay the United States share of the allowable project costs of such approved projects in national parks and national recreation areas, national monuments, and national forests, sponsored by the United States or any agency thereof, as the Administrator may deem appropriate for carrying out the national airport plan; but no other funds appropriated under authority of this Act shall be available for such purpose. The sponsor's share of the project costs of any such approved project shall be paid only out of funds contributed to the sponsor for the purpose of paying such costs (receipt of which funds and their use for this purpose is hereby authorized) or appropriations specifically authorized therefor.

National parks, etc.

Sponsor's share of
costs.

AVAILABILITY OF FUNDS FOR PROJECTS IN ALASKA, HAWAII, AND PUERTO RICO

SEC. 7. All funds available for grants for projects in the Territory of Alaska, in the Territory of Hawaii, or in Puerto Rico, respectively, shall be available to pay the United States share of the allowable project costs of such approved projects therein as the Administrator may deem most appropriate for carrying out the national airport plan.

CONDITION PRECEDENT TO DEVELOPMENT OF LARGER AIRPORTS

Request for authority.

SEC. 8. At least two months prior to the close of each fiscal year, the Administrator shall submit to the Congress a request for authority to undertake during the next fiscal year those of the projects for the development of class 4 and larger airports, included in the then current revision of the national airport plan formulated by him under this Act, which, in his opinion, should be undertaken during that fiscal year, together with an estimate of the Federal funds required to pay the United States share of the allowable project costs of such projects. In determining which projects to include in such a request, the Administrator shall consider, among other things, the relative aeronautical need for and urgency of the projects included in the plan and the likelihood of securing satisfactory sponsorship of such projects. In granting any funds that thereafter may be appropriated to pay the United States share of allowable project costs during the next fiscal year, the Administrator may consider such appropriation as granting the authority requested unless a contrary intent shall have been manifested by the Congress by law or by concurrent resolution, and no such grants shall be made unless so authorized.

Determination of projects.

Granting of funds.

SUBMISSION AND APPROVAL OF PROJECTS

Submission

Application by public agency.

SEC. 9. (a) Subject to the provisions of subsections (b) and (c) of this section, any public agency, or two or more public agencies acting jointly, may submit to the Administrator a project application in such form, and containing such supporting information, as may be prescribed by the Administrator and setting forth the airport development proposed to be undertaken. No project application shall propose airport development other than that included in the then current revision of the national airport plan formulated by the Administrator under this Act, and all such proposed development shall be in accordance with standards established by the Administrator, including standards for site location, airport layout, grading, drainage, seeding, paving, lighting, and safety of approaches.

Applications by Public Agencies Whose Powers Are Limited by State Law

(b) Nothing in this Act shall authorize the submission of a project application by any municipality or other public agency which is subject to the law of any State if the submission of such project application by such municipality or other public agency is prohibited by the law of such State.

Applications by Federal Agencies

(c) Nothing in this Act shall authorize the submission of a project application by the United States or any agency thereof, except in the case of a project in the Territory of Alaska, the Territory of Hawaii, or Puerto Rico, or in a national park or national recreation area, a national monument, or a national forest.

Approval

(d) All such projects shall be subject to the approval of the Administrator, which approval shall be given only if, at the time of approval, funds are available for payment of the United States share of the allowable project costs, and only if he is satisfied that the project will contribute to the accomplishment of the purposes of this Act, that sufficient funds are available for that portion of the project costs which is not to be paid by the United States under this Act, that the project will be completed without undue delay, that the public agency or public agencies which submitted the project application have legal authority to engage in the airport development as proposed, and that all project sponsorship requirements prescribed by or under the authority of this Act have been or will be met. No project shall be approved by the Administrator with respect to any airport unless a public agency holds good title, satisfactory to the Administrator, to the landing area of such airport or the site therefor, or gives assurance satisfactory to the Administrator that such title will be acquired.

Hearings

(e) Project applications shall be matters of public record in the office of the Administrator. Any public agency, person, association, firm, or corporation having a substantial interest in the disposition of any application by the Administrator may file with the Administrator a memorandum in support of or in opposition to such application; and any such agency, person, association, firm, or corporation shall be accorded, upon request, a public hearing with respect to the location of any airport the development of which is proposed. The Administrator is authorized to prescribe regulations governing such public hearings, and such regulations may prescribe a reasonable time within which requests for public hearings shall be made and such other reasonable requirements as may be necessary to avoid undue delay in disposing of project applications.

UNITED STATES SHARE OF PROJECT COSTS

General Provision

SEC. 10. (a) Except as provided in subsections (b), (c), and (d) of this section, the United States share payable on account of any approved project under this Act shall be—

(1) in the case of a project for the development of a class 3 or smaller airport, 50 per centum of the allowable project costs of the project;

Class 3 project.

(2) in the case of a project for the development of a class 4 or larger airport, such portion of the allowable project costs of the project (not to exceed 50 per centum) as the Administrator may deem appropriate for carrying out the provisions of this Act.

Class 4 project.

Projects in Public Land States

(b) In the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands (individual and tribal) exceeding 5 per centum of the total area of all lands therein, the United States share under subsection (a) (1), and the maximum United States share under subsection (a) (2), shall be increased by whichever is the smaller of the following percentages thereof: (1) 25 per centum, or (2) a percentage equal to one-half the percentage that the area of all such lands in such State is of its total area.

Projects in Alaska

(c) The United States share payable on account of any approved project in the Territory of Alaska shall be such portion of the allowable project costs of the project (not less than 50 per centum in the case of a class 3 or smaller airport, and not to exceed 75 per centum in the case of an airport of any class) as the Administrator may deem appropriate for carrying out the provisions of this Act.

Acquisitions of Land and Interests in Air Space

(d) To the extent that the project costs of an approved project represent the cost of acquiring land or interests therein or easements through or other interests in air space, the United States share (1) in the case of a project for the development of a class 3 or smaller airport, shall be 25 per centum of the allowable costs of such acquisition, and (2) in the case of a project for the development of a class 4 or larger airport, shall be not to exceed 25 per centum of the allowable costs of such acquisition.

PROJECT SPONSORSHIP

SEC. 11. As a condition precedent to his approval of a project under this Act, the Administrator shall receive assurances in writing, satisfactory to him, that—

Public use.

(1) the airport to which the project relates will be available for public use on fair and reasonable terms and without unjust discrimination;

Operation and maintenance.

(2) such airport and all facilities thereon or connected therewith will be suitably operated and maintained, with due regard to climatic and flood conditions;

Aerial approaches.

(3) the aerial approaches to such airport will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards;

Use by military and naval aircraft.

(4) all the facilities of the airport developed with Federal aid and all those usable for the landing and take-off of aircraft will be available to the United States for use by military and naval aircraft in common with other aircraft at all times without charge, except, if the use by military and naval aircraft shall be substantial, a reasonable share, proportional to such use, of the cost of operating and maintaining the facilities so used;

Space for traffic control.

(5) the airport operator or owner will furnish to any civil agency of the Government, without charge (except for light, heat, janitor service, and similar facilities and services at the reasonable cost thereof), such space in airport buildings as may be reasonably adequate for use in connection with any air traffic control activities, or weather-reporting activities and communications activities related to air traffic control, which such agency may deem it necessary to establish and maintain at the airport;

Accounts and records.

(6) all project accounts and records will be kept in accordance with a standard system of accounting prescribed by the Administrator after consultation with appropriate public agencies;

Reports.

(7) the airport operator or owner will submit to the Administrator such annual or special airport financial and operations reports as the Administrator may reasonably request; and

Inspection of records.

(8) the airport and all airport records will be available for inspection by any duly authorized agent of the Administrator upon reasonable request.

To insure compliance with this section, the Administrator shall prescribe such project sponsorship requirements, consistent with the terms of this Act, as he may deem necessary. Among other steps to insure such compliance the Administrator is authorized to enter into contracts with public agencies, on behalf of the United States.

Prescribed requirements.

GRANT AGREEMENTS

SEC. 12. Upon approving a project the Administrator, on behalf of the United States, shall transmit to the sponsor or sponsors of the project an offer to pay the United States share of the allowable project costs of such project. Any such offer shall be made upon such terms, and subject to such conditions, as the Administrator may deem necessary to meet the requirements of this Act and the regulations prescribed thereunder. Each such offer shall state a definite amount as the maximum obligation of the United States payable from funds appropriated under authority of this Act, and shall stipulate the obligations to be assumed by the sponsor or sponsors of the project. If and when any such offer is accepted in writing by the sponsor or sponsors to which it is made, such offer and acceptance shall comprise a grant agreement constituting an obligation of the United States and of the sponsor or sponsors so accepting, and thereafter the amount stated in the accepted offer as the maximum obligation of the United States under such grant agreement shall not be increased. Unless and until such a grant agreement has been executed with respect to a project, the United States shall not pay, nor be obligated to pay, any portion of the project costs which have been or may be incurred in carrying out that project.

Offer to pay U. S. share.

ALLOWABLE PROJECT COSTS

SEC. 13. Except as provided in section 14, the United States shall not pay, or be obligated to pay, from amounts appropriated to carry out the provisions of this Act, any portion of a project cost incurred in carrying out a project unless the Administrator has first determined that such cost is allowable. A project cost shall be allowable if—

(1) it was a necessary cost incurred in accomplishing airport development in conformity with approved plans and specifications for an approved project and with the terms and conditions of the grant agreement entered into in connection with such project;

Conformity with approved plans.

(2) it was incurred subsequent to the execution of the grant agreement with respect to the project, and in connection with airport development accomplished under such project after the execution of such grant agreement: *Provided, however,* That the allowable costs of a project may include any necessary costs of formulating the project (including those of field surveys and the preparation of plans and specifications, including costs of acquiring land or interests therein or easements through or other interests in air space, and including any necessary administrative or other incidental costs incurred by the sponsor specifically in connection with the accomplishment of the project, which would not have been incurred otherwise) which were incurred subsequent to the enactment of this Act; and

Incurrence after execution of grant agreement.

(3) it is reasonable in amount, in the opinion of the Administrator: *Provided,* That if the Administrator determines that a project cost is unreasonable in amount, he shall allow, as an allowable project cost under this section, only such amount of such

Reasonable amount.

project cost as he determines to be reasonable and no project costs in excess of the definite amount stated in the grant agreement shall be allowable.

Auditing.

The Administrator is authorized to prescribe such regulations, including regulations with respect to the auditing of project costs, as he may deem necessary to effectuate the purposes of this section.

PAYMENTS

Determination of times and amounts.

SEC. 14. The Administrator, after consultation with the sponsor or sponsors with which a grant agreement has been entered into, shall determine at what times, and in what amounts, payments shall be made under this Act. The aggregate of such payments at any time with respect to a particular project shall not exceed a percentage of the project costs of the airport development which has been performed up to that time (and which the sponsor or sponsors to which the payments are to be made certify to have been performed in accordance with the approved plans and specifications for such project), equal to the percentage of the allowable project costs of the project determined to be the United States share of such costs; and if the Administrator shall determine at any time that the aggregate of such payments exceeds the United States share of the allowable project costs of such project the United States shall be entitled to recover such excess. Such payments shall be made to such official or officials or depository, authorized by law to receive public funds, as may be designated by the sponsor or sponsors entitled to such payments.

PERFORMANCE OF CONSTRUCTION WORK

Regulations of the Administrator

SEC. 15. (a) The construction work on any approved project shall be subject to inspection and approval by the Administrator and in accordance with regulations prescribed by him. Such regulations shall require such cost and progress reporting by the sponsor or sponsors of such project as the Administrator shall deem necessary. No such regulation shall have the effect of altering any contract in connection with any project entered into without actual notice of the regulation.

Minimum Rates of Wages

(b) All contracts for work on projects approved under this Act which involves labor shall contain provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

Other Provisions as to Labor

(c) All contracts for work on projects approved under this Act which involves labor shall contain such provisions as are necessary to insure (1) that no convict labor shall be employed; and (2) that in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given, where they are qualified, to individuals who have served as persons in the military service of the United States (as defined in section 101 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940), and who have been honorably discharged from such service: *Provided*, That such preference shall apply only where such labor is available and qualified to perform the work to which the employment relates.

54 Stat. 1179.
50 U. S. C. app.
§ 511 (1); Supp. V, app
§ 511 note.

USE OF GOVERNMENT-OWNED LANDS

Requests for Use

SEC. 16. (a) Whenever the Administrator determines that use of any lands owned or controlled by the United States is reasonably necessary for carrying out a project under this Act, or for the operation of any public airport, he shall file with the head of the department or agency having control of such lands a request that such property interest therein as he may deem necessary be conveyed to the public agency sponsoring the project in question or owning or controlling the airport. Such property interest may consist of the title to or any other interest in land or any easement through or other interest in air space.

Making of Conveyances

(b) Upon receipt of a request from the Administrator under this section, the head of the department or agency having control of the lands in question shall determine whether the requested conveyance is inconsistent with the needs of the department or agency, and shall notify the Administrator of his determination within a period of four months after receipt of the Administrator's request. If such department or agency head determines that the requested conveyance is not inconsistent with the needs of that department or agency, such department or agency head is hereby authorized and directed, with the approval of the President and the Attorney General of the United States, and without any expense to the United States, to perform any acts and to execute any instruments necessary to make the conveyance requested; but each such conveyance shall be made on the condition that the property interest conveyed shall automatically revert to the United States in the event that the lands in question are not developed, or cease to be used, for airport purposes.

Condition.

REIMBURSEMENT FOR DAMAGE BY FEDERAL AGENCIES TO PUBLIC AIRPORTS

Submission and Determination of Claims

SEC. 17. (a) Reimbursement shall be made to public agencies, as provided in this section, for the necessary rehabilitation or repair of public airports heretofore or hereafter substantially damaged by any Federal agency. The Administrator is authorized on behalf of the United States to consider, ascertain, adjust, and determine in accordance with regulations he shall prescribe pursuant to this section, any claim submitted by any public agency for reimbursement of the cost of necessary rehabilitation or repair of a public airport, under the control or management of such public agency, substantially damaged by any Federal agency.

Certification of Claims to Congress

(b) Such amount as may be found to be due to any claimant under this section shall be certified by the Administrator to Congress as a claim against the United States, and appropriations for payment of such claims are hereby authorized to be made. Such certification shall include a brief statement of the character of each claim, the amount claimed, and the amount allowed.

Limitation on Submission of Claims

(c) No claim shall be considered by the Administrator pursuant to this section unless such claim has been presented to him within six months after the occurrence of the damage upon which the claim

is based, except that in case of damage caused by operations of a military nature during time of war such notice may be filed within sixty days after termination of the war.

REPORTS TO CONGRESS

SEC. 18. On or before the third day of January of each year the Administrator shall make a report to the Congress describing his operations under this Act during the preceding fiscal year, including detailed statements of the airport development accomplished, the status of each project undertaken, the allocation of appropriations, and itemized statements of expenditures and receipts, and setting forth his recommendations, if any, for legislation amending or supplementing this Act.

FALSE STATEMENTS

SEC. 19. Any officer, agent, or employee of the United States, or any officer, agent, or employee of any public agency, or any person, association, firm, or corporation who shall knowingly make any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof, in connection with the submission of plans, maps, specifications, contracts, or estimates of project costs for any project submitted to the Administrator for approval under this Act or shall knowingly make any false statement, false representation, or false report or claim for work or materials for any project approved by the Administrator under this Act, or shall knowingly make any false statement or false representation in any report required to be made under this Act, with the intent to defraud the United States shall, upon conviction thereof, be punished by imprisonment for not to exceed five years or by a fine of not to exceed \$10,000, or by both such fine and imprisonment.

Penalty.

EXISTING AIRPORT PROGRAMS

SEC. 20. Nothing in this Act shall affect the carrying out of the program for the development of public landing areas necessary for national defense, authorized by the Department of Commerce Appropriation Act, 1946, or the program for the development of civil landing areas, authorized by the First Supplemental National Defense Appropriation Act, 1944, which programs shall be additional to the Federal-aid airport program authorized by this Act.

59 Stat. 190.

57 Stat. 621.

Approved May 13, 1946.

[CHAPTER 252]

AN ACT

To provide reimbursement for personal property lost, damaged, or destroyed as the result of explosions at the naval ammunition depot, Hastings, Nebraska, on April 6, 1944, and September 15, 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$25,000, as may be required by the Secretary of the Navy to pay claims, including those of naval and civilian personnel of the Naval Establishment, for privately owned property lost, damaged, or destroyed as the result of explosions at the naval ammunition depot, Hastings,

May 14, 1946
[S. 1812]

[Public Law 378]

Navy.
Payment of damage
claims.

Nebraska, on April 6, 1944, and September 15, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 14, 1946.

[CHAPTER 253]

JOINT RESOLUTION

To extend the Selective Training and Service Act of 1940, as amended, until July 1, 1946.

May 14, 1946
[S. J. Res. 159]
[Public Law 379]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 (b) of the Selective Training and Service Act of 1940, as amended, is amended by striking out "May 15, 1946" and inserting "July 1, 1946".

54 Stat. 897,
50 U. S. C., Supp.
V, app. § 316 (b).
Post, p. 342.

SEC. 2. Section 5 (e) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

54 Stat. 888,
50 U. S. C., Supp.
V, app. § 305 (e).
Post, p. 342.

"(3) After May 14, 1946, no individual who has a child or children shall be inducted without his consent for training and service under this Act. As used in this paragraph the term 'child' includes a child legally adopted, a stepchild, a foster child, and a person who is supported in good faith by the individual in a relationship similar to that of a parent and child but such term does not include any person eighteen years of age or over unless such person is physically or mentally handicapped."

Exemption from induction.

"Child."

SEC. 3. So much of the first sentence of section 3 (a) of the Selective Training and Service Act of 1940, as amended, as precedes the first proviso is amended to read as follows:

54 Stat. 885,
50 U. S. C., Supp. V,
app. § 303 (a).
Post, p. 341.

"Sec. 3. (a) Except as otherwise provided in this Act, every male citizen of the United States, and every other male person residing in the United States, who is between the ages of twenty and thirty, at the time fixed for his registration, or who attains the age of twenty after having been required to register pursuant to section 2 of this Act, shall be liable for training and service in the land or naval forces of the United States."

Persons liable for training and service.

54 Stat. 885,
50 U. S. C., Supp. V,
app. § 302.

Approved May 14, 1946, 8 P. M.

[CHAPTER 257]

AN ACT

To exempt from taxation certain property of the Disabled American Veterans in the District of Columbia.

May 15, 1946
[S. 1961]
[Public Law 380]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the property situated in square 153 in the city of Washington, District of Columbia, described as lot 132, owned, occupied, and used by the Disabled American Veterans, is hereby exempt from all taxation so long as the same is so owned and occupied, and not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia", approved December 24, 1942.

56 Stat. 1091.
D. C. Code, Supp.
V, §§ 47-801b, 47-801c, 47-801e.

Approved May 15, 1946.

[CHAPTER 258]

AN ACT

May 15, 1946

[H. R. 6305]

[Public Law 381]

To make permanent the provisions of the Act of July 11, 1941, prohibiting prostitution in the vicinity of military and naval establishments.

Prostitution near military and naval establishments.

55 Stat. 583.
18 U. S. C., Supp. V, § 518a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to prohibit prostitution within such reasonable distance of Military and/or Naval Establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy", approved July 11, 1941, as amended, is amended by striking out "until May 15, 1946, or the date of the termination of hostilities in the present war, or on such earlier date as may be specified in a concurrent resolution of the two Houses of Congress for that purpose. As used in this section the term 'date of the termination of hostilities in the present war' means the date proclaimed by the President as the date of such termination or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier".

Approved May 15, 1946.

[CHAPTER 260]

AN ACT

May 16, 1946

[S. 2101]

[Public Law 382]

To amend the Trading With the Enemy Act, as amended, to permit the shipment of relief supplies.

40 Stat. 411.
50 U. S. C. app. §§ 1-31; Supp. V, § 3 et seq.
Ante, pp. 50, 54;
post, pp. 418, 925, 944.
Relief supplies.
Post, p. 939.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Trading With the Enemy Act, as amended, is amended by adding the following new section at the end thereof:

"SEC. —. (a) Notwithstanding any other provision of this Act, it shall be lawful, at any time after the date of cessation of hostilities with any country with which the United States is at war, for any person in the United States to donate, or otherwise dispose of to, and to transport or deliver to, any person in such country any article or articles (including food, clothing, and medicine) intended to be used solely to relieve human suffering.

"(b) As used in this section—

"(1) the term 'person' means any individual, partnership, association, company, or other unincorporated body of individuals, or corporation or body politic;

"(2) with respect to any country with which the United States was at war on January 1, 1946, the term 'date of cessation of hostilities' shall mean the date of enactment of this Act;

"(3) with respect to any other war the term 'date of cessation of hostilities' shall mean the date specified by proclamation of the President or by a concurrent resolution of the two Houses of Congress, whichever is the earlier."

Approved May 16, 1946.

[CHAPTER 261]

AN ACT

May 16, 1946

[H. R. 3936]

[Public Law 383]

To provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States.

Return of remains of certain persons buried outside U. S.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby declares it to be in the public interest to provide for the evacuation and return of the remains of certain persons who have died since September 3, 1939, and whose remains are buried in places located outside the continental limits of the United States and could

not be returned to their homeland for burial due to wartime shipping restrictions, and to centralize in one agency the task of evacuation and return of such remains.

SEC. 2. All evacuation and return activities herein provided for are hereby made a responsibility of the Secretary of War.

Responsibility.

SEC. 3. The Secretary of War is hereby authorized and directed, upon his own initiative, in the case of unidentified remains; and upon application by the next of kin, in the case of identified remains, to return to the homeland for interment at places designated by the next of kin, or in national cemeteries provided such remains are entitled to interment therein, the remains of persons who died on or after September 3, 1939, and are buried outside the continental limits of the United States, and who were—

Unidentified remains.

(a) members of the armed forces of the United States who died in the service;

(b) civilian officers and employees of the United States;

(c) citizens of the United States who served in the armed forces of any government at war with Germany, Italy, or Japan and who died while in such service and who were citizens of the United States at the time of such service;

(d) citizens of the United States whose homes are in fact in the United States and whose death outside the continental limits thereof can be directly attributed to the war or who died while employed or otherwise engaged in activities contributing to the prosecution of the war; and

(e) such other citizens of the United States, the return of the remains of whom would in the discretion of the Secretary of War, serve the public interest.

SEC. 4. The Secretary of War is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes and provisions of this Act.

Rules and regulations.

SEC. 5. There is hereby authorized to be appropriated from time to time such sums as may be necessary to carry out the provisions of this Act, said sums to be made available for civil functions administered by the War Department, "Cemeterial expenses, War Department", to be expended under the direction of the Secretary of War.

Appropriations authorized.
Ante, p. 160; *post*, p. 268.

SEC. 6. This Act and the authority granted therein and all rules and regulations promulgated thereunder shall terminate five years after the cessation of hostilities with Japan, as proclaimed by the President, or upon such earlier date as may be specified in a proclamation by the President, or in a concurrent resolution by the two houses of Congress, as the date beyond which further continuance of the authority granted by this Act is not necessary in the public interest, whichever date is earliest: *Provided*, That as to any applications provided for under section 3 filed prior to such termination date, the provisions of this Act and such rules or regulations promulgated pursuant thereto shall be treated as remaining in force for the purpose of providing for the return of remains in proper cases.

Termination of Act, etc.

Prior applications.

Approved May 16, 1946.

[CHAPTER 263]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes.

May 18, 1946
[H. R. 5890]
[Public Law 384]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations

Second Deficiency
Appropriation Act,
1946.

for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

59 Stat. 243.

SENATE

Joint Committee on Internal Revenue Taxation: For payment of one-half of an additional amount for salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, fiscal year 1946, \$3,000.

56 Stat. 750.
40 U. S. C., Supp.
V, §§ 174f-174j.
Post, p. 602.

Senate restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1942, fiscal year 1946, \$6,000.

For an additional amount for miscellaneous items, exclusive of labor, fiscal year 1946, \$260,000.

HOUSE OF REPRESENTATIVES

To pay the widow of William Olin Burgin, late a Representative from the State of North Carolina, \$10,000.

59 Stat. 248.

CONTINGENT EXPENSES OF THE HOUSE

Miscellaneous items: For an additional amount for miscellaneous items, fiscal year 1946, \$15,000.

Post, p. 263.

Reporting hearings: For an additional amount for stenographic reports of hearings of committees other than special and select committees, fiscal year 1946, \$15,000.

Special and select committees: For an additional amount for expenses of special and select committees authorized by the House, fiscal year 1946, \$100,000.

Joint Committee on Internal Revenue Taxation: For payment of one-half of an additional amount for salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, fiscal year 1946, \$3,000.

Post, p. 263.

Telegraph and telephone: For an additional amount for telegraph and telephone service, exclusive of personal services, fiscal year 1946, \$125,000.

Post, p. 602.

Stationery: For an additional amount for stationery (additional allowance, second session, of the Seventy-ninth Congress), fiscal year 1946, \$2,700.

COMMITTEE ON FEDERAL EXPENDITURES

For an amount which is hereby authorized to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, \$20,000, to be disbursed by the Secretary of the Senate.

26 U. S. C., Supp.
V, note prec. § 3656.

ARCHITECT OF THE CAPITOL

Senate Office Building: For an additional amount, fiscal year 1946, for maintenance, including the objects specified under this head in the Legislative Branch Appropriation Act, 1946, \$22,000, to remain available until June 30, 1947: *Provided*, That, effective May 1, 1946,

59 Stat. 252.

the appropriation for salaries, Office of the Architect of the Capitol, contained in the Legislative Branch Appropriation Act, 1946, shall provide as follows: "For the Architect of the Capitol, Assistant Architect of the Capitol (whose compensation shall be at the rate of \$7,000 per annum), Chief Architectural and Engineering Assistant, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect, and, in case of the absence or disability of the Assistant Architect, the Chief Architectural and Engineering Assistant shall so act; \$66,700."

CAPITOL BUILDINGS AND GROUNDS

Capitol power plant: For an additional amount for lighting, heating, and power for the Capitol, Senate, and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and so forth, fiscal year 1946, to remain available until June 30, 1947, including the objects specified under this head in the Legislative Branch Appropriation Act, 1946, \$22,500.

59 Stat. 252.

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$28,000.

59 Stat. 106.

PETROLEUM ADMINISTRATION FOR WAR

Salaries and expenses: The limitation in the appropriation "Salaries and expenses, Petroleum Administration for War", in the National War Agencies Appropriation Act, 1946, on the amount which may be expended for printing and binding is hereby increased from "\$20,000" to "\$30,000".

59 Stat. 483.

WAR SHIPPING ADMINISTRATION

War Shipping Administration, revolving fund: The amount that may be used for administrative expenses for the fiscal year 1946 under the head "War Shipping Administration, revolving fund" is hereby increased by \$3,325,000.

59 Stat. 480.

INDEPENDENT EXECUTIVE AGENCIES

CIVIL SERVICE COMMISSION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$369,000: *Provided*, That the limitation on the amount available for printing and binding is hereby increased from "\$217,000" to "\$267,000".

59 Stat. 108.

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

Enforcement operations: For an additional amount, fiscal year 1946, for "Enforcement operations", \$60,000, and the limitation for personal services in the District of Columbia is hereby increased from "\$680,000" to "\$692,000".

59 Stat. 266.

FREEDMEN'S HOSPITAL

59 Stat. 366.

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, \$20,500.

PUBLIC HEALTH SERVICE

59 Stat. 369.

Hospitals and medical care: For an additional amount, fiscal year 1946, for "Hospitals and medical care", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, \$748,000.

FEDERAL WORKS AGENCY

PUBLIC BUILDINGS ADMINISTRATION

Travel expenses.

Return of departmental functions to the seat of government: For all expenses, including personal services in the District of Columbia and travel and other expenses of the Public Buildings Administration incident thereto, necessary to provide for the transfer to the seat of government of such bureaus, offices, agencies, or activities of the Federal Government as are designated from time to time by the President, which were removed from, or established at places other than, the seat of government by reason of the national emergency, including the expenses of travel of employees transferred, including reimbursement in lieu of actual expenses of transportation at not to exceed five cents per mile for travel performed in a privately owned automobile; transportation of immediate families of employees; the expenses of packing, crating, drayage, transportation, temporary storage, unpacking, and uncrating of household goods and personal effects in an amount not exceeding seven thousand pounds if uncrated and eight thousand seven hundred and fifty pounds if crated, in accordance with regulations approved by the President; and the payment to employees of special allowances at \$5 per day after arrival at destination for six days for employees, plus \$2.50 per day additional for six days for each member of immediate families of employees; \$495,020, to remain available until expended: *Provided*, That removal to the seat of government of Government-owned or leased furniture, equipment, supplies, and other property and household goods and personal effects of employees, and costs of restoration of leased office space when required, may be accomplished without regard to section 3709 of the Revised Statutes: *Provided further*, That employees transferred to the seat of government, in accordance with a designation of the President as hereinbefore set forth, but prior to the approval of this Act, in addition to payment of transportation and other allowances authorized by other law in connection with change of station, shall be entitled to the special allowances herein authorized and to reimbursement for temporary storage and excess costs of transportation of household goods and personal effects to the limits specified herein: *Provided further*, That such sums as may be determined by the Commissioner of Public Buildings to be necessary therefor may be transferred to other agencies concerned for the payment to the transferred employees of the allowances mentioned herein.

Removal of property to seat of Government, etc.

41 U. S. C. § 5.
Post, p. 809.
Special allowances and reimbursement.

Transfer of funds.

59 Stat. 114.

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For an additional amount, fiscal year 1946, for "Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$1,780,000.

Salaries and expenses, public buildings and grounds outside the District of Columbia: For an additional amount, fiscal year 1946, for "Salaries and expenses, public buildings and grounds outside the District of Columbia", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$950,000.

59 Stat. 114.

PUBLIC ROADS ADMINISTRATION

Damage claims: For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended (23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army or the Navy, or both, by any other agency of the Government, and so forth", as fully set forth in Senate Document Numbered 163, and House Document Numbered 475, Seventy-ninth Congress, \$780,379.53.

55 Stat. 768.
23 U. S. C., Supp.
V. § 110.

NATIONAL HOUSING AGENCY

FEDERAL HOUSING ADMINISTRATION

Salaries and expenses: In addition to the funds made available to the Federal Housing Administration by the Independent Offices Appropriation Act, 1946, and the First Deficiency Appropriation Act, 1946, for "Salaries and expenses", there is hereby made available to said Administration not to exceed \$400,000 from the sources specified under said head.

59 Stat. 123, 640.

NATIONAL MEDIATION BOARD

Arbitration, emergency, and emergency panel boards: For an additional amount, fiscal year 1946, for "Arbitration, emergency, and emergency panel boards", including the objects specified under this head in the Labor-Federal Security Appropriation Act, 1946, \$37,500.

59 Stat. 378.

RAILROAD RETIREMENT BOARD

Salaries: For an additional amount, fiscal year 1946, for "Salaries", \$140,000.

Miscellaneous expenses (other than salaries): For an additional amount, fiscal year 1946, for "Miscellaneous expenses (other than salaries)", including the objects specified under this head in the Railroad Retirement Board Appropriation Act, 1946, \$30,000.

59 Stat. 379.

Penalty mail costs: For an additional amount, fiscal year 1946, for deposit in the general fund of the Treasury for cost of penalty mail of the Railroad Retirement Board, \$15,000.

SECURITIES AND EXCHANGE COMMISSION

Salaries and expenses: The limitation under this head in the Independent Offices Appropriation Act, 1946, on the amount which may be expended for penalty mail costs is hereby increased from "\$13,500" to "\$15,000".

59 Stat. 125.

SMITHSONIAN INSTITUTION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, Smithsonian Institution", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$18,000.

59 Stat. 125.

Salaries and expenses, National Gallery of Art: For an additional amount, fiscal year 1946, for "Salaries and expenses, National Gallery of Art", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$16,000.

59 Stat. 125.

TARIFF COMMISSION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses of the Tariff Commission", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$53,000.

59 Stat. 126.

UNITED STATES MARITIME COMMISSION

The amount that may be used for administrative expenses in the fiscal year 1946 under the head "United States Maritime Commission" is hereby increased by \$1,330,000, and the limitation on the amount which may be expended for attendance at meetings is hereby increased by \$1,000.

59 Stat. 127.

VETERANS' ADMINISTRATION

Army and Navy pensions: Effective as of January 1, 1946, and until June 30, 1947, the appropriation "Army and Navy Pensions" is hereby made available for the payment of the subsistence allowances authorized by part VII of Veterans Regulation 1 (a), as amended.

57 Stat. 43.
38 U. S. C., Supp.
V, note foll. § 735.
Ante, p. 124.

Travel expenses: The limitation imposed by section 105 of the Independent Offices Appropriation Act, 1946, upon "travel expenses", is hereby increased to \$7,500,000.

59 Stat. 130.

OFFICE OF WAR MOBILIZATION AND RECONVERSION

Salaries and expenses: Not to exceed \$200,000 of this appropriation for the fiscal year 1946 shall be available and continue available until June 30, 1947, for expenses of the Office of War Mobilization and Reconversion for a study of guaranteed annual wage plans, including salary of the Director of the study at not to exceed \$10,000 per annum; printing and binding; and objects specified under the head "General provisions" in the National War Agencies Appropriation Act, 1946.

Guaranteed annual
wage plans.
Post, p. 611.

59 Stat. 486.

DISTRICT OF COLUMBIA

HEALTH DEPARTMENT

Operating expenses, Gallinger Municipal Hospital: For an additional amount for the fiscal year 1946 for all expenses necessary for Gallinger Municipal Hospital and the Tuberculosis Hospital at Fourteenth and Upshur Streets Northwest, including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$5,250.

59 Stat. 282.

PUBLIC WORKS

Capital outlay, Sewer Division: For an additional amount, fiscal year 1946, for "Capital outlay, Sewer Division", including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$300,000, to remain available until June 30, 1947.

59 Stat. 290.

Operating expenses, Water Division (payable from water fund): For an additional amount, fiscal year 1946, for "Operating expenses, Water Division (payable from water fund)", including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$75,000, to remain available until June 30, 1947.

59 Stat. 290.

Capital outlay, Water Division (payable from water fund): For an additional amount, fiscal year 1946, for "Capital outlay, Water Division (payable from water fund)", including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$200,000, to remain available until June 30, 1947.

59 Stat. 291.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia, shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1946.

59 Stat. 271.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Insect investigations: For an additional amount, fiscal year 1946, for "Insect investigations", including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, \$32,000.

59 Stat. 146.

Insect and plant disease control: For an additional amount, fiscal year 1946, for "Insect and plant disease control", \$100,000.

FOREST SERVICE

National forest protection and management: For an additional amount, fiscal year 1946, for "National forest protection and management", including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, \$250,000.

59 Stat. 150.

PRODUCTION AND MARKETING ADMINISTRATION

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES

The limitation on the amount which may be expended for salaries and other administrative expenses under this head in the Department of Agriculture Appropriation Act, 1946, and the Second Deficiency Appropriation Act, 1945, is hereby increased from "\$23,319,200" to "\$23,919,200".

59 Stat. 154, 422.

WATER FACILITIES, ARID AND SEMIARID AREAS

Water facilities, arid and semiarid areas: For an additional amount, fiscal year 1946, for "Water facilities, arid and semiarid areas", including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, \$325,000.

59 Stat. 162.

DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Declassification and technical services: For an additional amount, fiscal year 1946, for "Declassification and technical services", including the objects specified under this head in the First Deficiency Appropriation Act, 1946, \$400,000.

59 Stat. 645.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$50,000.

OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

General administration, Office of the Administrator: For an additional amount, fiscal year 1946, for "General administration, Office of the Administrator", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$39,000.

59 Stat. 188.

Establishment of air-navigation facilities: For an additional amount for "Establishment of air-navigation facilities", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$426,000, and the War and Navy Departments are authorized, during the fiscal year 1946, to transfer without charge, subject to the approval of the Director of the Bureau of the Budget, air-navigation and communication facilities, including appurtenances thereto, to the Administrator of Civil Aeronautics.

59 Stat. 189.

Maintenance and operation of air-navigation facilities: For an additional amount, fiscal year 1946, for "Maintenance and operation of air-navigation facilities", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$837,127.

59 Stat. 189.

Enforcement of safety regulations: For an additional amount, fiscal year 1946, for "Enforcement of safety regulations", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$364,000.

59 Stat. 189.

Maintenance and operation of aircraft: For an additional amount, fiscal year 1946, for "Maintenance and operation of aircraft", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$103,705.

59 Stat. 190.

Maintenance and operation, Washington National Airport: For an additional amount, fiscal year 1946, for "Maintenance and operation, Washington National Airport", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$25,000.

59 Stat. 190.

Construction, Washington National Airport: For the construction of one hangar and the installation of additional paving to facilitate the loading and unloading of aircraft, \$1,342,000, to remain available until expended.

COAST AND GEODETIC SURVEY

Salaries and expenses, departmental: For an additional amount, fiscal year 1946, for "Salaries and expenses, departmental", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$75,000, and the limitation upon the amount which may be expended for personal services is hereby increased from "\$1,806,000" to "\$1,881,000".

59 Stat. 191.

Salaries and expenses, field: For an additional amount, fiscal year 1946, for "Salaries and expenses, field", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$114,000.

59 Stat. 191.

Pay, commissioned officers: For an additional amount, fiscal year 1946, for "Pay, commissioned officers", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$70,000.

59 Stat. 191.

PATENT OFFICE

Photolithographing: For an additional amount, fiscal year 1946, for "Photolithographing", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$400,000.

59 Stat. 192.

59 Stat. 188.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$28,000, of which \$23,100 shall be for

printing the weekly issue of patents, designs, and trade-marks and printing and binding the Official Gazette, including weekly and annual indices; and \$4,900 shall be for miscellaneous printing and binding.

WEATHER BUREAU

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$800,000, and the limitation upon the amount which may be expended for departmental personal services in the District of Columbia is hereby increased from "\$1,142,000" to "\$1,175,000": *Provided*, That in the conduct of meteorological investigations by the Weather Bureau in the Arctic region, the War Department is authorized in the fiscal year 1946, subject to the approval of the Director of the Bureau of the Budget, to transfer without charge to the Weather Bureau materials, equipment, and supplies, surplus to the needs of the War Department and necessary for the establishment, maintenance, and operation of Arctic weather stations.

59 Stat. 194.

Investigations in Arctic region.
Ante, p. 4.

GENERAL PROVISIONS

The provision in the Department of Commerce Appropriation Act, 1946, which authorizes the Secretary of Commerce to delegate his authority to subordinate officials of the Coast and Geodetic Survey, the Weather Bureau, and the Civil Aeronautics Administration, to authorize payment of expenses of travel and transportation of household goods of officers and employees on change of official station, is hereby extended to apply to the payment of expenses of transportation of the immediate families of such officers and employees and to have so applied from July 1, 1945.

Delegation of authority.
59 Stat. 195.

The provision in the Department of Commerce Appropriation Act, 1946, which specifies that the appropriations in the Department of Commerce Appropriation Act, 1945, available for travel shall be available for the traveling expenses of the immediate families of officers and employees of the Department who were returned from points outside the United States during the war is hereby amended by extending said authority to apply to the appropriations available for travel in the Department of Commerce Appropriation Act, 1946, and by increasing the limitation upon the amount which may be expended under said authority, as amended hereby, from "\$1,000" to "\$6,000".

Travel expenses of families returning to U. S.
59 Stat. 195; 58 Stat. 414.

DEPARTMENT OF THE INTERIOR.

COMMISSION OF FINE ARTS

Expenses: For an additional amount, fiscal year 1946, for "Expenses", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$1,500.

59 Stat. 320.

GRAZING SERVICE

Fire fighting: For an additional amount, fiscal year 1946, for "Fire fighting", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$20,000.

59 Stat. 322.

BUREAU OF INDIAN AFFAIRS

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Suppressing forest and range fires: For an additional amount, fiscal year 1946, for "The suppression or emergency prevention of forest

and range fires on or threatening Indian reservations", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$50,000.

59 Stat. 326.

59 Stat. 327.

IRRIGATION AND DRAINAGE

San Carlos project,
Ariz.
Post, p. 618.

Maintenance, San Carlos irrigation project, Gila River Reservation, Arizona: For an additional amount, fiscal year 1946, for operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, \$29,000 (operation and maintenance collections) and \$23,200 (power revenues), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Flathead Reserva-
tion, Mont.

Maintenance, irrigation systems, Flathead Reservation, Montana: For an additional amount, fiscal year 1946, for operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, \$12,800 (operation and maintenance collections), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.
Crow Reservation,
Mont.

Improvement and maintenance, irrigation systems, Crow Reservation, Montana (receipt limitation): For an additional amount for improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, fiscal year 1946, \$21,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.
Uintah Reservation,
Utah.

Maintenance, irrigation systems, Uintah Reservation, Utah: For an additional amount, fiscal year 1945, for "Continuing operation and maintenance and betterment of the irrigation system, Uncompahgre, Uintah, and White River Utes, Utah", including the objects specified under this head in the Interior Department Appropriation Act, 1945, \$3,154.63, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

58 Stat. 475.

48 Stat. 1227.
31 U. S. C. § 725c.
Yakima Reserva-
tion, Wash.

Maintenance, Wapato irrigation and drainage systems, and so forth, Yakima Reservation, Washington: For an additional amount, fiscal year 1946, for operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, \$16,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.
Transfer of equip-
ment, etc., from
WRA.

The Secretary of the Interior is hereby authorized to transfer from the War Relocation Authority to the Bureau of Indian Affairs, without compensation therefor, equipment, materials, and supplies with an appraised value not exceeding \$200,000 from the surplus stores of the Colorado River Relocation Center, located at Poston, Arizona, for use on the Colorado River Indian Reservation, and there is transferred to the Bureau of Indian Affairs, without exchange of funds, such buildings constructed by the War Relocation Authority on the Colorado River and Gila River Indian Reservations as the Secretary of the Interior may determine to be necessary to provide suitable housing for Indian veterans on the Colorado River, Pima, and Papago Indian Reservations, Arizona: *Provided*, That any building materials transferred to the Bureau of Indian Affairs under this authority shall be sold to Indian veterans at such prices and

Sale of building ma-
terials to Indian vet-
erans.

terms as the Secretary of the Interior may determine to be reasonable, and the amounts received shall be paid into the Treasury as miscellaneous receipts.

EDUCATION

Indian schools, support: For an additional amount, fiscal year 1946, for "The support of Indian schools not otherwise provided for", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$200,000.

59 Stat. 331.

Indian boarding schools: For additional amounts, fiscal year 1946, for "Support and education of Indian pupils in nonreservation boarding schools", as follows:

Nonreservation
boarding schools.

Sherman Institute, Riverside, California, \$9,625; and the amount available for the support of Indian pupils is hereby increased from "\$150,810" to "\$160,435"; and the number of pupils from "four hundred" to "four hundred and twenty-five".

Haskell Institute, Lawrence, Kansas, \$28,860; and the amount available for the support of Indian pupils is hereby increased from "\$188,300" to "\$217,160"; and the number of pupils from "five hundred and twelve" to "five hundred and ninety".

Albuquerque, New Mexico, \$11,550; and the amount available for the support of Indian pupils is hereby increased from "\$127,905" to "\$139,455"; and the number of pupils from "three hundred and forty-five" to "three hundred and seventy-five".

Sequoyah Vocational School, near Tahlequah, Oklahoma, \$9,625; and the amount available for the support of Indian pupils is hereby increased from "\$104,080" to "\$113,705"; and the number of pupils from "three hundred" to "three hundred and twenty-five".

Chemawa, Oregon, \$9,625; and the amount available for the support of Indian pupils is hereby increased from "\$152,905" to "\$162,530"; and the number of pupils from "four hundred and twenty-five" to "four hundred and fifty".

Flandreau, South Dakota, \$23,100; and the amount available for the support of Indian pupils is hereby increased from "\$119,475" to "\$142,575"; and the number of pupils from "three hundred and fifteen" to "three hundred and seventy-five".

Natives in Alaska: For an additional amount, fiscal year 1946, for "Natives in Alaska", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$125,000, to remain available until June 30, 1947.

59 Stat. 331.

GENERAL SUPPORT AND ADMINISTRATION

Expenses of tribal councils or committees thereof (tribal funds): For an additional amount, fiscal year 1946, for "Expenses of tribal councils or committees thereof (tribal funds)", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$15,000, payable from funds on deposit to the credit of the particular tribe interested.

59 Stat. 336.

CONSTRUCTION AND REPAIR

Employee's quarters, Flathead Reservation, Montana: For the construction of a dwelling, including furnishings and equipment, at the ranger station, Polson, Montana, to replace one destroyed by fire, fiscal year 1946, to remain available until June 30, 1947, \$8,000.

ROADS AND BRIDGES

Roads, Indian reservations: For an additional amount, fiscal year 1946, for "Construction, improvement, repair, and maintenance of

59 Stat. 337. Indian reservation roads", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$400,000, to remain available until expended.

BUREAU OF RECLAMATION

59 Stat. 340. Rio Grande project, New Mexico-Texas: The limitation under the subhead "Rio Grande project, New Mexico-Texas", Bureau of Reclamation, in the Interior Department Appropriation Act, 1946, upon the amount available from power revenues for the operation and maintenance of the power system is hereby increased from "\$80,700" to "\$130,700".

FISH AND WILDLIFE SERVICE

SALARIES AND EXPENSES

59 Stat. 356. Maintenance of mammal and bird reservations: For an additional amount for administration, protection, and maintenance of mammal and bird reservations, including the objects specified under this head in the Interior Department Appropriation Act, 1946, and for the improvement, construction, and repair of the outlet channel from Reelfoot Lake, Tennessee, to the Mississippi River, and control facilities connected therewith, fiscal year 1946, \$20,000, to remain available until June 30, 1947.

Departmental personal services.
59 Stat. 356.

The limitation in the Interior Department Appropriation Act, 1946, on the amount which may be expended during the fiscal year 1946, from appropriations of the Fish and Wildlife Service for departmental personal services, including such services in the District of Columbia, is hereby increased from "\$704,828" to "\$729,000".

59 Stat. 319. Halibut allocation program: For expenses necessary to enable the Fish and Wildlife Service to administer an allocation program for the Pacific halibut fishery pursuant to authority delegated to the Secretary of the Interior under Food Directive Numbered 2, issued by the Secretary of Agriculture on February 8, 1943 (8 F. R. 1777), as amended March 16, 1943 (8 F. R. 3280), including personal services in the District of Columbia; contract stenographic reporting services; the acceptance and utilization of voluntary and uncompensated services; maintenance, operation, repair, and hire of passenger automobiles; printing and binding; and the purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; fiscal year 1946, \$39,700, to remain available until December 31, 1946.

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

59 Stat. 357. Insane of Alaska: For an additional amount for "Insane of Alaska", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$14,000.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

49 Stat. 1322. Contingent expenses: For an additional amount, fiscal year 1937, for "Contingent expenses", including the objects specified for this purpose in the Department of Justice Appropriation Act, 1937, \$11.

Traveling expenses: For an additional amount, fiscal year 1942, for "Traveling expenses", including the objects specified under this head in the Department of Justice Appropriation Act, 1942, \$1,149.16. 55 Stat. 290.

Printing and binding: For an additional amount, fiscal year 1942, for "Printing and binding", \$436.98.

Salaries and expenses, Lands Division: For an additional amount, fiscal year 1942, for "Salaries and expenses, Lands Division", including the objects specified under this head in the Department of Justice Appropriation Act, 1942, \$5,164.45. Post, p. 266. 55 Stat. 294.

Salaries and expenses of district attorneys, and so forth: For an additional amount, fiscal year 1945, for "Salaries and expenses of district attorneys, and so forth", including the objects specified under this head in the Department of Justice Appropriation Act, 1945, \$65,000. 58 Stat. 409.

Salaries and expenses of district attorneys, and so forth: For an additional amount, fiscal year 1946, for "Salaries and expenses of district attorneys, and so forth", including the objects specified under this head in the Department of Justice Appropriation Act, 1946, \$250,000. 59 Stat. 183.

Salaries and expenses of marshals, and so forth: For an additional amount, fiscal year 1946, for "Salaries and expenses of marshals, and so forth", including the objects specified under this head in the Department of Justice Appropriation Act, 1946, \$260,000. 59 Stat. 183.

FEDERAL PRISON SYSTEM

Medical and hospital service: For an additional amount, fiscal year 1946, for "Medical and hospital service", including objects specified under this head in the Department of Justice Appropriation Act, 1946, \$61,300. 59 Stat. 183.

DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

Salaries: For an additional amount, fiscal year 1946, for "Salaries", \$31,600. 59 Stat. 361.

EMPLOYMENT OFFICE FACILITIES AND SERVICES

Employment Office Facilities and Services: For an additional amount, fiscal year 1946, for "Employment Office Facilities and Services", to be used exclusively for salary increases for United States employees of that Service under State compensation plans, \$3,000,000.

NAVY DEPARTMENT—NAVAL ESTABLISHMENT

BUREAU OF SUPPLIES AND ACCOUNTS

Maintenance, Bureau of Supplies and Accounts: For an additional amount, fiscal year 1940, for "Maintenance, Bureau of Supplies and Accounts", \$171.32. 53 Stat. 769.

MARINE CORPS

GENERAL EXPENSES, MARINE CORPS

Expenses, Marine Band, National Encampment, Grand Army of the Republic, Indianapolis, Indiana: For expenses of the United States Marine Band in attending the National Encampment of the Grand Army of the Republic, Indianapolis, Indiana, August 20 to 31, 1946, \$8,140.

POST OFFICE DEPARTMENT
(Out of the postal revenues)

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

OFFICE OF THE POSTMASTER GENERAL

For additional amounts for "Salaries in Office of Postmaster General and bureaus and offices", Post Office Department, fiscal year 1946, as follows:

59 Stat. 68.

- Office of the Postmaster General, \$10,000.
- Office of the First Assistant Postmaster General, \$30,000.
- Office of the Second Assistant Postmaster General, \$12,600.
- Office of the Third Assistant Postmaster General, \$5,000.
- Office of the Fourth Assistant Postmaster General, \$14,900.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

Contingent and miscellaneous expenses: For an additional amount, fiscal year 1946, for "Contingent and miscellaneous expenses", including the objects specified under this head in the Post Office Department Appropriation Act, 1946, \$8,600.

59 Stat. 68.

59 Stat. 69.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL

Personal or property damage claims: For an additional amount, fiscal year 1946 and prior fiscal years, for "Personal or property damage claims", \$27,500.

OFFICE OF THE CHIEF INSPECTOR

Salaries of inspectors: For an additional amount, fiscal year 1946, for "Salaries of inspectors", \$25,000.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Post. p. 267.

Compensation to postmasters: For an additional amount, fiscal year 1946, for "Compensation to postmasters", \$2,711,000.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Powerboat service: For an additional amount, fiscal year 1946, for "Powerboat service", \$200,000.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Unpaid money orders more than one year old: For an additional amount, fiscal year 1946, for "Unpaid money orders more than one year old", \$487,000.

OFFICE OF FOURTH ASSISTANT POSTMASTER GENERAL

Post office stationery, equipment, and supplies: For an additional amount, fiscal year 1946, for "Post office stationery, equipment, and supplies", including the objects specified under this head in the Post Office Department Appropriation Act, 1946, \$315,000: *Provided*, That the limitation on the amount available for the pay of employees in the District of Columbia in connection with the shipment of supplies is increased from "\$67,400" to "\$78,400".

59 Stat. 72.

Vehicle service: For an additional amount, fiscal year 1946, for "Vehicle service", including the objects specified under this head in the Post Office Department Appropriation Act, 1946, \$60,000.

59 Stat. 73.
Post, p. 267.

Transportation of equipment and supplies: For an additional amount, fiscal year 1946, for "Transportation of equipment and supplies", \$42,000.

DEPARTMENT OF STATE

OFFICE OF THE SECRETARY OF STATE

Salaries: For an additional amount, fiscal year 1946, for "salaries", including the objects specified under this head in the Department of State Appropriation Act, 1946, and, not to exceed \$64,000, for the employment of persons paid on a per diem when actually employed basis without regard to the civil-service and classification laws, \$200,000.

59 Stat. 169.

Contingent expenses: For an additional amount, fiscal year 1946, for "Contingent expenses", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$12,500.

59 Stat. 169.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$200,000.

59 Stat. 170.

FOREIGN OFFICE

Salaries, ambassadors and ministers: For an additional amount, fiscal year 1946, for "Salaries, ambassadors and ministers", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$35,000.

59 Stat. 170.

Transportation, Foreign Service: For an additional amount, fiscal year 1946, for "Transportation, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$198,000.

59 Stat. 171.

Salaries of clerks, Foreign Service: For an additional amount, fiscal year 1946, for "Salaries of clerks, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$433,000.

59 Stat. 172.

Miscellaneous salaries and allowances, Foreign Service: For an additional amount, fiscal year 1946, for "Miscellaneous salaries and allowances, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$163,000.

59 Stat. 172.

Foreign Service, auxiliary (emergency): For an additional amount, fiscal year 1946, for "Foreign Service, auxiliary (emergency)", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$1,067,070.

59 Stat. 173.

The appropriations "Salaries of clerks, Foreign Service", "Miscellaneous salaries and allowances, Foreign Service", and "Foreign Service, auxiliary (emergency)", for the fiscal year 1946 are hereby made available for payment of increases in basic compensation retroactively to July 1, 1945, of Foreign Service employees whose basic compensation was not increased by the provisions of the Federal Employees Pay Act of 1945.

Increases in basic compensation.

Emergencies arising in the Diplomatic and Consular Service: The appropriation "Emergencies arising in the Diplomatic and Consular Service", contained in the Department of State Appropriation Act, 1946, is hereby made available for the deportation of enemy aliens.

59 Stat. 295.
5 U. S. C., Supp. V,
§ 901 note.
Post, p. 216 et seq.
Deportation of enemy aliens.

59 Stat. 174.

INTERNATIONAL OBLIGATIONS

59 Stat. 619.
22 U. S. C., Supp.
V, §§ 287-287e.

Printing and binding.
40 Stat. 1270.
Working capital
fund.

Acquisition of sur-
plus property.

50 U. S. C., Supp.
V, app. §§ 1611-1646.
An/e, pp. 168, 169;
post, pp. 599, 754, 886.

Supplies, etc., for
United Nations from
Government agencies.

United States participation in United Nations: For all necessary expenses of participation by the United States in the United Nations for the fiscal year 1946, pursuant to the provisions of the United Nations Participation Act of 1945, including attendance at meetings of organizations concerned with the work of the United Nations; purchase, hire, maintenance, operation, and repair of automobiles (including the purchase of five, one at not to exceed \$3,000; purchase of uniforms; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); \$6,480,000, of which amount \$6,153,500 shall be available for use as an advance contribution to the United Nations working capital fund, and for reimbursement of the appropriation "Emergencies Arising in the Diplomatic and Consular Service" from which sums have been advanced to the United Nations: *Provided*, That the Department of State, when requested by the United Nations, is authorized to acquire surplus property in accordance with the provisions of the Surplus Property Act of 1944 (58 Stat. 765-784), as amended, with funds hereby appropriated for the United States contribution to the United Nations, and such contribution shall be reduced by the value of the surplus property and necessary expenses, including transportation costs, incident to the acquisition thereof: *Provided further*, That until December 31, 1946, upon request of the United Nations and its agreement to pay the cost and expenses thereof either by advancement of funds or by reimbursement, any executive department, independent establishment, or agency of the United States Government may furnish or may procure and furnish supplies and equipment to the United Nations and, when reimbursements are made by the United Nations, such reimbursements shall be credited to the appropriations, funds, or accounts utilized for this purpose current at the time obligations are incurred or such amounts are received from that organization.

Rio Grande canalization project: For the replacement of the Anthony Bridge, over the Rio Grande within the Rio Grande canalization project, as authorized by and subject to the provisions of the Act, approved April 22, 1940 (54 Stat. 151), fiscal year 1946, \$40,000, to remain available until expended.

TREASURY DEPARTMENT

FISCAL SERVICE—BUREAU OF ACCOUNTS

59 Stat. 58. Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", including the objects specified under this head in the Treasury Department Appropriation Act, 1946, \$3,000.

BUREAU OF INTERNAL REVENUE

59 Stat. 61. Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Treasury Department Appropriation Act, 1946, \$16,350,000: *Provided*, That the limitations on the amounts available for stationery and for personal services in the District of Columbia are hereby increased from "\$1,510,000" to "\$1,575,000" and from "\$11,310,000" to "\$11,895,000", respectively.

BUREAU OF NARCOTICS

59 Stat. 62. Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Treasury Department Appropriation Act, 1946, \$50,800.

SECRET SERVICE DIVISION

Suppressing counterfeiting and other crimes: For an additional amount, fiscal year 1946, for "Suppressing counterfeiting and other crimes", including the objects specified under this head in the Treasury Department Appropriation Act, 1946, \$110,000, and the appropriate appropriation of the War Department shall bear the cost (\$132,550) of air travel accommodations furnished this agency in connection with the Potsdam Conference.

59 Stat. 64.
Potsdam Confer-
ence.
Air travel accom-
modations.

PROCUREMENT DIVISION

The Secretary of War is hereby authorized to transfer to the Secretary of the Treasury for the use of the Procurement Division, without compensation therefor, at such time as it is determined by the War Department that the premises are no longer required by it, the facility, including the land, building, fixtures, improvements, and appurtenances, known as Building Numbered 1 of the Seattle Engineer Redistribution Center, valued at approximately \$590,000, and located at Fourth Avenue South and Lander Street, Seattle, Washington, and the War Department shall appraise the property so transferred and furnish the Bureau of the Budget with a statement in detail of the description and value of such property.

Transfer of facility.

WAR DEPARTMENT

OFFICE OF THE SECRETARY

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army", approved July 3, 1943 (31 U. S. C. 223b), as fully set forth in Senate Document Numbered 164, and House Document Numbered 471, Seventy-ninth Congress, \$543,416.91.

Damages incident
to military activities.

57 Stat. 372.
31 U. S. C., Supp.
V, §§ 215-217 notes,
222a note, 222b note,
223b, 223c.
Post. pp. 332, 846,
847.

CIVIL FUNCTIONS, CORPS OF ENGINEERS

RIVERS AND HARBORS

For an additional amount, fiscal year 1946, for "Rivers and harbors", including the objects specified under this head in the War Department Civil Appropriation Act, 1946, \$865,000, to remain available until expended.

Post, p. 624.

59 Stat. 40.

THE JUDICIARY

UNITED STATES SUPREME COURT

Preparation of Rules for Civil Procedure: For an additional amount for "Preparation of Rules for Civil Procedure, Supreme Court", fiscal year 1946, \$7,500, to remain available until June 30, 1947.

58 Stat. 854.

UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Repairs and improvements, District Court of the United States for the District of Columbia: For an additional amount, fiscal year 1946, for "Repairs and improvements, District Court of the United States for the District of Columbia", including the objects specified

59 Stat. 196.

under this head in the Judiciary Appropriation Act, 1946, \$5,400: *Provided*, That not to exceed \$3,600 of this amount shall be available for structural changes, alterations, and installation of fixtures and equipment in the Municipal Court Building of the District of Columbia (civil branch) including incidental expenses, to provide accommodations in that building for activities of the District Court of the United States for the District of Columbia.

Post, p. 624.

Repairs and improvements, United States Court of Appeals for the District of Columbia: For an additional amount, fiscal year 1946, for "Repairs and improvements, United States Court of Appeals for the District of Columbia", including the objects specified under this head in the Judiciary Appropriation Act, 1946, \$11,000.

59 Stat. 196.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

PROPERTY DAMAGE CLAIMS

SEC. 201. (a) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in House Document Numbered 470, Seventy-ninth Congress, as follows:

Executive Office of the President:

Office for Emergency Management:

Office of Scientific Research and Development, \$45;

Independent offices:

Selective Service System, \$256.98;

Veterans' Administration, \$1,482.16;

Federal Security Agency, \$591.55;

Department of Agriculture, \$999.33;

Department of Commerce, \$289.26;

Department of the Interior, \$3,091.29;

Department of Justice, \$13.50;

Department of Labor, \$15.50;

Navy Department, \$8,795.44;

Post Office Department (payable from postal revenues), \$1,117;

Treasury Department, \$269.94;

In all, \$16,966.95;

(b) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document Numbered 161, Seventy-ninth Congress, as follows:

Executive Office of the President:

Office for Emergency Management: Office of Scientific Research and Development, \$33.24;

Independent offices: National Advisory Committee for Aeronautics, \$28.06;

Federal Works Agency, \$471.20;

Department of Agriculture, \$1,544.60;

Department of Commerce, \$15;

Department of the Interior, \$1,440.41;

42 Stat. 1066.
31 U. S. C., Supp.
V, § 215 note.
Post, p. 846.

42 Stat. 1066.
31 U. S. C., Supp.
V, § 215 note.
Post, p. 846.

Post Office Department (payable from postal revenues), \$332.48;
 Treasury Department, \$2,667.94;
 In all, \$6,532.93.

JUDGMENTS, UNITED STATES COURTS

SEC. 202. (a) For the payment of final judgments, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which have been certified to the Seventy-ninth Congress in Senate Document Numbered 159, and House Document Numbered 477, under the following agencies:

24 Stat. 506.

36 Stat. 1168.

Executive Office of the President:

Office for Emergency Management:

War Shipping Administration, \$9,375;

Department of Agriculture, \$2,786.24;

State Department, \$768.80;

Treasury Department, \$4,000;

War Department, \$26,129.04;

In all, \$43,059.08, together with such additional sum as may be necessary to pay interest as and where specified in the judgments.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 787), and certified to the Seventy-ninth Congress in Senate Document Numbered 158, and House Document Numbered 472, under the following agencies:

Navy Department, \$52,500;

War Department, \$36,188.27;

In all, \$88,688.27, together with such additional sum as may be necessary to pay interest as and where specified in the judgments listed in Senate Document Numbered 158, and House Document Numbered 472; also necessary sum to pay interest on judgments set forth in Senate Document Numbered 112, the principal of the judgments having been appropriated for in Public 269, dated December 28, 1945.

(c) None of the judgments contained under this caption shall be paid until the right of appeal has expired, except such as has become final and conclusive against the United States by failure of the parties to appeal or otherwise.

43 Stat. 1112.
 46 U. S. C. §§ 781-790.

59 Stat. 666.
 Right of appeal.

JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of judgments rendered by the Court of Claims and reported to the Seventy-ninth Congress in Senate Document Numbered 160, and House Document Numbered 476, under the following agencies, namely:

Legislative Branch: Architect of the Capitol, \$6,781.49;

Independent offices:

Veterans' Administration, \$149.58;

Federal Works Agency:

Public Buildings Administration, \$90,998.15;

Work Projects Administration, \$14,902.24;

Department of Agriculture, \$53,723.51;

Department of the Interior:

Civil, \$266,253.85;

Indians, \$1,808.73;

Department of Justice, \$8,285.25;

Navy Department, \$4,426.62;

Treasury Department, \$127,333.47;

War Department, \$115,884.55;

Louis Townsley.

In all, \$690,547.44, together with such additional amount as may be necessary to pay interest as and where specified in the judgments, and interest on the mandate issued in the case of Louis Townsley, Court of Claims Numbered 45097;

Right of appeal.

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

AUDITED CLAIMS

SEC. 204. (a) For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1943 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 162, and House Document Numbered 473, Seventy-ninth Congress, there is appropriated the sum of \$12,202,715.10, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund; \$472.49, payable from District of Columbia revenues, and \$563,026.40, payable from postal revenues; in all, \$12,766,213.99.

18 Stat. 110.

23 Stat. 254.

Volunteers, War with Spain.

(b) For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain, and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899", approved May 2, 1940 (Public Act Numbered 505, Seventy-sixth Congress), and which have been certified to the Seventy-ninth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in House Document Numbered 474, \$417.38.

54 Stat. 176.
10 U. S. C. §§ 866a-866c.

23 Stat. 254.

TITLE III—GENERAL PROVISIONS

Persons advocating overthrow of U. S. Government.

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary

Affidavit.

Penalty.

or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provision of existing law.

SEC. 302. This Act may be cited as the "Second Deficiency Appropriation Act, 1946".

Short title.

Approved May 18, 1946.

[CHAPTER 264]

AN ACT

To authorize the Commissioners of the District of Columbia to provide necessary utilities for veterans' housing furnished and erected by the National Housing Administrator.

May 18, 1946
[S. 1955]

[Public Law 385]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized and empowered to provide necessary sewers, water, and streets in the District of Columbia; Montgomery and Prince Georges Counties, Maryland; and Arlington County, Virginia, for such temporary housing for families of servicemen and for veterans and their families as may be furnished to and erected for the District of Columbia by the National Housing Administrator under authority of the First Deficiency Appropriation Act, 1946. For the purpose of providing such sewers, water, and streets there is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, the sum of \$250,000.

Veterans' temporary housing, D. C.

59 Stat. 632.
Appropriation authorized.
Post, p. 509.

SEC. 2. All temporary housing erected on lands owned by the United States or the District of Columbia, for which authority to provide sewers, water, and streets is granted by this Act, shall be removed within two years after the termination of the emergency declared by the President to exist on September 8, 1939, except that such period for the removal of such housing may be extended for a period not to exceed one additional year upon a determination by the National Housing Administrator, after consultation with the Commissioners of the District of Columbia, that such housing is still needed to provide housing for eligible tenants in the interest of the orderly demobilization of the war effort.

Removal of temporary housing.

54 Stat. 2643.
50 U. S. C. app., note prec. § 1.

Approved May 18, 1946.

[CHAPTER 265]

AN ACT

To provide additional compensation for postmasters and employees of the postal service

May 21, 1946
[H. R. 5059]

[Public Law 386]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all postmasters, officers, and employees in the postal service whose rates of compensation are prescribed by the Act entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, shall receive additional compensation at the rate of \$400 per annum: *Provided*, That employees paid on an hourly or part-time basis shall receive additional compensation at the rate of 20 cents per hour: *Provided further*, That postmasters at post offices of the fourth class shall receive additional compensation at the rate of a sum per annum equal to 20 per centum of their basic annual compensation.

Postal Service.
Additional compensation for employees.

59 Stat. 435.
39 U. S. C., Supp. V., §§ 851-876.

Fourth class offices.

Nonapplicability.

SEC. 2. The provisions of this Act shall not apply to skilled-trades employees of the mail-equipment shops, job cleaners in first- and second-class post offices, and employees who are paid on a fee or contract basis.

Appropriation au-
thorized.
Post, p. 267.
Effective date.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 4. This Act shall take effect on January 1, 1946.

Approved May 21, 1946.

[CHAPTER 267]

AN ACT

To provide for voluntary apprenticeship in the District of Columbia.

May 21, 1946

[S. 1189]

[Public Law 387]

Voluntary appren-
ticeship, D. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to open to young people in the District of Columbia the opportunity to obtain training that will equip them for profitable employment and citizenship; to set up, as a means to this end, a program of voluntary apprenticeship under approved apprenticeship agreements providing facilities for their training and guidance in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education; to promote employment opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an apprenticeship council; to provide for the establishment of local joint trade apprenticeship committees to assist in effectuating the purposes of this Act; to provide for a director of apprenticeship within the District of Columbia; to provide for reports to the Congress and to the public regarding the status of apprenticeship in the District of Columbia; to establish a procedure for the determination of apprenticeship agreement controversies; and to accomplish related ends.

Apprenticeship
Council.
Appointment; com-
position.

SEC. 2. Without regard for any other provision of law with respect to the appointment of officers and employees of the United States or the District of Columbia, the Commissioners of the District of Columbia shall appoint an Apprenticeship Council, composed of three representatives each from employer and employee organizations, respectively. The Superintendent of Schools in the District of Columbia or, if he shall so designate, his representative in charge of trade and industrial education, and the Director of the District of Columbia Employment Center shall, *ex officio*, be members of said council, without vote. The terms of office of the members of the Apprenticeship Council first appointed by the Commissioners shall expire as designated by them at the time of making the appointment: One representative each of employers and employees being appointed for one year; one representative each of employers and employees being appointed for two years; and one representative each of employers and employees for three years. Thereafter, each member shall be appointed for a term of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of said term. The compensation of each member may be fixed without regard to the provisions of the Classification Act of 1923, as amended, and each member of the council, not otherwise compensated by public money, shall be paid not more than \$10 per day for each day spent in attendance at meetings of the Apprenticeship Council.

Ex officio members.

Terms of office.

Compensation.

42 Stat. 1488.
5 U. S. C. §§ 661-674;
Supp. V, § 661 *et seq.*
Post, pp. 216, 219.

Director of Appren-
ticeship.

SEC. 3. The Secretary of Labor shall appoint a Director of Apprenticeship who shall serve without compensation and who shall have no

vote. Without regard for the provisions of any other law with respect to the appointment of officers and employees of the United States or the District of Columbia, the Director of Apprenticeship shall be chosen from among the employees of the Apprentice-Training Service actually engaged in formulating and promoting standards of apprenticeship under the provisions of Public Law Numbered 308. The Apprentice-Training Service is further authorized to supply the Director or the council with such clerical, technical, and professional assistance as shall be deemed by said Service to be essential to effectuate the purposes of this Act.

50 Stat. 664.
29 U. S. C. §§ 50-50b.
Clerical, etc., assistance.

SEC. 4. The Apprenticeship Council shall meet at the call of the Director, or the chairman thereof, and shall aid in formulating policies for the effective administration of this Act. Subject to the approval of the Secretary of Labor, the Apprenticeship Council shall establish standards for apprenticeship agreements in accordance with those prescribed by this Act, shall issue such rules and regulations as may be necessary to carry out the intent and purposes of said Act, and shall perform such other functions as are necessary to carry out the intent of this Act. Not less than once every two years the Apprenticeship Council shall make a report through the Commissioners of its activities and findings to the Congress and to the public.

Meetings, functions, reports.

SEC. 5. The Director, under the supervision of the Secretary of Labor and with the advice and guidance of the Apprenticeship Council, is authorized to administer the provisions of this Act in cooperation with the Apprenticeship Council and local joint trade apprenticeship committees, to set up conditions and training standards for apprentices, which conditions or standards shall in no case be lower than those prescribed by this Act; to act as secretary of the Apprenticeship Council and of joint trade apprenticeship committees; to approve, if, in his opinion, approval is for the best interest of the apprentice, any apprentice agreement which meets the standards established by or in accordance with this Act; to terminate or cancel any apprenticeship agreement in accordance with the provisions of such agreement; and to perform such other duties as are necessary to carry out the intent of this Act: *Provided*, That the administration and supervision of related and supplemental instruction for apprentices, coordination of the instruction with job experiences, and the selection and training of teachers and coordinators for such instruction shall be the responsibility of the District Board of Education.

Administration.

Responsibility of District Board of Education.

SEC. 6. Local joint trade apprenticeship committees in any trade or group of trades may be approved by the Apprenticeship Council. Such apprenticeship committees shall be composed of an equal number of employer and employee representatives appointed by the groups or organizations they represent, or the committee may consist of the employer and not less than two representatives from the recognized bargaining agency. In a trade or group of trades in which there is no bona fide employee organization, the Apprenticeship Council may appoint a joint trade apprenticeship committee from persons known to represent the interests of employers and of employees, or the council may act itself as such joint committee. Subject to the review of the council, and in accordance with standards established by or under authority of this Act, joint trade apprenticeship committees may set up standards to govern the training of apprentices and give such aid as may be necessary in effectuating such standards.

Local joint trade apprenticeship committees.

SEC. 7. The term "apprentice", as used herein, shall mean a person at least sixteen years of age who has entered into a written agreement, hereinafter called an apprenticeship agreement, with an employer, an association of employers, or an organization of employees, which apprenticeship agreement provides for not less than four

"Apprentice."

thousand hours of reasonably continuous employment for such person and for his participation in an approved program of training through employment and through education in related and supplemental subjects.

Apprenticeship
agreement.
Terms and condi-
tions.

SEC. 8. Every apprenticeship agreement entered into under this Act shall contain—

- (1) the names and signatures of the contracting parties, including the apprentice's parent or guardian if he be a minor;
- (2) the date of birth of the apprentice;
- (3) a statement of the trade, craft, or business which the apprentice is to be taught and the time at which the apprenticeship will begin and end;
- (4) a statement showing the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction, which instruction shall be not less than one hundred and forty-four hours per year;
- (5) a statement setting forth a schedule of the processes in the trade or industry divisions in which the apprentice is to be taught and the approximate time to be spent at each process;
- (6) a statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated;
- (7) a statement providing for a period of probation during which time the apprenticeship agreement shall be terminated by the Director at the request in writing of either party, and providing that after such probationary period the apprenticeship agreement may be terminated by the Director by mutual agreement of all parties thereto, or canceled by the Director for good and sufficient reasons;
- (8) a provision that all controversies or differences concerning the apprenticeship agreement which cannot be adjusted by conference between the apprentice and the employer or under the terms of the apprenticeship standard shall be submitted to the Director for determination as provided for in section 9;
- (9) a provision that an employer who is unable to fulfill his obligation under the apprenticeship agreement may, with the approval of the Director or under the direction of the joint trade apprenticeship committee, transfer such contract to any other employer: *Provided*, That the apprentice consents and that such other employer agrees to assume the obligations of said apprenticeship agreement;

(10) such additional terms and conditions as may be prescribed or approved by the council not inconsistent with the provisions of this Act.

Conformity with
standards.

SEC. 9. No apprenticeship agreement shall be registered or approved by the Director under the provisions of this Act unless it conforms with the standards established by or in accordance with this Act and is in the best interests of the apprentice. Where a minor enters into an agreement for a period of training extending into his majority, and such agreement has been approved by the Director, then such apprenticeship agreement shall, if the parties therein so provide, have the same force and effect during the period covered by the majority of such minor as if such agreement were entered into during the majority of such minor.

Agreement entered
into by minor.

Determination, etc.,
of violation.

SEC. 10. (a) Upon the complaint of any interested person or upon his own initiative, the Director may investigate to determine if there has been a violation of the terms of an apprenticeship agreement made under this Act, and he may hold hearings, inquiries, and other proceedings necessary to such investigation and determination. The parties to such an agreement shall be given a fair and impartial

hearing after reasonable notice thereof. All such hearings, investigations, and determinations shall be made under authority of reasonable rules and procedures prescribed by the Apprenticeship Council, subject to the approval of the Secretary of Labor.

(b) The determination of the Director shall be filed with the council. If no appeal therefrom is filed with the council within ten days after the date thereof, as herein provided, such determination shall become the order of the council. Any person aggrieved by any determination or action of the Director may appeal therefrom to the council, which shall hold a hearing thereon after due notice to the interested parties. Any person aggrieved or affected by any determination or order of the council may appeal therefrom to the District Court of the United States for the District of Columbia at any time within thirty days after the date of such order, by service of a written notice of appeal on the Director. Upon service of said notice of appeal, said council, by its secretary, shall forthwith file, with the clerk of said district court to which said appeal is taken, a certified copy of the order appealed from, together with findings of fact on which the same is based. The person serving such notice of appeal shall, within five days after the service thereof, file a copy of the same, with proof of service, with the clerk of the court to which such appeal is taken; and thereupon said district court shall have jurisdiction over said appeal, and the same shall be entered upon the records of said district court and shall be tried therein de novo according to the rules relating to the trial of civil actions, so far as the same are applicable. Any person aggrieved or affected by any determination, order, or decision of the district court may appeal therefrom to the Court of Appeals for the District of Columbia in the same manner as provided by law for the appeal of civil action.

SEC. 11. The provisions of this Act shall apply to any person, firm, corporation, or craft in the District of Columbia which has voluntarily elected to conform with its provisions.

SEC. 12. As used or referred to in this Act the term "the Secretary of Labor" shall mean the administrator of that Department or agency of the United States Government authorized to administer the provisions of Public Law Numbered 308.

SEC. 13. Sections 13, 14, 15, 17, 18, 20, and 21, chapter 2 of title 15 of the Code of Laws of the District of Columbia are hereby repealed.

SEC. 14. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

Approved May 21, 1946.

[CHAPTER 268]

AN ACT

To expedite the availability of housing for veterans of World War II by expediting the production and allocation of materials for housing purposes and by curbing excessive pricing of new housing, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Veterans' Emergency Housing Act of 1946".

SEC. 1. (a) The long-term housing shortage and the war have combined to create an unprecedented emergency shortage of housing, particularly for veterans of World War II and their families. This requires during the next two years a house-construction program larger than ever before. The first step toward such a program is to overcome the serious shortages and bottlenecks with respect to building materials, to expedite the production of such materials, to allocate

Appeal.

Applicability of Act.

"The Secretary of Labor."

50 Stat. 664.
29 U. S. C. §§ 50-50b.

31 Stat. 1218; 68 Stat. 195.

D. C. Code § 36-103 et seq.; Supp. V. § 36-101 et seq.

Separability of provisions.

May 22, 1946
[H. R. 4761]

[Public Law 388]

Veterans' Emergency Housing Act of 1946.

Objectives.

them for house construction and other essential purposes, and to accelerate the production of houses with preferences for veterans of World War II and at sales prices or rentals within their means. To carry out this program, it is necessary to invest a housing expediter with adequate powers, including the power to issue policy directives. Accomplishment of these objectives will assist returning veterans to acquire housing at fair prices, stimulate industry and employment, prevent a post-emergency collapse of values in the housing field, and promote a swift and orderly transition to a peacetime economy.

Termination.

(b) The provisions of this Act, and all regulations and orders issued thereunder, shall terminate on December 31, 1947, or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the provisions of the Act are no longer necessary to deal with the existing national emergency, whichever date is the earlier.

Applicability.

(c) The provisions of this Act shall be applicable to the United States, its Territories and possessions, and the District of Columbia.

Housing Expediter.

SEC. 2. (a) There is hereby created an office to be known as Housing Expediter; and the President is authorized, by and with the advice and consent of the Senate, to appoint an existing official of the Government to serve as Housing Expediter, or to appoint the Housing Expediter either within any existing agency or as an independent officer of the Government. In the event of an appointment of an existing official, he is hereby authorized and permitted to continue in his present post while serving as Housing Expediter, except that he shall receive no additional compensation by reason of his appointment hereunder. If, however, such Housing Expediter is appointed within an existing agency of the Government, he shall receive compensation in compliance with the laws and regulations applicable to officers within such agency; if the Housing Expediter is appointed as an independent officer of the Government, he shall receive compensation at the rate of \$12,000 per annum.

Compensation.

Functions and powers.

(b) The Housing Expediter, in addition to such other functions and powers as may be delegated to him by the President, is authorized to—

(1) formulate such plans and programs as are necessary to provide for an increased supply of housing accommodations of all kinds and, in particular, of homes available for sale or rental at moderate prices to veterans of World War II and their immediate families;

(2) issue such orders, regulations, or directives to other executive agencies (including the Office of Economic Stabilization and the Office of Price Administration) as may be necessary to provide for the exercise of their powers in a manner required by or consistent with the execution of the aforesaid plans and programs, and to coordinate the activities of such agencies directed to the execution of such plans and programs. Each executive agency shall carry out without delay the orders, regulations, or directives of the Housing Expediter, and shall, to the extent necessary, modify its operations and procedures from time to time to conform to the directions of the Housing Expediter;

(3) recommend to the President the enactment of such legislation as may be necessary to provide the authority to carry out such plans and programs as are not authorized under existing law;

(4) consult and cooperate with other agencies of the Federal Government, State and local governments, industries, labor, and other groups, both national and local, with respect to the problems created by the housing emergency and the steps which can be taken to remedy it.

(c) The executive agencies of the Government shall exercise their emergency powers and other powers for the purpose of aiding in the solution of the problems created by the existing housing emergency, the alleviation of which is vital to an orderly transition from war to peace.

(d) (1) All functions, powers, authority, or duties vested in the Office of War Mobilization and Reconversion or the Director thereof by the War Mobilization and Reconversion Act of 1944 which are or may be necessary or suitable to enable the Housing Expediter to carry out the provisions of this Act and such plans and programs as such Housing Expediter may develop for the alleviation of the housing emergency, are hereby transferred to the Housing Expediter. The powers so transferred shall include the power to issue orders, regulations, or directives to other executive agencies with respect to the exercise by such agencies of their respective powers and authority.

(2) The powers so transferred shall continue during the period in which this Act is in effect, notwithstanding any other provision terminating such powers contained in the said War Mobilization and Reconversion Act of 1944.

SEC. 3. (a) Whenever in the judgment of the Expediter the sales prices of housing accommodations the construction of which is completed after the effective date of this Act have risen or threaten to rise to an extent or in a manner inconsistent with the purposes of this Act, he may by regulation or order establish maximum sales prices for such housing accommodations in accordance with the provisions of this Act. Any such regulation or order may be limited in its scope to such geographical area or areas and to such types or classifications of such housing accommodations as in the judgment of the Expediter may be necessary to effectuate the purposes of this Act. Before issuing any regulation or order under this section, the Expediter shall, so far as practicable, advise and consult with representative members of industries affected by such regulation or order, and he shall give consideration to their recommendations and to any recommendations which may be made by State and local officials concerned with housing conditions in any area affected by such regulation or order.

(b) Any regulation or order issued under the authority of this section with respect to housing accommodations the construction of which is completed after the effective date of this Act shall provide that no sale of any such housing accommodations shall take place until after the builder thereof has filed with the appropriate agency designated by the Expediter a description of such accommodations, including a statement of the proposed maximum sales price, and has received from such agency a certification that such price is reasonably related to the value of the accommodations to be sold, taking into consideration (1) reasonable construction costs not in excess of the legal maximum prices of the materials and services required for the construction, (2) the fair market value of the land (immediately prior to construction) and improvements sold with the housing accommodations, and (3) a margin of profit reflecting the generally prevailing profit margin upon comparable units during the calendar year 1941. Any prospective seller of such housing accommodations may apply for such certification at any time, including before the commencement of construction, during its progress, or after its completion. In any case where a certification of approval of a proposed maximum sales price has been issued prior to the completion of construction, the prospective seller may, at any time before the first sale, apply for such revision of the maximum sales price previously arising as may be justified by a showing of special circumstances arising during the

Aid from executive agencies.

Transfer of functions, etc., vested in OWMR.

58 Stat. 785.
50 U. S. C., Supp. V, app. §§ 1651-1678.
Ante, p. 50.

Duration of powers.

Maximum sales prices.

Limitation.

Consultations with representatives of affected industries.

Sale of housing accommodations.

course of construction and not reasonably to have been anticipated at the time of the issuance of the earlier certification. The first sale of housing accommodations the construction of which is completed after the effective date of this Act shall not be made at a price in excess of the maximum sales price certified under this subsection. The actual price at which any such housing accommodations is first sold, plus any increases authorized pursuant to subsection (c), shall be the maximum sales price for any subsequent sale of such housing accommodations.

Price increases.

(c) The Expediter shall by regulation or order provide for appropriate price increases for major structural changes or improvements, not including ordinary maintenance and repair, effected subsequent to the first sale after the effective date of this Act.

Powers of expediter.

(d) The Expediter may promulgate such regulations as he deems necessary and proper to carry out any of the provisions of this Act and may exercise any power or authority conferred upon him by this Act through such department, agency, or officer as he shall direct. Any regulation or order under this Act may contain such classifications and differentiations and may provide for such adjustments and reasonable exceptions as in the judgment of the Expediter are necessary or proper in order to effectuate the purposes of this Act. The Expediter shall have power to forbid the exportation to any foreign country of any lumber or other materials which are needed for the housing program.

Exportation of materials.

Priorities for delivery.

SEC. 4. (a) Whenever in the judgment of the Expediter there is a shortage in the supply of any materials or of any facilities suitable for the construction and/or completion of housing accommodations in rural and urban areas, and for the construction and repair of essential farm buildings, he may by regulation or order allocate, or establish priorities for the delivery of, such materials or facilities in such manner, upon such conditions, and to such extent as he deems necessary and appropriate in the public interest and to effectuate the purposes of this Act.

(b) In issuing any regulation or order allocating or establishing priorities for the delivery of any materials or facilities under this section, the Expediter shall give special consideration to (1) satisfying the housing requirements of veterans of World War II and their immediate families, (2) the need for the construction and repair of essential farm buildings, and (3) the general need for housing accommodations for sale or rent at moderate prices. In order to assure preference or priority of opportunity to such veterans or their families, the Expediter shall require that no housing assisted by allocations or priorities under this section shall be sold within 60 days after completion or rented within 30 days after completion for occupancy by persons other than such veterans or their families: *Provided*, That the Expediter by appropriate regulation may allow for hardship cases.

Preference or priority of opportunity.

Hardship cases.

Power of President to assign priorities, etc.

(c) The provisions of this section shall not be construed as in any way affecting the power of the President to assign priorities or to allocate any materials or facilities under the provisions of subsection (a) of section 2 of the Act of June 28, 1940, entitled "An Act to expedite national defense, and for other purposes" (50 U. S. C. 633), as amended.

54 Stat. 676.
50 U. S. C., Supp. V,
app. § 633.
Post, p. 868.

Unlawful acts.

SEC. 5. It shall be unlawful for any person to effect, either as principal or broker, a sale of any housing accommodations at a price in excess of the maximum sales price applicable to such sale under the provisions of this Act, or to solicit or attempt, offer, or agree to make any such sale. It shall be unlawful for any person to violate the terms of any regulation or order issued under the provisions of this Act. Notwithstanding any termination of this Act as contemplated in section 1 (b) hereinabove, the provisions of this Act, and of all regulations and orders issued thereunder, shall be treated as remaining in

force, as to rights or liabilities incurred or offenses committed prior to such termination date, for the purpose of sustaining any proper suit, action, or prosecution with respect to any such right, liability, or offense.

SEC. 6. Any person who is aggrieved by any action taken pursuant to any regulation or order issued under the authority of this Act may petition the district court of the district in which he resides or has his place of business for a review of such action, and such district court shall have jurisdiction to enjoin or set aside, in whole or in part, such action or to dismiss the petition. No such action shall be enjoined or set aside, in whole or in part, unless the petitioner establishes to the satisfaction of the court that such action is not in accordance with law, is unsupported by competent, material, and substantial evidence, or is arbitrary or capricious.

Judicial review.

SEC. 7. (a) Whenever in the judgment of the Expediter any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of section 5 of this Act, he may make application to the appropriate court for an order enjoining such acts or practices, or for an order enforcing compliance with such provision, and upon a showing by the Expediter that such person has engaged or is about to engage in any such acts or practices a permanent or temporary injunction, restraining order, or other order, may be granted and if granted shall be granted without bond.

Application for order of enforcement.

(b) Any person who willfully violates any provision of section 5 of this Act, and any person who knowingly makes any statement false in any material respect in any description or statement required to be filed under section 3, shall, upon conviction thereof, be subject to a fine of not more than \$5,000, or to imprisonment for not more than one year, or to both such fine and imprisonment. Whenever the Expediter has reason to believe that any person is liable to punishment under this subsection, he may certify the facts to the Attorney General, who may, in his discretion, cause appropriate proceedings to be brought.

Penalties.

(c) The district courts shall have jurisdiction of criminal proceedings for violations of section 5 of this Act, and, concurrently with State and Territorial courts, of all other proceedings under this section. Such criminal proceedings may be brought in any district in which any part of any act or transaction constituting the violation occurred. Such other proceedings may be brought in any district in which any part of any act or transaction constituting the violation occurred, and may also be brought in the district in which the defendant resides or transacts business, and process in such cases may be served in any district wherein the defendant resides or transacts business or wherever the defendant may be found. Any such court shall advance on the docket and expedite the disposition of any criminal or other proceedings brought before it under this section. No costs shall be assessed against the Expediter or the United States Government in any proceeding under this Act.

Jurisdiction of criminal proceedings, etc.

Costs.

(d) If any person selling housing accommodations violates a regulation or order prescribing a maximum selling price, the person who buys such housing accommodations may, within one year from the date of the occurrence of the violation, bring an action for the amount by which the consideration exceeded the maximum selling price, plus reasonable attorney's fees and costs as determined by the court.

Action by purchaser.

SEC. 8. As used in this Act—

(a) The term "maximum sales price" means the maximum price for which any housing accommodations the construction of which is completed after the effective date of this Act may be sold and includes the total consideration which may be paid by the buyer for

"Maximum sales price."

such housing accommodations with accompanying land and improvements, excluding only those incidental charges, such as brokerage fees or commissions or charges, which buyers or sellers of such housing accommodations customarily assume in the community where such accommodations are located and which actually have been incurred for services rendered at the buyer's or seller's request.

"Person."

(b) The term "person" includes an individual, corporation, partnership, association, or any other organized group of any of the foregoing, or legal successor or representative of any of the foregoing.

"District court."

(c) The term "district court" means any district court of the United States, and the United States court for any Territory or other place subject to the jurisdiction of the United States.

"Veterans of World War II."

(d) The term "veterans of World War II" shall include persons who have served in the active military or naval forces of the United States on or after September 16, 1940, and prior to the termination of hostilities in World War II, and who have been discharged or released therefrom under conditions other than dishonorable, and persons serving in the military or naval forces of the United States requiring housing accommodations for their dependent families.

Appropriation authorized.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisions and purposes of this Act: *Provided, however,* That so much of the First Deficiency Appropriation Act, 1946 (Public Law Numbered 269, Seventy-ninth Congress, approved December 28, 1945), as reads "*Provided,* That none of the funds available under this head for administrative expenses shall be used in paying the salary of any person engaged in making or processing loans in excess of \$500,000 to any State, any subdivision thereof, any municipality therein, or any public authority, for construction purposes, unless in pursuance of a specific authorization, except, however, that this provision shall not apply to any application or loan approved or made prior to December 15, 1945", shall not apply to loans made for construction, removal, or remodeling of housing by publicly supported educational institutions where made for the purposes of housing veterans enrolled and attending such institution.

59 Stat. 635.

Loans.

SEC. 10. (a) Section 603 (a) of the National Housing Act, as amended, is hereby amended to read as follows:

55 Stat. 56.
12 U. S. C., Supp. V,
§ 1738 (a).

Insurance of eligible mortgages.

"(a) In order to assist in relieving the acute shortage of housing which now exists and to increase the supply of housing accommodations available to veterans of World War II at prices within their reasonable ability to pay, the Administrator is authorized, upon application by the mortgagee, to insure as hereinafter provided any mortgage which is eligible for insurance as hereinafter provided, and, upon such terms as the Administrator may prescribe, to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon: *Provided,* That the aggregate amount of principal obligations of all mortgages insured under this title shall not exceed \$2,800,000,000 except that with the approval of the President such aggregate amount may be increased to not to exceed \$3,800,000,000: *Provided further,* That no mortgage shall be insured under this title after June 30, 1947, except (A) pursuant to a commitment to insure issued on or before June 30, 1947, or (B) a mortgage given to refinance an existing mortgage insured under this title and which does not exceed the original principal amount and unexpired term of such existing mortgage: *And provided further,* That the Administrator shall, in his discretion, have power to require the availability for rental purposes of properties covered by mortgages

Aggregate amount.

Time limitation.

Rental of mortgaged property.

insured under this title, in such instances and for such periods of time as he may prescribe.”

(b) Section 603 (b) (2) of the National Housing Act, as amended, is hereby amended to read as follows:

“(2) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Administrator shall approve) in an amount not to exceed 90 per centum of the Administrator’s estimate of the necessary current cost (including the land and such initial service charges and such appraisal, inspection, and other fees as the Administrator shall approve) of a property, urban, suburban, or rural, upon which there is located a dwelling designed principally for residential use for not more than four families in the aggregate, which is approved for mortgage insurance prior to the beginning of construction. The principal obligation of such mortgage shall in no event, however, exceed—

“(A) \$5,400 if such dwelling is designed for a single-family residence, or

“(B) \$7,500 if such dwelling is designed for a two-family residence, or

“(C) \$9,500 if such dwelling is designed for a three-family residence, or

“(D) \$12,000 if such dwelling is designed for a four-family residence:

Provided, That the Administrator may, if he finds that at any time or in any particular geographical area it is not feasible, within such limitations of maximum mortgage amounts, to construct dwellings without sacrifice of sound standards of construction, design, or livability, prescribe by regulation or otherwise higher maximum mortgage amounts not to exceed—

“(A) \$8,100 if such dwelling is designed for a single-family residence, or

“(B) \$12,500 if such dwelling is designed for a two-family residence, or

“(C) \$15,750 if such dwelling is designed for a three-family residence, or

“(D) \$18,000 if such dwelling is designed for a four-family residence.”

(c) Section 603 (b) (5) of the National Housing Act, as amended, is hereby amended to read as follows:

“(5) bear interest (exclusive of premium charges for insurance) at not to exceed 4 per centum per annum on the amount of the principal obligation outstanding at any time.”

(d) Section 603 (c) of the National Housing Act, as amended, is hereby amended (1) by striking out of the third sentence the word “emergency” and inserting in lieu thereof the words “shortage of housing”, and (2) by striking out the last sentence thereof and inserting in lieu thereof the following sentence: “The Administrator shall prescribe such procedures as in his judgment are necessary to secure to veterans of World War II, and their immediate families, and to hardship cases as defined by the Administrator, preference or priority of opportunity to purchase or rent properties covered by mortgages insured under this title.”

(e) Section 604 (b) of the National Housing Act, as amended, is hereby amended by striking out the words “appraised value of such property as determined by the Administrator” and inserting in lieu thereof the following: “Administrator’s estimate of the necessary current cost”.

55 Stat. 56.
12 U. S. C., Supp.
V, § 1738 (b) (2).
Principal obligation.

Limitations.

Higher maximum mortgage amounts.

55 Stat. 57.
12 U. S. C., Supp.
V, § 1738 (b) (5).
Interest.

55 Stat. 57.
12 U. S. C., Supp.
V, § 1738 (c).

Preference or priority of opportunity.

55 Stat. 59.
12 U. S. C., Supp.
V, § 1739 (b).

56 Stat. 303.
12 U. S. C., Supp.
V, § 1743 (b).

(f) Section 608 (b) of the National Housing Act, as amended, is hereby amended:

(1) by amending paragraph numbered (2) thereof to read as follows:

Preference or priority of opportunity.

“(2) Preference or priority of opportunity in the occupancy of the mortgaged property for veterans of World War II and their immediate families, and for hardship cases as defined by the Administrator, shall be provided under such regulations and procedures as may be prescribed by the Administrator.”;

(2) by amending paragraph (3) (C) to read as follows:

“(C) not to exceed \$1,500 per room for such part of such property or project as may be attributable to dwelling use: *Provided*, That the Administrator may increase this amount to \$1,800 where in his discretion cost levels so require.”; and

(3) by striking out “reasonable replacement cost” and inserting in lieu thereof “necessary current cost”.

56 Stat. 303.
12 U. S. C., Supp.
V, § 1743 (c).

(g) Section 608 (c) of the National Housing Act, as amended, is hereby amended by inserting in the third sentence before the semicolon at the end of clause (C), the following: “and any mortgage insurance premiums paid after default”.

Premium payments.
58 Stat. 635.
50 U. S. C., Supp.
V, app. § 902 (e).
Ante, p. 57; *post*,
p. 671.

SEC. 11. (a) The last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended (50 U. S. C. 902 (e)), shall not apply to subsidies, which the Reconstruction Finance Corporation may make hereunder, in the form of premium payments used only to the extent that the Housing Expediter (after considering all available means) finds them temporarily necessary to increase the supply of materials for the veterans' emergency housing program and for other construction, maintenance, and repair essential to the national well-being: *Provided*, That not more than \$400,000,000 shall be used for such premium payments.

Standards applicable to premium payments.

(b) The following standards shall be applied by the Housing Expediter to premium payments:

(1) Premium payments shall be used only temporarily and only with relation to additional units of production beyond that otherwise attainable (as determined by the Housing Expediter by general regulation for the industry involved), where such premium payments are necessary to stimulate such additional production with greater rapidity, economy, or certainty than other available methods.

(2) The value of the units of production to which premium payments are applied (A) in the case of any new producer (except of new type materials) shall not exceed 50 per centum of the value at the producers' level of the output of such producer, and (B) in the aggregate shall not exceed 30 per centum of the value at the producers' level of all materials needed for the veterans' emergency housing program and for other construction, maintenance, and repair essential to the national well-being. The average rate of premium payments shall not exceed 25 per centum of the value of the units of production to which they are applied.

(3) Premium payments shall wherever feasible be applied at a uniform rate within any industry requiring them, rather than at varying rates for each producer.

(4) The stimulation of necessary additional production by premium payments shall place emphasis upon avoiding either economic dislocations or adverse effects upon established business.

(5) New type materials to which premium payments are applied shall be tested for sound quality.

Restriction on use of funds.

(c) Not more than \$15,000,000 of the funds made available under this section may be used to the extent that other funds are unavailable for the construction of access roads to standing timber on lands owned by or under the jurisdiction of an agency of Government.

SEC. 12. (a) The powers vested in the Reconstruction Finance Corporation pursuant to clause (a) of section 5d (3) of the Reconstruction Finance Corporation Act, as amended (15 U. S. C. 606b (3)), may be used to underwrite or guarantee markets for new type building materials and prefabricated houses, but only to the extent that the Housing Expediter finds this necessary to assure a sufficient supply for the veterans' emergency housing program: *Provided*, That the number of prefabricated houses covered by outstanding underwriting or guaranty (including such houses as may be held by the Housing Expediter) shall at no time during the program exceed two hundred thousand.

Underwriting or guaranteeing of markets.
54 Stat. 961.
15 U. S. C., Supp. V, § 606b (3) (a).

Prefabricated houses.

(b) The following standards shall be applied by the Housing Expediter to such underwriting or guaranty:

Standards applicable to underwriting or guaranty.

(1) To avoid impairment of established enterprises, new type materials and prefabricated houses shall be encouraged only to supplement such expanded production of conventional type materials and houses (with access to available materials) as can be achieved with sufficient rapidity and economy.

(2) There shall be reasonable prospect of either (A) full return to the Government of any funds involved in such underwriting or guaranty, or (B) net cost to the Government substantially lower than under any other available method of achieving the necessary expansion of production. Toward this end, the underwriting or guaranty of such materials or houses shall not be for more than 90 per centum of the producers' standard delivery price. The Housing Expediter shall maintain constant review of experience toward the objective that the total net costs to the Government shall in no event exceed 5 per centum of the total amount of underwriting or guaranty undertaken.

(3) There shall be clear evidence that the new type materials or prefabricated houses require underwriting or guaranty only temporarily until they attain general market acceptability.

(4) Emphasis shall be placed upon avoiding either economic dislocations or adverse effects upon established business.

(5) New type materials and prefabricated houses shall be tested for sound quality and (in the case of such houses) for durability, livability, and safety.

(6) Any underwriting or guaranty shall require adequate showing by the producer that he has sufficient working capital and experience, and that he can achieve the desired production on time under conditions satisfactory to the Housing Expediter.

SEC. 13. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Separability of provisions.

Approved May 22, 1946.

[CHAPTER 269]

AN ACT

To continue in effect section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended, relating to the exportation of certain commodities.

May 23, 1946
[S. 1980]
[Public Law 389]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended by the Act of June 30, 1942 (56 Stat. 463), the Act of July 1, 1944 (58 Stat. 671), and the Act of June 30, 1945 (59 Stat. 270), is hereby further amended by deleting from subsection (d) thereof the words "June 30, 1946" and substituting therefor the words "June 30, 1947".

Export control of certain commodities.

50 U. S. C., Supp. V, app. § 701 (d).

Approved May 23, 1946.

[CHAPTER 270]

AN ACT

To increase the rates of compensation of officers and employees of the Federal Government, and for other purposes.

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

SHORT TITLE

Federal Employees
Pay Act of 1946.

SECTION 1. This Act may be cited as the "Federal Employees Pay Act of 1946".

INCREASE IN CLASSIFICATION ACT PAY RATES

42 Stat. 1491.
5 U. S. C. § 673;
Supp. V, § 673.
Infra, post, p. 219.

Basic compensation.

56 Stat. 733.
5 U. S. C., Supp.
V, § 673.
Charwomen.

Clerical-mechanical
service.

SEC. 2. (a) Each of the existing rates of basic compensation provided by section 13 of the Classification Act of 1923, as amended and supplemented, except those affected by subsection (b) of this section, is hereby increased by 14 per centum or \$250 per annum whichever is the greater, except that no such rate shall be increased by more than 25 per centum. Such augmented rates shall be considered to be the regular rates of basic compensation provided by such section.

(b) (1) The proviso to the fifth paragraph under the heading "Crafts, Protective, and Custodial Service" in section 13 of the Classification Act of 1923, as amended, is hereby amended to read as follows: "Provided, That charwomen working part time be paid at the rate of 90 cents an hour, and head charwomen at the rate of 95 cents an hour".

(2) Such section is amended so as to provide the following rates of compensation for positions in the clerical-mechanical service:

Grade 1, 90 to 97 cents an hour.

Grade 2, \$1.04 to \$1.12 an hour.

Grade 3, \$1.20 to \$1.27 an hour.

Grade 4, \$1.35 to \$1.49 an hour.

(c) The increase in existing rates of basic compensation provided by this section shall not be construed to be an "equivalent increase" in compensation within the meaning of section 7 (b) (1) of the Classification Act of 1923, as amended.

55 Stat. 613.
5 U. S. C., Supp.
V, § 667 (b) (1).

INCREASE IN PAY RATES FOR CUSTOMS CLERKS AND IMMIGRANT INSPECTORS

SEC. 3. Each of the existing rates of basic compensation provided by the Act entitled "An Act to adjust the compensation of certain employees in the Customs Service", approved May 29, 1928, as amended and supplemented, and those provided by the second paragraph of section 24 of the Immigration Act of 1917, as amended and supplemented, are hereby increased by 14 per centum or \$250 per annum whichever is the greater, except that no such rate shall be increased by more than 25 per centum. Such augmented rates shall be considered to be the regular rates of basic compensation.

45 Stat. 955.
19 U. S. C. §§ 6a-6d;
Supp. V, §§ 6a-6d
note.
45 Stat. 954.
8 U. S. C. § 109;
Supp. V, § 109.

INCREASE IN STATUTORY PAY RATES IN THE EXECUTIVE BRANCH NOT UNDER CLASSIFICATION ACT

SEC. 4. Rates of basic compensation specifically provided by statute (including any increase therein computed in accordance with section 602 (b) of the Federal Employees Pay Act of 1945), for positions in the executive branch or the District of Columbia municipal government which are not included in section 102, as amended, of the Federal Employees Pay Act of 1945 or in the District of Columbia Teachers' Salary Act of 1945, and are not increased by any other provision of this Act, are hereby increased by 14 per centum or \$250

59 Stat. 302.
5 U. S. C., Supp. V,
§ 942 (b).
59 Stat. 296.
5 U. S. C., Supp. V,
§ 902.
Post, p. 218.
59 Stat. 488.
D. C. Code, Supp.
V, §§ 31-638 to 31-658.
Post, p. 717.

per annum whichever is the greater, except that no such rate shall be increased by more than 25 per centum. Such augmented rates shall be considered to be the regular rates of basic compensation.

INCREASE IN PAY RATES IN THE LEGISLATIVE BRANCH

SEC. 5. (a) The first sentence of section 501 of the Federal Employees Pay Act of 1945 is amended by inserting before the period at the end thereof a comma and the following: "plus (A) 14 per centum of his rate of compensation (including the additions thereto resulting from the application of the foregoing percentages), or (B) \$250 per annum, whichever is the greater, except that such rate of compensation shall not be increased by more than 25 per centum".

59 Stat. 301.
5 U. S. C., Supp. V,
§ 931.
Post, p. 834.

(b) The second sentence of such section 501 is amended to read as follows: "The additional compensation provided by this section and section 502 shall be considered a part of the basic compensation of any such officer or employee for the purposes of the Civil Service Retirement Act of May 29, 1930, as amended."

46 Stat. 468.
5 U. S. C. § 691 *et seq.*
Supp. V, § 691 *et seq.*
Post, pp. 339, 658,
659, 705, 706, 850, 939.
59 Stat. 301.
5 U. S. C., Supp. V,
§ 932.

(c) Section 502 of such Act is amended to read as follows:

"ADDITIONAL COMPENSATION IN LIEU OF OVERTIME

"SEC. 502. Each officer and employee in or under the legislative branch entitled to the benefits of section 501 of this Act shall be paid additional compensation at the rate of 10 per centum of the aggregate of the rate of his basic compensation and the rate of additional compensation received by him under section 501 of this Act."

Supra.

INCREASE IN PAY RATES IN THE JUDICIAL BRANCH

SEC. 6. (a) The first sentence of section 521 of the Federal Employees Pay Act of 1945 is amended by inserting before the period at the end thereof a comma and the following: "plus (A) 14 per centum of his rate of compensation (including the additions thereto resulting from the application of the foregoing percentages), or (B) \$250 per annum, whichever is the greater, except that such rate of compensation shall not be increased by more than 25 per centum".

59 Stat. 301.
5 U. S. C., Supp. V,
§ 934.

(b) The second sentence of such section 521 is amended to read as follows: "The limitations of \$6,500 and \$7,500 with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the eighth paragraph under the head 'Miscellaneous Items of Expense' in The Judiciary Appropriation Act, 1946 (Public Law Numbered 61, Seventy-ninth Congress), or in any subsequent appropriation Act, shall be increased by the amounts necessary to pay the additional basic compensation provided by this section; and the changes in the rates of basic compensation in the Classification Act of 1923, as amended, made by section 405 of this Act and section 2 of the Federal Employees Pay Act of 1946 shall not be taken into account in fixing salaries under any such appropriation Act."

Secretaries and law
clerks.

59 Stat. 199.
28 U. S. C., Supp.
V, § 374b.

(c) Section 522 of such Act is amended to read as follows:

"ADDITIONAL COMPENSATION IN LIEU OF OVERTIME

"SEC. 522. (a) Each officer and employee of the Supreme Court of the United States entitled to the benefits of section 521 of this Act shall be paid additional compensation at the rate of 10 per centum of the rate of his basic compensation. As used in this subsection the term 'basic compensation' includes the additional basic compensation provided by section 521 of this Act.

59 Stat. 301.
5 U. S. C., Supp. V,
§ 934.
Supra.
"Basic compensa-
tion."

“(b) The additional compensation provided by subsection (a) of this section shall be considered a part of the basic compensation of any such officer or employee for the purposes of the Civil Service Retirement Act of May 29, 1930, as amended.”

46 Stat. 468.
5 U. S. C., § 691 *et seq.*; Supp. V, § 691 *et seq.*
Post, pp. 339, 658, 659, 705, 706, 850, 939.

LIMITATION ON AGGREGATE RATE PAYABLE

SEC. 7. (a) Section 603 (b) of the Federal Employees Pay Act of 1945 is amended by inserting after the words “by reason of the enactment of this Act” the words “or any amendment thereto”.

(b) Notwithstanding any other provision of this Act, no officer or employee shall, by reason of the enactment of this Act, be paid with respect to any pay period, basic compensation, or basic compensation plus any additional compensation provided by the Federal Employees Pay Act of 1945, as amended, at a rate in excess of \$10,000 per annum.

59 Stat. 303.
5 U. S. C., Supp. V, § 943 (b).

59 Stat. 295.
5 U. S. C., Supp. V, §§ 901-948.
Ante, p. 216 *et seq.*

VESSEL EMPLOYEES

SEC. 8. (a) Section 102 (d) of the Federal Employees Pay Act of 1945 is amended to read as follows:

“(d) This Act, except sections 606 and 607, shall not apply to employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, to vessel employees of the Coast and Geodetic Survey, to vessel employees of the Department of the Interior, or to vessel employees of the Panama Railroad Company.”

(b) Section 606 of such Act is amended to read as follows:

“VESSEL EMPLOYEES

“Sec. 606. Employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, vessel employees of the Coast and Geodetic Survey, vessel employees of the Department of the Interior, and vessel employees of the Panama Railroad Company, may be compensated in accordance with the wage practices of the maritime industry.”

COMPENSATORY TIME OFF FOR IRREGULAR OR OCCASIONAL OVERTIME WORK

SEC. 9. Section 202 (a) of the Federal Employees Pay Act of 1945 is amended by striking out “forty-eight hours” and inserting in lieu thereof “forty hours”.

59 Stat. 207.
5 U. S. C., Supp. V, § 912 (a).

NIGHT PAY DIFFERENTIAL

SEC. 10. That part of section 301 of the Federal Employees Pay Act of 1945 which precedes the first proviso is amended to read as follows: “Any officer or employee to whom this title applies who is assigned to a regularly scheduled tour of duty, any part of which, including overtime, falls between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian, shall, for duty between such hours, excluding periods when he is in a leave status, be paid compensation at a rate 10 per centum in excess of his rate of basic compensation for duty between other hours.”.

59 Stat. 298.
5 U. S. C., Supp. V, § 921.

PAY FOR HOLIDAY WORK

SEC. 11. That part of the first sentence of section 302 of the Federal Employees Pay Act of 1945 which precedes the proviso is amended to read as follows: “Any officer or employee to whom this title applies who is assigned to duty on a holiday designated by Federal statute or Executive order during hours which fall within his basic administrative workweek of forty hours shall be compensated for not to

59 Stat. 298.
5 U. S. C., Supp. V, § 921.

exceed eight hours of such duty, excluding periods when he is in a leave status, in lieu of his regular rate of basic compensation for such duty, at the rate of twice such regular rate of basic compensation, in addition to any extra compensation for night duty provided by section 301 of this Act.”

Ante, p. 218.

PAY RATES FOR GRADES 9 AND 10 OF THE CRAFTS, PROTECTIVE, AND CUSTODIAL SERVICE OF THE CLASSIFICATION ACT

SEC. 12. (a) Section 13 of the Classification Act of 1923, as amended, is hereby further amended by striking out the second paragraph relating to grade 9 of the Crafts, Protective, and Custodial Service and substituting therefor the following:

45 Stat. 784.
5 U. S. C. § 673.
Ante, p. 216.
Infra.

“The annual rates of compensation for positions in this grade shall be \$2,870, \$2,980, \$3,090, \$3,200, \$3,310, \$3,420, and \$3,530.”

(b) Section 13 of the Classification Act of 1923, as amended, is hereby further amended by striking out the second paragraph relating to grade 10 of the Crafts, Protective, and Custodial Service and substituting therefor the following:

Supra.

“The annual rates of compensation for positions in this grade shall be \$3,200, \$3,310, \$3,420, \$3,530, \$3,640, \$3,750, and \$3,860.”

(c) With respect to grades 9 and 10 of the Crafts, Protective, and Custodial Service, the increase in rates of basic compensation provided by section 2 of this Act shall be computed on the rates of basic compensation established for such grades, as amended by subsections (a) and (b) of this section.

Ante, p. 216.

GENERAL ACCOUNTING OFFICE

SEC. 13. This Act and any other general legislation heretofore or hereafter enacted governing the employment, compensation, emoluments, and status of officers and employees of the United States shall apply to officers and employees of the General Accounting Office in the same manner and to the same extent as if such officers and employees were in or under the executive branch of the Government.

PERSONNEL CEILINGS

SEC. 14. (a) Section 607 of the Federal Employees Pay Act of 1945 is amended by adding at the end thereof a new subsection as follows:

59 Stat. 304.
5 U. S. C., Supp. V.
§ 947.

“(g) (1) In carrying out the provisions of subsection (b) of this section—

“(A) with respect to the departments (other than the Department of War and the Department of the Navy), establishments, and agencies (including Government-owned or controlled corporations) in the executive branch, the Director shall so determine the numbers of full-time civilian employees and the man-months of part-time employment on the basis of the relative needs of such departments, establishments, and agencies for personnel, that the aggregate number of such civilian employees (including the full-time equivalent of man-months of part-time employment) shall not exceed (i) five hundred and twenty-eight thousand nine hundred and seventy-five for the quarter beginning October 1, 1946; (ii) five hundred and one thousand seven hundred and seventy-one for the quarter beginning January 1, 1947; (iii) four hundred and seventy-four thousand five hundred and sixty-seven for the quarter beginning April 1, 1947; and (iv) four hundred and forty-seven thousand three hundred and sixty-three after June 30, 1947;

War and Navy Departments.

“(B) with respect to the Department of War and the Department of the Navy, the Director shall so determine the numbers of civilian employees (including the full-time equivalent of man-months of part-time employment) that at the earliest date practicable, but in no event later than July 1, 1947, the number shall not exceed one hundred and seventy-six thousand with respect to the Department of War, or one hundred thousand with respect to the Department of the Navy.

Maximum numbers.

The numbers of employees specified in this paragraph shall be regarded as maximum numbers, and nothing herein shall be construed to limit the authority of the Director to establish lower aggregate numbers whenever, in his opinion, the numbers so specified are in excess of those necessary for the proper and efficient exercise of the authorized functions of the departments, establishments, and agencies to which this subsection applies. The procedural provisions of subsection (b) of this section shall be applicable with respect to determinations under this paragraph.

Excess employment, restrictions.

“(2) No provision of law heretofore or hereafter enacted authorizing the employment of personnel by, or appropriating funds for the compensation of personnel of, or conferring additional functions upon, any department, establishment, or agency, shall be construed to authorize the employment of, or payment of compensation to, a greater number of employees subject to this subsection than the number so determined by the Director with respect to such department, establishment, or agency unless such provision of law specifically authorizes the employment or payment of salaries of personnel in excess of such number, or exempts such department, establishment, or agency from the provisions of this subsection, and any such employment or payment not so authorized shall be deemed to be a violation of the provisions of section 3679 of the Revised Statutes of the United States (U. S. C., 1940 edition, title 31, sec. 665).

31 U. S. C., Supp. V, § 665 notes.

Nonapplicability.

“(3) The provisions of this subsection shall not apply with respect to employees whose basic compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose. The provisions of subparagraph (A) of paragraph (1) shall not apply with respect to officers and employees in the field service of the Post Office Department or to officers and employees of the Veterans' Administration, but shall apply with respect to officers and employees outside the United States whose compensation is fixed in accordance with the Classification Act of 1923, as amended, and who are not excluded from the provisions of this section by the provisions of subsection (f). The provisions of subparagraph (B) of paragraph (1) shall not apply with respect to officers and employees outside the several States and the District of Columbia.”

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

59 Stat. 305.
5 U. S. C., Supp. V, § 947 (f).

(b) Effective October 1, 1946, subsection (f) of such section is amended by striking out “(1) employees of the War and Navy Departments except those who are subject to the provisions of titles II and III of this Act; or (2)”.

APPROPRIATIONS AUTHORIZED

SEC. 15. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 16. This Act, except section 14 (b), shall take effect on July 1, 1946.

Approved May 24, 1946.

[CHAPTER 271]

AN ACT

Reducing or further reducing certain appropriations and contractual authorizations available for the fiscal year 1946, and for other purposes.

May 27, 1946
[H. R. 5604]
[Public Law 391]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriations and contractual authorizations of the departments and agencies available in the fiscal year 1946, and prior year unrevoked appropriations, are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

Second Supplemental Surplus Appropriation Rescission Act, 1946.

TITLE I—EXECUTIVE OFFICE OF THE PRESIDENT, INDEPENDENT OFFICES, AND EXECUTIVE DEPARTMENTS

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

National War Labor Board:

Salaries and expenses, \$1,600,000.

Office of Scientific Research and Development:

Salaries and expenses, \$555,000.

War Shipping Administration:

Revolving fund, \$375,000,000.

Maritime training fund, \$2,000,000.

Marine and war risk insurance fund, revolving fund, \$60,000,000.

Office of Censorship: Salaries and expenses, \$415,400.

Petroleum Administration for War:

Salaries and expenses, \$200,000.

In all, Office for Emergency Management, \$439,770,400.

59 Stat. 473.
Ante, pp. 6-8; *post*, p. 624.

EMERGENCY FUNDS APPROPRIATED TO THE PRESIDENT

Defense aid—lend-lease, \$1,080,000,000, to be deducted from such of the categories specified in the various appropriation acts as may be determined by the Secretary of State or such official as he shall designate.

59 Stat. 429.
Ante, p. 8; *post* pp. 228, 624.

INDEPENDENT OFFICES

Employees' Compensation Commission: Employees' compensation fund, \$1,300,000.

United States Maritime Commission: Construction fund, Act of June 29, 1936, revolving fund, \$300,068,000.

59 Stat. 377.
Ante, p. 8; *post*, p. 625.

49 Stat. 1987; 59 Stat. 127.

46 U. S. C. § 1116; Supp. V, § 1116 notes.

Ante, p. 8; *post*, p. 625.

FEDERAL SECURITY AGENCY

Public Health Service:

Health and sanitation activities, war and defense areas (national defense), \$125,000.

59 Stat. 369.
Ante, p. 8.

FEDERAL WORKS AGENCY

Office of the Administrator:

War public works (community facilities), \$5,750,000.

Liquidation of Work Projects Administration, 1944, \$120,000.

Work relief in Puerto Rico and the Virgin Islands, 1944, \$1,000,000.

57 Stat. 340; 59 Stat. 419.
Ante, p. 9; *post*, p. 625.

Ante, p. 9; *post*, p. 625.

Public Buildings Administration:

Emergency safeguarding of public buildings and property, \$75,000.

Ante, p. 9.

Public Roads Administration: Flight strips (national defense), \$56,732, and such additional amount as may remain unobligated.

In all, independent offices, \$308,494,732.

EXECUTIVE DEPARTMENTS

[Non-War]

Ante, p. 10.

DEPARTMENT OF AGRICULTURE

Emergency supplies for Territories and possessions, \$3,800,000.

59 Stat. 321.
Ante, pp. 10, 11; *post*, p. 625.

DEPARTMENT OF THE INTERIOR

Office of Fishery Coordination: Salaries and expenses, \$12,000.

Emergency funds appropriated to the President:

Emergency fund for the President, national defense (allotment to Interior, Territories and island possessions), \$1,391,143.

59 Stat. 182.

DEPARTMENT OF JUSTICE

Legal activities and general administration: Salaries and expenses, Lands Division, \$300,000.

In all, executive departments, \$5,503,143.

In all, title I, \$1,833,768,275.

Miscellaneous Provisions, Title I

REDUCTIONS IN CONTRACTUAL AUTHORIZATIONS

Contractual authorizations of the departments and agencies available in the fiscal year 1946 are hereby reduced in the sums hereinafter set forth:

INDEPENDENT OFFICES

49 Stat. 1987; 59 Stat. 127.
46 U. S. C. § 1116; Supp. V, § 1116 notes.
Ante, p. 12; *post*, p. 628.

United States Maritime Commission: Construction fund, Act June 29, 1936, revolving fund, \$460,000,000.

Federal Works Agency, Public Buildings Administration: Construction of buildings in the District of Columbia, \$3,673,001.

REDUCTIONS IN LIMITATIONS ON ADMINISTRATIVE EXPENSES

Limitations on amounts from funds of corporations and other agencies for administrative expenses are hereby reduced in the following sums:

EXECUTIVE OFFICE OF THE PRESIDENT

59 Stat. 418.
Ante, p. 12.

Office for Emergency Management, Foreign Economic Administration:

Rubber Development Corporation, \$160,000.

U. S. Commercial Company, \$250,000.

INDEPENDENT OFFICES

59 Stat. 200.

Federal Loan Agency, Reconstruction Finance Corporation:

Administrative expenses, Reconstruction Finance Corporation and its affiliated organizations, \$7,000,000.

CORPORATE FUNDS TO BE TRANSFERRED TO THE TREASURY

EXECUTIVE OFFICE OF THE PRESIDENT

Office for Emergency Management:

Office of Inter-American Affairs: The Director of the Office of Inter-American Affairs is hereby directed to deposit in the Treasury of the United States as miscellaneous receipts the following sums representing excess funds of corporations created by the Coordinator of Inter-American Affairs under authority of law:

Institute of Inter-American Transportation, \$171,890.
 Inter-American Navigation Corporation, \$175,000.
 Prencinradio, Incorporated, \$100,000.

59 Stat. 476.
Ante, p. 12.

TITLE II—MILITARY ESTABLISHMENT

59 Stat. 384-407.
Ante, p. 13; *post*, p. 625.

Office of Secretary of War:

Expediting Production of Equipment and Supplies for National Defense, 1940-1946, \$20,545,000.

General Staff Corps:

Special Field Exercises, Army, 1942-1946, \$2,413, 868.

Adjutant General's Department:

Command and General Staff School, Fort Leavenworth, Kansas, 1942-1946, \$20,000.

Finance Department:

Finance Service, Army, 1942-1946, \$4,704,700, and subappropriations under this head are hereby decreased as follows: (1) expenses of courts martial, \$4,700; (2) apprehension of deserters, \$450,000; (3) Finance Service, \$4,000,000, and (4) claims for damages due to loss or destruction of property, or personal injury, or death, \$250,000: *Provided*, That of the provisions of law of the United States conferring rights, privileges, or benefits upon any person by reason of the service of such person or the service of any other person in the armed forces of the United States or any component thereof, only those conferring rights, privileges, or benefits upon persons during the time they are on active duty and those listed below shall, after the date of enactment of this Act, be deemed to apply to persons for service in the Philippine Scouts under the provisions of section 14 of the Act approved October 6, 1945 (Public Law 190, Seventy-ninth Congress):

59 Stat. 543.
 10 U. S. C., Supp.
 V, § 637.
 10 U. S. C. § 916.

(1) The provisions of the Act of March 9, 1928 (45 Stat. 251), as amended, relating to funeral expenses;

(2) Provisions of law authorizing the payment to enlisted men of a travel allowance upon discharge;

(3) Provisions of law authorizing retirement and prescribing or governing pay for Philippine Scouts placed on the retired list;

(4) The provisions of the Act of December 17, 1919 (41 Stat. 367), as amended, authorizing the payment of a death gratuity equal to six months' active-duty pay to the dependents of military personnel whose death occurs while on active duty;

10 U. S. C., Supp.
 V, § 903.

(5) The provisions of the Mustering-Out Payment Act of 1944 (Public Law 225, Seventy-eighth Congress), except that for the purpose of computing such payments for service in the Philippine Scouts, service wholly performed in the Philippine Islands shall be compensated for on the same basis as service wholly performed within the United States; and

58 Stat. 8.
 38 U. S. C., Supp.
 V, § 691.

(6) The provisions of laws administered by the Veterans' Administration providing for the payment of pensions on account of service-connected disability or death:

Provided further, That payments made under the provisions of any law referred to in clauses (5) and (6) above shall be paid at the rate of one Philippine peso for each dollar authorized by such law: *And provided further*, That the provisions of the National Service Life Insurance Act of 1940, as amended, shall apply to persons who serve in the Philippine Scouts under the provisions of section 14 of the Act approved October 6, 1945, only insofar as such provisions relate to contracts of insurance heretofore entered into.

Quartermaster Corps:

Quartermaster Service, Army, 1942-1946, subappropriation "Welfare of enlisted men", \$5,400,000.

Transportation Corps:

Transportation Service, Army, 1945-1946, \$80,000,000.

Signal Corps:

Signal Service of the Army, 1942-1946, \$85,000,000.

Air Corps:

Air Corps, Army, 1942-1946, \$1,000,000,000.

Medical Department:

Medical and Hospital Department, Army, 1942-1946, \$27,615,000.

Corps of Engineers:

Engineer Service, Army, 1942-1946, subappropriation "Engineer Service", \$50,000,000, and no part of such subappropriation shall be available after February 25, 1946, for acquiring land or building permanent structures within the continental limits of the United States, except structures not costing more than \$20,000.

Repair of arsenals, Army, 1942-1946, \$661,905.

Repair of arsenals, emergency construction, no year, \$480.

Acquisition of land, Panama, Army, no year, \$395,593.

Acquisition of land, Buchanan, Puerto Rico, no year, \$8,284.

Acquisition of land, Act June 26, 1940, no year, \$13,254.

Acquisition of land for military purposes, national defense, no year, \$360,941.

Acquisition of land, San Bernardino, Kern, Los Angeles Counties, California, no year, \$1,470.

Acquisition of land, Ogden Ordnance Depot, Utah, no year, \$60,420.

Sites for military purposes, no year, \$10,065.

Construction of buildings, utilities, and appurtenances at military posts, no year, \$12,533,633.

Office buildings and appurtenances, War Department, Arlington County, Virginia, no year, \$157.

Buildings for United States representatives, Philippine Islands, no year, \$304.

Ordnance Department:

Ordnance Service and Supplies, Army, 1942-1946, \$201,035,000.

Chemical Warfare Service:

Chemical Warfare Service, Army, 1942-1946, \$21,600,000.

Special Service Schools:

Special Service Schools, Army, 1942-1946, \$382,500, and subappropriations under this head are hereby decreased as follows:

- (1) Infantry School, \$181,200;
- (2) Cavalry activities, \$30,300;
- (3) Field Artillery activities, \$130,500; and
- (4) Coast Artillery activities, \$40,500.

54 Stat. 1008.
38 U. S. C. §§ 801-818; Supp. V, § 801 et seq.
Post, p. 781 et seq.
59 Stat. 543.
10 U. S. C., Supp. V, § 637.

Armored force:

Instruction in armored force activities, 1942–1946, \$83,000.

Seacoast defenses:

Seacoast defenses, general, 1942–1946, \$14,683,000, and no part of such appropriation shall be available after February 25, 1946, for the acquisition of land.

Seacoast defenses, general, no year, \$9,698,373.

Seacoast defenses, no year, \$708,225.

Seacoast defenses, Insular Departments, no year, \$50,456.

Seacoast defenses, Panama Canal, no year, \$622,470.

United States Military Academy: Pay of Military Academy, 1942–1946, \$126,272.

Citizens' Military Training:

Military supplies and equipment for schools and colleges, 1942–1946, \$6,083.

National Board for Promotion of Rifle Practice, Army:

Promotion of rifle practice, 1942–1946, \$17,500.

Inter-American Relations, War Department:

Inter-American Relations, War Department, 1943–1946, \$30,000.

National defense activities, War Department, 1942–1946, \$2,659.

Office of the Secretary:

Contingent expenses, War Department, 1942–1946, \$1,200,000.

Printing and binding, War Department, 1942–1946, \$4,500,000.

Emergency funds appropriated to the President:

Emergency fund for the President, national defense (allotment to War), 1942–1946, \$10,000,000.

In all, title II, \$1,554,490,612.

Post, p. 626.

TITLE III—NAVAL ESTABLISHMENT

57 Stat. 197; 58 Stat. 301; 59 Stat. 202.
Ante, pp. 15–18; *post*, pp. 626, 627.

Office of the Secretary:

Naval Research Laboratory, 1946, \$57,000.

Ocean and lake surveys, Navy:

Fiscal year 1944, \$48,925.

Fiscal year 1945, \$7,953.

Bureau of Naval Personnel:

Naval Training Station, Lake Pend Oreille, Idaho, 1944, \$11,486.

Naval Training Station, Port Deposit, Maryland, 1946, \$50,000.

Libraries, Navy, 1945, \$171,373.

Welfare and Recreation, Navy:

Fiscal year 1945, \$1,968,936.

Fiscal year 1946, \$2,000,000.

Naval Reserve Officers' Training Corps:

Fiscal year 1944, \$8,608.

Fiscal year 1945, \$62,595.

Fiscal year 1946, \$250,000.

Naval prison farms and prison personnel (receipt limitation), 1944, \$38.

Bureau of Ships:**Maintenance, Bureau of Ships:**

Fiscal year 1942, \$3,090,591.

Fiscal year 1943, \$53,724,957.

Fiscal year 1946, \$30,000,000: *Provided*, That this appropriation shall be available for continuing the purposes of the appropriation "Defense installations on merchant vessels, Navy", when such latter appropriation is exhausted.

55 Stat. 156.

56 Stat. 59.

Bureau of Ordnance:

Ordnance and ordnance stores, Navy:

Fiscal year 1945, \$205,247,233.

Fiscal year 1946, \$100,000,000.

Bureau of Supplies and Accounts:

Pay, subsistence, and transportation, Navy, 1944, \$2,763,960.

Pay and subsistence of naval personnel, 1946, \$200,000,000.

Maintenance, Bureau of Supplies and Accounts:

Fiscal year 1944, \$5,000,000.

Fiscal year 1946, \$13,657,000.

Transportation of things, Navy, 1946, \$125,000,000.

Fuel and transportation, Navy, 1945, \$20,000,000.

Naval Stock Fund, \$275,000,000.

Bureau of Medicine and Surgery:

Medical Department, Navy:

Fiscal year 1944, \$2,372,599.

Fiscal year 1945, \$7,000,000.

Fiscal year 1946, \$17,000,000.

Bureau of Yards and Docks:

Maintenance, Bureau of Yards and Docks:

Fiscal year 1944, \$1,500,000.

Fiscal year 1945, \$4,000,000.

Fiscal year 1946, \$100,000.

Public Works, Bureau of Yards and Docks, \$190,000,000, and the contractual authorization for "Public Works, Bureau of Yards and Docks", available in the fiscal year 1946, is hereby further reduced in the sum of \$5,000,000, applicable to projects within the continental limits of the United States, and neither the appropriation nor contractual authorization under this head shall be available after February 25, 1946, for the acquisition of land (other than for the authorized vessel-berthing program), except in pursuance of a specific appropriation: *Provided*, That the restriction on the use of the appropriation and contract authorization in the amount of \$1,500,000 applying exclusively for field house at United States Naval Academy, Annapolis, Maryland, including acquisition of land and accessories as authorized by law is hereby canceled: *Provided further*, That the rescission of \$13,657,000 in the appropriation "Maintenance, Bureau of Supplies and Accounts, 1946", hereinbefore provided for in this Act, is hereby canceled, and such appropriation is hereby increased by \$11,763,480 by transfer of such an amount from the reduction hereinbefore provided for in this Act in the "Naval Stock Fund", instead of such amount of \$11,763,480 being carried to the surplus fund and covered into the Treasury.

Bureau of Aeronautics:

Aviation, Navy:

Fiscal year 1943, \$265,000,000.

Fiscal year 1943-1944, \$10,000,000.

Fiscal year 1944, \$260,000,000.

Fiscal year 1946, \$190,784,500, and subappropriations under this head are hereby decreased as follows: (1) New construction and procurement of aircraft and equipment, spare parts, and so forth, from "\$128,116,900" to "\$94,737,200"; (2) replacement of navigational and radio equipment for aircraft in service, and so forth, from "\$44,934,000" to "\$34,917,200"; and (3) maintenance, repair, and operation of aircraft factory, air stations, and so forth, from "\$800,374,950" to "\$652,986,950".

Infra.

Field house, U. S.
Naval Academy.
59 Stat. 211.

Supra.

56 Stat. 67.

Marine Corps:

General expenses, Marine Corps:

Fiscal year 1944, \$10,000,000.

Fiscal year 1945, \$10,000,000.

Increase and replacement of naval vessels:

Increase and replacement of naval vessels, construction and machinery, \$602,491,000.

Increase and replacement of naval vessels, armor, armament and ammunition, \$338,848,000.

Increase and replacement of naval vessels, emergency construction, \$20,387,000: *Provided*, That the proviso in Public Law 301, Seventy-ninth Congress, approved February 16, 1946, under the head of "Increase and replacement of naval vessels, emergency construction", is amended to the extent that combatant vessels under construction on March 1, 1946, whose percentage of construction exceeded 20 per centum on that date will be completed.*Ante*, p. 18.

Repair facilities, Navy:

Repair facilities, Navy, \$18,281,000.

Coast Guard:

Pay and allowances, Coast Guard:

Fiscal year 1944, \$11,816,086.

Fiscal year 1945, \$5,940,838.

Fiscal year 1946, \$7,000,000.

General expenses, Coast Guard:

Fiscal year 1944, \$136,250.

Fiscal year 1945, \$48,286.

Fiscal year 1946, \$1,500,000.

Retired pay, former Lighthouse Service, Coast Guard, 1946, \$41,000.

Salaries and expenses, Merchant Marine Inspection, Coast Guard, 1945, \$5,985.

NAVY DEPARTMENT

57 Stat. 213; 58 Stat. 318; 59 Stat. 218.

Salaries:

Salaries, Compensation Board, 1944, \$109.

Salaries, Bureau of Naval Personnel, 1945, \$577.

Salaries, Hydrographic Office:

Fiscal year 1944, \$65,119.

Fiscal year 1945, \$30,461.

Salaries, Bureau of Ships, 1945, \$7.

Salaries, Bureau of Supplies and Accounts, 1945, \$33,299.

Salaries, Bureau of Yards and Docks, 1945, \$153.

Ante, p. 19.*Post*, p. 627.*Ante*, p. 19.

Contingent expenses:

Contingent expenses, Navy Department, 1945, \$106,000.

The amount which may be transferred to this appropriation from other appropriations contained in the Naval Appropriation Act, 1946, is hereby decreased from "\$5,500,000" to "\$4,000,000".

59 Stat. 218.
Ante, p. 19.

Printing and binding, Navy Department, 1945, \$2,118,500.

The amount which may be transferred to this appropriation from other appropriations contained in the Naval Appropriation Act, 1946, is hereby decreased from "\$18,500,000" to "\$8,500,000".

59 Stat. 218.
Ante, p. 19.

Contingent and miscellaneous expenses, Hydrographic Office:

Fiscal year 1945, \$52,000.

Fiscal year 1946, \$600,000.

Ante, p. 19; *post*, p. 627.

TRANSFER OF APPROPRIATIONS

Transfers of the amounts hereinafter set forth shall be made from the appropriation "Aviation, Navy, 1946," to the following appropriations:

59 Stat. 212.

Navy War College, 1946, \$37,000;

Naval Training Station, Newport, 1946, \$907,000;

59 Stat. 203.

59 Stat. 205.	Pay, Naval Academy, 1946, \$159,000;
	Naval Home, 1946, \$12,640;
56 Stat. 61.	Pay, subsistence and transportation, 1943, \$5,000,000;
56 Stat. 64.	Maintenance, Bureau of Supplies and Accounts, 1943, \$350,000;
58 Stat. 309.	Maintenance, Bureau of Supplies and Accounts, 1945, \$29,364,000;
57 Stat. 205.	Fuel and transportation, Navy, 1944, \$1,415,000;
	Salaries, Office of the Commandant, United States Coast Guard, 1946, \$265,000;
	Civilian employees, Coast Guard, 1946, \$395,000;
	Salaries, Merchant Marine Inspection, 1946, \$72,000;
	In all, \$37,976,640.

NAVAL STOCK ACCOUNT AND FUND

57 Stat. 626.	Effective April 1, 1946, the limitation, specified in the First Supplemental National Defense Appropriation Act of 1944, on the value of stock in the "Naval Stock Account" plus outstanding obligations under the "Naval Stock Fund" shall be reduced from \$2,250,000,000 to \$2,000,000,000 and thereafter said stock and obligations shall not exceed at any time said latter amount. In all, title III, \$3,015,379,424.
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GENERAL PROVISIONS

Settlement of ac-
counts.
War and Navy.

The War and Navy Departments are hereby relieved from reimbursing each other from the appropriations of the "Military Establishment" and the appropriations of the "Navy Department and the Naval Service" for the amounts which on the date of this Act may be owing by either Department to the other (exclusive of working fund accounts) for materials, supplies, equipment, or services furnished to either of said departments by the other, prior to September 1, 1945. The department furnishing such materials, supplies, equipment, and services shall be responsible for the expenses arising in connection with the termination of contracts or settlement of the accounts in connection therewith.

Defense aid.

The defense aid (lend-lease) appropriations made to the President are hereby relieved from reimbursing the appropriations of the "Military Establishment" and the appropriations of the "Navy Department and the Naval Service" for any amounts owing on the date of this Act to such appropriations for materials, supplies, equipment, or services which, pursuant to the authorization or direction of the former Foreign Economic Administration or the State Department, were furnished by either the War or the Navy Department to any foreign government under the provisions of the Lend-Lease Act, as amended: *Provided*, That of the reduction of \$1,080,000,000 made in the appropriation "Defense aid—lend-lease" under title I of this Act, \$135,000,000 shall be transferred to the credit of the appropriation "United Nations Relief and Rehabilitation Administration, 1944-1946", instead of being carried to the surplus fund and covered into the Treasury.

Ante, p. 221; *post*, p.
603.

Short title.

SEC. 301. This Act may be cited as the "Second Supplemental Surplus Appropriation Rescission Act, 1946".

Approved May 27, 1946.

[CHAPTER 277]

JOINT RESOLUTION

To provide for the proper observance of the one hundred and fifty-fifth anniversary of the adoption of the first ten amendments to the Constitution, known as the Bill of Rights.

May 29, 1946
[H. J. Res. 273]
[Public Law 392]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation designating December 15, 1946, as Bill of Rights Day, calling upon officials of the Government to display the flag of the United States on all Government buildings on that day, and inviting the people of the United States to observe the day with appropriate ceremonies and prayer.

Bill of Rights Day.
11 F. R. 14221.

Approved May 29, 1946.

[CHAPTER 278]

JOINT RESOLUTION

Extending the time for the release of powers of appointment for the purposes of certain provisions of the Internal Revenue Code.

May 29, 1946
[H. J. Res. 353]
[Public Law 393]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403 (d) (3) of the Revenue Act of 1942 (relating to the release of certain powers of appointment) is amended by striking out "July 1, 1946" wherever it appears and inserting in lieu thereof "July 1, 1947"; and section 452 (c) of the Revenue Act of 1942 is amended to read as follows:

Revenue Act, 1942,
amendment.
56 Stat. 944, 952; 59
Stat. 264.
26 U. S. C., Supp.
V, §§ 811, 812, 826, 861
notes, 1000 note.

"(c) RELEASE BEFORE JULY 1, 1947.—

"(1) A release of a power to appoint before July 1, 1947, shall not be deemed a transfer of property by the individual possessing such power.

"(2) This subsection shall apply to all calendar years prior to 1947 and to that part of the calendar year 1947 prior to July 1, 1947."

Approved May 29, 1946.

[CHAPTER 279]

AN ACT

To confer jurisdiction on the State of North Dakota over offenses committed by or against Indians on the Devils Lake Indian Reservation.

May 31, 1946
[S. 1305]
[Public Law 394]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the State of North Dakota over offenses committed by or against Indians on the Devils Lake Indian Reservation in North Dakota to the same extent as its courts have jurisdiction generally over offenses committed within said State outside of Indian reservations: Provided, however, That nothing herein contained shall deprive the courts of the United States of jurisdiction over offenses defined by the laws of the United States committed by or against Indians on said reservation, nor shall anything herein contained deprive any Indian of any protection afforded by Federal law, contract, or treaty against the taxation or alienation of any restricted property.

Devils Lake Indian
Reservation.
Jurisdiction over of-
fenses.

Approved May 31, 1946.

[CHAPTER 280]

AN ACT

June 3, 1946
[H. R. 5504]
[Public Law 395]

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Bankruptcy Act of
1898, amendment.
47 Stat. 1471.
11 U. S. C., Supp.
V, § 203 (c).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 75 (c) (U. S. C., title 11, sec. 203) of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, be and is amended to read as follows:

"(c) At any time prior to March 31, 1947, a petition may be filed by any farmer, stating that the farmer is insolvent or unable to meet his debts as they mature and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. The petition and answer shall be filed with the court, but shall, on request of the farmer or creditor, be received by the conciliation commissioner for the county in which the farmer resides and promptly transmitted by him to the clerk of the court for filing. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

Approved June 3, 1946.

[CHAPTER 281]

AN ACT

June 4, 1946
[H. R. 3370]
[Public Law 396]

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

National School
Lunch Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National School Lunch Act".

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school-lunch programs.

APPROPRIATIONS AUTHORIZED

SEC. 3. For each fiscal year, beginning with the fiscal year ending June 30, 1947, there is hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of Agriculture (hereinafter referred to as "the Secretary") to carry out the provisions of this Act.

APPORTIONMENTS TO STATES

SEC. 4. The sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, excluding the sum specified in section 5, shall be available to the Secretary for supplying, during such fiscal year, agricultural commodities and other foods for the school-lunch program in accordance with the provisions of this Act. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds

made available for such year for supplying agricultural commodities and other foods under the provisions of this Act, except that the total of such apportionments of funds for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program. Apportionment among the States shall be made on the basis of two factors: (1) The number of school children in the State and (2) the need for assistance in the State as indicated by the relation of the per capita income in the United States to the per capita income in the State. The amount of the initial apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and, finally, apply the figure thus obtained to the total funds to be apportioned. For the purpose of this section, the number of school children in the State shall be the number of children therein between the ages of five and seventeen, inclusive; such figures and per capita income figures shall be the latest figures certified by the Department of Commerce. For the purposes of this Act, "school" means any public or nonprofit private school of high-school grade or under and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico. If any State cannot utilize all funds so apportioned to it, or if additional funds are available under this Act for apportionment among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

Determination of amount.

"School."

SEC. 5. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, \$10,000,000 shall be available to the Secretary for the purpose of providing, during such fiscal year, nonfood assistance for the school-lunch program pursuant to the provisions of this Act. The Secretary shall apportion among the States during each fiscal year the aforesaid sum of \$10,000,000, and such apportionment among the States shall be on the basis of the factors, and in accordance with the standards, set forth in section 4 with respect to the apportionment for agricultural commodities and other foods. The total of such funds apportioned for nonfood assistance for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for nonfood assistance in accordance with the provisions of this Act.

Nonfood assistance.

DIRECT FEDERAL EXPENDITURES

SEC. 6. The funds appropriated for any fiscal year for carrying out the provisions of this Act, less not to exceed 3½ per centum thereof hereby made available to the Secretary for his administrative expenses and less the amount apportioned by him pursuant to sections 4, 5, and 10, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this Act in accordance with the needs as determined by the local school authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this Act, also be applicable to expenditures of funds by the Secretary under this Act.

15 U. S. C. § 713c; Supp. V, § 713c.

7 U. S. C. § 612c; Supp. V, § 612c note.

PAYMENTS TO STATES

Matching of funds
by States.

SEC. 7. Funds apportioned to any State pursuant to section 4 or 5 during any fiscal year shall be available for payment to such State for disbursement by the State educational agency, in accordance with such agreements not inconsistent with the provisions of this Act, as may be entered into by the Secretary and such State educational agency, for the purpose of assisting schools of that State during such fiscal year, in supplying (1) agricultural commodities and other foods for consumption by children and (2) nonfood assistance in furtherance of the school-lunch program authorized under this Act. Such payments to any State in any fiscal year during the period 1947 to 1950, inclusive, shall be made upon condition that each dollar thereof will be matched during such year by \$1 from sources within the State determined by the Secretary to have been expended in connection with the school-lunch program under this Act. Such payments in any fiscal year during the period 1951 to 1955, inclusive, shall be made upon condition that each dollar thereof will be so matched by one and one-half dollars; and for any fiscal year thereafter, such payments shall be made upon condition that each dollar will be so matched by \$3. In the case of any State whose per capita income is less than the per capita income of the United States, the matching required for any fiscal year shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For the purpose of determining whether the matching requirements of this section and section 10, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and in case of schools receiving funds pursuant to section 10, by such schools (but not the cost or value of land, of the acquisition, construction, or alteration of buildings of commodities donated by the Secretary, or of Federal contributions), may be regarded as funds from sources within the State expended in connection with the school-lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

STATE DISBURSEMENT TO SCHOOLS

SEC. 8. Funds paid to any State during any fiscal year pursuant to section 4 or 5 shall be disbursed by the State educational agency, in accordance with such agreements approved by the Secretary as may be entered into by such State agency and the schools in the State, to those schools in the State which the State educational agency, taking into account need and attendance, determines are eligible to participate in the school-lunch program. Such disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the school-lunch program and nonfood assistance in connection with such program. Such food costs may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof. In no event shall such disbursement for food to any school for any fiscal year exceed an amount determined by multiplying the number of lunches served in the school in the school-lunch program under this Act during such year by the maximum Federal food-cost contribution rate for the State, for the type of lunch served, as prescribed by the Secretary.

NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 9. Lunches served by schools participating in the school-lunch program under this Act shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay. School-lunch programs under this Act shall be operated on a nonprofit basis. Each school shall, insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in the school-lunch program under this Act as well as to other schools carrying out nonprofit school-lunch programs and institutions authorized to receive such commodities.

7 U. S. C. § 612c;
Supp. V, § 612c note.

SEC. 10. If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this Act to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under sections 4 and 5 of this Act the same proportion of the funds as the number of children between the ages of five and seventeen, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 7 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this Act. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 7.

Disbursement of
funds to nonprofit
private schools.

MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 11. (a) States, State educational agencies, and schools participating in the school-lunch program under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this Act are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary.

Accounts and records.

(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this Act with respect to the operation of the school-lunch program under this Act insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this Act.

Operation of program.

(c) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction, methods of instruction, and

Teaching personnel,
etc.

Minority races.

materials of instruction in any school. If a State maintains separate schools for minority and for majority races, no funds made available pursuant to this Act shall be paid or disbursed to it unless a just and equitable distribution is made within the State, for the benefit of such minority races, of funds paid to it under this Act.

“State.”

(d) For the purposes of this Act—

(1) “State” includes any of the forty-eight States and the District of Columbia, Territory of Hawaii, Puerto Rico, Alaska, and the Virgin Islands.

“State educational agency.”

(2) “State educational agency” means, as the State legislature may determine, (a) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (b) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education, and except that for the period ending June 30, 1948, “State educational agency” may mean any agency or agencies within the State designated by the Governor to carry out the functions herein required of a State educational agency.

“Nonprofit private school.”
53 Stat. 33.
26 U. S. C. § 101 (c).

(3) “Nonprofit private school” means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended.

“Nonfood assistance.”

(4) “Nonfood assistance” means equipment used on school premises in storing, preparing, or serving food for school children.

Approved June 4, 1946.

[CHAPTER 282]

AN ACT

June 8, 1946
[S. 1862]
[Public Law 397]

To provide for the delivery of custody of certain articles of historic interest from the United States Ship Nevada and the United States Ship Wyoming to the State of Nevada and the State of Wyoming, respectively.

U. S. S. Nevada,
silver service, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to deliver to the custody of the Governor of Nevada for use as a display in the Nevada State Museum the name plate, the ship's bell, the silver service, and the magnesium chest of the United States Ship Nevada.

U. S. S. Wyoming,
silver service, etc.

SEC. 2. The Secretary of the Navy is hereby authorized and directed to deliver to the custody of the Governor of Wyoming for exhibition, educational purposes, and use by the University of Wyoming the name plate, the ship's bell, and the silver service of the United States Ship Wyoming.

Approved June 8, 1946.

[CHAPTER 283]

AN ACT

June 8, 1946
[S. 1862]
[Public Law 398]

To repeal section 1548 Revised Statutes (34 U. S. C. 592).

Navy.
Regulations and general orders.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1548, Revised Statutes (34 U. S. C. 592), which provides “The Secretary of the Navy shall cause each commissioned or warrant officer of the Navy, on his entry into the service, be furnished with a copy of the regulations and general orders of the Navy Department then in force, and thereafter with a copy of all such as may be issued,” is hereby repealed.

Approved June 8, 1946.

[CHAPTER 284]

AN ACT

To provide for the rank of original appointments in the Corps of Civil Engineers of the United States Navy, and for other purposes.

June 8, 1946
[S. 1872]
[Public Law 399]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, original appointments as officers in the Corps of Civil Engineers of the United States Navy shall be in the grade of assistant civil engineer with rank of ensign or of lieutenant (junior grade) in accordance with such regulations as the Secretary of the Navy may prescribe.

U. S. Navy.
Original appointments in Corps of Civil Engineers.

SEC. 2. The second paragraph under the heading "Fuel and transportation" in chapter 180, Thirty-ninth Statutes at Large, 1168, which is the first paragraph on page 1184, is hereby repealed.

Repeal.
39 Stat. 1184.
34 U. S. C. § 256.

Approved June 8, 1946.

[CHAPTER 285]

AN ACT

For the relief of the city of San Diego, Texas.

June 8, 1946
[H. R. 4418]
[Public Law 400]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city of San Diego, Texas, or its duly authorized agents, the sum of \$13,439.45, in full settlement of all claims against the United States for the destruction of the water tank, tower, electric fire siren, and frame garage when said city property was demolished by a plane piloted by a Navy flier on the 11th day of July 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

San Diego, Texas.
Settlement of claims.

Approved June 8, 1946.

[CHAPTER 297]

AN ACT

To reimburse certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel for personal property lost or damaged as the result of fires which occurred at various Navy and Marine Corps shore activities.

June 10, 1946
[S. 1665]
[Public Law 401]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$7,283.87, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel for the value of personal property lost or damaged as the result of fires occurring in a Quonset hut at naval operating base, Navy 151, on January 9, 1945; in barracks at United States naval air facility, Hitchcock, Texas, on May 22, 1945; in Quonset hut 38, Patsu four-one, on February 3, 1945; in building 215, Marine Corps air depot, Miramar, San Diego, California, on March 15, 1945; in Quonset hut at naval air station, Attu, Alaska, on January 29, 1945; in barracks at naval air station,

Navy and Marine Corps personnel and former personnel.
Reimbursement.

Key West, Florida, on January 1, 1945; in barracks at Manna Group, American Samoa Islands, on July 19, 1944; in Quonset hut 5, Tolosa, Leyte, Philippine Islands, on March 19, 1945; at officers' quarters 4 at United States Naval Mobile Hospital 9, on January 2, 1944; at Harrowbeer Airport, Plymouth, England, in January 1945; at officers' quarters OSS, Para-Military School, Chrea, Algiers, on June 2, 1944; at officer quarters I, naval air facility, Navy 129, on March 3, 1945; at Dewey unit, ships service building, naval training center, Sampson, New York, on January 15, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 298]

AN ACT

To establish the civilian position of Academic Dean of the Postgraduate School of the Naval Academy and compensation therefor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the civilian position of Academic Dean of the Postgraduate School of the Naval Academy is hereby established. The Secretary of the Navy, upon the recommendation of the Postgraduate School Council, which shall consist of the Superintendent, Deputy Superintendent, and the Directors of the Technical, Administrative and Professional Divisions of the Postgraduate School, shall appoint an academic dean to serve for periods of not in excess of five years. The Secretary of the Navy is hereby authorized to pay as compensation to such dean not more than \$12,000 annually from appropriations made for operation of the Naval Academy and postgraduate school, and said dean shall be considered as a member of the civilian teaching staff of the postgraduate school of the Naval Academy insofar as provisions of law regarding retirement are concerned.

Approved June 10, 1946.

[CHAPTER 299]

AN ACT

For the relief of the county of Hawaii, Territory of Hawaii.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the county of Hawaii of the Territory of Hawaii, the sum of \$1,550. The payment of such sum shall be in full settlement of all claims of the said county of Hawaii against the United States on account of property damages caused by personnel of the Fifth Marine Division of the United States Marine Corps, when they shot up, burned, or took away property belonging to the county of Hawaii, located adjacent to the quarry in engineer area numbered 1, Camp Tarawa, Marine Camps, Hawaii, Territory of Hawaii, during the period from approximately November 6, 1944, to December 12, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or

June 10, 1946
[S. 1854]
[Public Law 402]

Naval Academy.
Academic Dean of
Postgraduate School.

Compensation.

June 10, 1946
[H. R. 4300]
[Public Law 403]

Hawaii.
Settlement of
claims.

attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 324]

AN ACT

To improve the administration of justice by prescribing fair administrative procedure.

June 11, 1946
[S. 7]
[Public Law 404]

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

TITLE

SECTION 1. This Act may be cited as the "Administrative Procedure Act".

Administrative Procedure Act.

DEFINITIONS

SEC. 2. As used in this Act—

(a) AGENCY.—"Agency" means each authority (whether or not within or subject to review by another agency) of the Government of the United States other than Congress, the courts, or the governments of the possessions, Territories, or the District of Columbia. Nothing in this Act shall be construed to repeal delegations of authority as provided by law. Except as to the requirements of section 3, there shall be excluded from the operation of this Act (1) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them, (2) courts martial and military commissions, (3) military or naval authority exercised in the field in time of war or in occupied territory, or (4) functions which by law expire on the termination of present hostilities, within any fixed period thereafter, or before July 1, 1947, and the functions conferred by the following statutes: Selective Training and Service Act of 1940; Contract Settlement Act of 1944; Surplus Property Act of 1944.

Post, pp. 918, 903.

(b) PERSON AND PARTY.—"Person" includes individuals, partnerships, corporations, associations, or public or private organizations of any character other than agencies. "Party" includes any person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, in any agency proceeding; but nothing herein shall be construed to prevent an agency from admitting any person or agency as a party for limited purposes.

54 Stat. 885; 58 Stat. 649, 765.
50 U. S. C. app. §§ 301-318; Supp. V, app. § 302 et seq., 41 U. S. C., Supp. V, §§ 101-125; 50 U. S. C., Supp. V, app. §§ 1611-1646.
Ante, pp. 168, 169, 181; post, pp. 341, 342, 599, 754, 886.

(c) RULE AND RULE MAKING.—"Rule" means the whole or any part of any agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the organization, procedure, or practice requirements of any agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing upon any of the foregoing. "Rule making" means agency process for the formulation, amendment, or repeal of a rule.

(d) ORDER AND ADJUDICATION.—"Order" means the whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) of any agency in any matter other than rule making but including licensing. "Adjudication" means agency process for the formulation of an order.

(e) **LICENSE AND LICENSING.**—“License” includes the whole or part of any agency permit, certificate, approval, registration, charter, membership, statutory exemption or other form of permission. “Licensing” includes agency process respecting the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation amendment, modification, or conditioning of a license.

(f) **SANCTION AND RELIEF.**—“Sanction” includes the whole or part of any agency (1) prohibition, requirement, limitation, or other condition affecting the freedom of any person; (2) withholding of relief; (3) imposition of any form of penalty or fine; (4) destruction, taking, seizure, or withholding of property; (5) assessment of damages, reimbursement, restitution, compensation, costs, charges, or fees; (6) requirement, revocation, or suspension of a license; or (7) taking of other compulsory or restrictive action. “Relief” includes the whole or part of any agency (1) grant of money, assistance, license, authority, exemption, exception, privilege, or remedy; (2) recognition of any claim, right, immunity, privilege, exemption, or exception; or (3) taking of any other action upon the application or petition of, and beneficial to, any person.

(g) **AGENCY PROCEEDING AND ACTION.**—“Agency proceeding” means any agency process as defined in subsections (c), (d), and (e) of this section. “Agency action” includes the whole or part of every agency rule, order, license, sanction, relief, or the equivalent or denial thereof, or failure to act.

PUBLIC INFORMATION

SEC. 3. Except to the extent that there is involved (1) any function of the United States requiring secrecy in the public interest or (2) any matter relating solely to the internal management of an agency—

(a) **RULES.**—Every agency shall separately state and currently publish in the Federal Register (1) descriptions of its central and field organization including delegations by the agency of final authority and the established places at which, and methods whereby, the public may secure information or make submittals or requests; (2) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal or informal procedures available as well as forms and instructions as to the scope and contents of all papers, reports, or examinations; and (3) substantive rules adopted as authorized by law and statements of general policy or interpretations formulated and adopted by the agency for the guidance of the public, but not rules addressed to and served upon named persons in accordance with law. No person shall in any manner be required to resort to organization or procedure not so published.

(b) **OPINIONS AND ORDERS.**—Every agency shall publish or, in accordance with published rule, make available to public inspection all final opinions or orders in the adjudication of cases (except those required for good cause to be held confidential and not cited as precedents) and all rules.

(c) **PUBLIC RECORDS.**—Save as otherwise required by statute, matters of official record shall in accordance with published rule be made available to persons properly and directly concerned except information held confidential for good cause found.

RULE MAKING

SEC. 4. Except to the extent that there is involved (1) any military, naval, or foreign affairs function of the United States or (2) any matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts—

(a) **NOTICE.**—General notice of proposed rule making shall be published in the Federal Register (unless all persons subject thereto are named and either personally served or otherwise have actual notice thereof in accordance with law) and shall include (1) a statement of the time, place, and nature of public rule making proceedings; (2) reference to the authority under which the rule is proposed; and (3) either the terms or substance of the proposed rule or a description of the subjects and issues involved. Except where notice or hearing is required by statute, this subsection shall not apply to interpretative rules, general statements of policy, rules of agency organization, procedure, or practice, or in any situation in which the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.

(b) **PROCEDURES.**—After notice required by this section, the agency shall afford interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity to present the same orally in any manner; and, after consideration of all relevant matter presented, the agency shall incorporate in any rules adopted a concise general statement of their basis and purpose. Where rules are required by statute to be made on the record after opportunity for an agency hearing, the requirements of sections 7 and 8 shall apply in place of the provisions of this subsection.

(c) **EFFECTIVE DATES.**—The required publication or service of any substantive rule (other than one granting or recognizing exemption or relieving restriction or interpretative rules and statements of policy) shall be made not less than thirty days prior to the effective date thereof except as otherwise provided by the agency upon good cause found and published with the rule.

(d) **PETITIONS.**—Every agency shall accord any interested person the right to petition for the issuance, amendment, or repeal of a rule.

ADJUDICATION

SEC. 5. In every case of adjudication required by statute to be determined on the record after opportunity for an agency hearing, except to the extent that there is involved (1) any matter subject to a subsequent trial of the law and the facts de novo in any court; (2) the selection or tenure of an officer or employee of the United States other than examiners appointed pursuant to section 11; (3) proceedings in which decisions rest solely on inspections, tests, or elections; (4) the conduct of military, naval, or foreign affairs functions; (5) cases in which an agency is acting as an agent for a court; and (6) the certification of employee representatives—

Post, p. 214.

(a) **NOTICE.**—Persons entitled to notice of an agency hearing shall be timely informed of (1) the time, place, and nature thereof; (2) the legal authority and jurisdiction under which the hearing is to be held; and (3) the matters of fact and law asserted. In instances in which private persons are the moving parties, other parties to the proceeding shall give prompt notice of issues controverted in fact or law; and in other instances agencies may by rule require responsive pleading. In fixing the times and places for hearings, due regard shall be had for the convenience and necessity of the parties or their representatives.

(b) **PROCEDURE.**—The agency shall afford all interested parties opportunity for (1) the submission and consideration of facts, arguments, offers of settlement, or proposals of adjustment where time, the nature of the proceeding, and the public interest permit, and (2)

to the extent that the parties are unable so to determine any controversy by consent, hearing, and decision upon notice and in conformity with sections 7 and 8.

(c) **SEPARATION OF FUNCTIONS.**—The same officers who preside at the reception of evidence pursuant to section 7 shall make the recommended decision or initial decision required by section 8 except where such officers become unavailable to the agency. Save to the extent required for the disposition of ex parte matters as authorized by law, no such officer shall consult any person or party on any fact in issue unless upon notice and opportunity for all parties to participate; nor shall such officer be responsible to or subject to the supervision or direction of any officer, employee, or agent engaged in the performance of investigative or prosecuting functions for any agency. No officer, employee, or agent engaged in the performance of investigative or prosecuting functions for any agency in any case shall, in that or a factually related case, participate or advise in the decision, recommended decision, or agency review pursuant to section 8 except as witness or counsel in public proceedings. This subsection shall not apply in determining applications for initial licenses or to proceedings involving the validity or application of rates, facilities, or practices of public utilities or carriers; nor shall it be applicable in any manner to the agency or any member or members of the body comprising the agency.

(d) **DECLARATORY ORDERS.**—The agency is authorized in its sound discretion, with like effect as in the case of other orders, to issue a declaratory order to terminate a controversy or remove uncertainty.

ANCILLARY MATTERS

SEC. 6. Except as otherwise provided in this Act—

(a) **APPEARANCE.**—Any person compelled to appear in person before any agency or representative thereof shall be accorded the right to be accompanied, represented, and advised by counsel or, if permitted by the agency, by other qualified representative. Every party shall be accorded the right to appear in person or by or with counsel or other duly qualified representative in any agency proceeding. So far as the orderly conduct of public business permits, any interested person may appear before any agency or its responsible officers or employees for the presentation, adjustment, or determination of any issue, request, or controversy in any proceeding (interlocutory, summary, or otherwise) or in connection with any agency function. Every agency shall proceed with reasonable dispatch to conclude any matter presented to it except that due regard shall be had for the convenience and necessity of the parties or their representatives. Nothing herein shall be construed either to grant or to deny to any person who is not a lawyer the right to appear for or represent others before any agency or in any agency proceeding.

(b) **INVESTIGATIONS.**—No process, requirement of a report, inspection, or other investigative act or demand shall be issued, made, or enforced in any manner or for any purpose except as authorized by law. Every person compelled to submit data or evidence shall be entitled to retain or, on payment of lawfully prescribed costs, procure a copy or transcript thereof, except that in a nonpublic investigatory proceeding the witness may for good cause be limited to inspection of the official transcript of his testimony.

(c) **SUBPENAS.**—Agency subpoenas authorized by law shall be issued to any party upon request and, as may be required by rules of procedure, upon a statement or showing of general relevance and reasonable scope of the evidence sought. Upon contest the court shall sustain

any such subpoena or similar process or demand to the extent that it is found to be in accordance with law and, in any proceeding for enforcement, shall issue an order requiring the appearance of the witness or the production of the evidence or data within a reasonable time under penalty of punishment for contempt in case of contumacious failure to comply.

(d) **DENIALS.**—Prompt notice shall be given of the denial in whole or in part of any written application, petition, or other request of any interested person made in connection with any agency proceeding. Except in affirming a prior denial or where the denial is self-explanatory, such notice shall be accompanied by a simple statement of procedural or other grounds.

HEARINGS

SEC. 7. In hearings which section 4 or 5 requires to be conducted pursuant to this section—

(a) **PRESIDING OFFICERS.**—There shall preside at the taking of evidence (1) the agency, (2) one or more members of the body which comprises the agency, or (3) one or more examiners appointed as provided in this Act; but nothing in this Act shall be deemed to supersede the conduct of specified classes of proceedings in whole or part by or before boards or other officers specially provided for by or designated pursuant to statute. The functions of all presiding officers and of officers participating in decisions in conformity with section 8 shall be conducted in an impartial manner. Any such officer may at any time withdraw if he deems himself disqualified; and, upon the filing in good faith of a timely and sufficient affidavit of personal bias or disqualification of any such officer, the agency shall determine the matter as a part of the record and decision in the case.

(b) **HEARING POWERS.**—Officers presiding at hearings shall have authority, subject to the published rules of the agency and within its powers, to (1) administer oaths and affirmations, (2) issue subpoenas authorized by law, (3) rule upon offers of proof and receive relevant evidence, (4) take or cause depositions to be taken whenever the ends of justice would be served thereby, (5) regulate the course of the hearing, (6) hold conferences for the settlement or simplification of the issues by consent of the parties, (7) dispose of procedural requests or similar matters, (8) make decisions or recommend decisions in conformity with section 8, and (9) take any other action authorized by agency rule consistent with this Act.

(c) **EVIDENCE.**—Except as statutes otherwise provide, the proponent of a rule or order shall have the burden of proof. Any oral or documentary evidence may be received, but every agency shall as a matter of policy provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence and no sanction shall be imposed or rule or order be issued except upon consideration of the whole record or such portions thereof as may be cited by any party and as supported by and in accordance with the reliable, probative, and substantial evidence. Every party shall have the right to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. In rule making or determining claims for money or benefits or applications for initial licenses any agency may, where the interest of any party will not be prejudiced thereby, adopt procedures for the submission of all or part of the evidence in written form.

(d) **RECORD.**—The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, shall constitute

the exclusive record for decision in accordance with section 8 and, upon payment of lawfully prescribed costs, shall be made available to the parties. Where any agency decision rests on official notice of a material fact not appearing in the evidence in the record, any party shall on timely request be afforded an opportunity to show the contrary.

DECISIONS

SEC. 8. In cases in which a hearing is required to be conducted in conformity with section 7—

(a) ACTION BY SUBORDINATES.—In cases in which the agency has not presided at the reception of the evidence, the officer who presided (or, in cases not subject to subsection (c) of section 5, any other officer or officers qualified to preside at hearings pursuant to section 7) shall initially decide the case or the agency shall require (in specific cases or by general rule) the entire record to be certified to it for initial decision. Whenever such officers make the initial decision and in the absence of either an appeal to the agency or review upon motion of the agency within time provided by rule, such decision shall without further proceedings then become the decision of the agency. On appeal from or review of the initial decisions of such officers the agency shall, except as it may limit the issues upon notice or by rule, have all the powers which it would have in making the initial decision. Whenever the agency makes the initial decision without having presided at the reception of the evidence, such officers shall first recommend a decision except that in rule making or determining applications for initial licenses (1) in lieu thereof the agency may issue a tentative decision or any of its responsible officers may recommend a decision or (2) any such procedure may be omitted in any case in which the agency finds upon the record that due and timely execution of its functions imperatively and unavoidably so requires.

(b) SUBMITTALS AND DECISIONS.—Prior to each recommended, initial, or tentative decision, or decision upon agency review of the decision of subordinate officers the parties shall be afforded a reasonable opportunity to submit for the consideration of the officers participating in such decisions (1) proposed findings and conclusions, or (2) exceptions to the decisions or recommended decisions of subordinate officers or to tentative agency decisions, and (3) supporting reasons for such exceptions or proposed findings or conclusions. The record shall show the ruling upon each such finding, conclusion, or exception presented. All decisions (including initial, recommended, or tentative decisions) shall become a part of the record and include a statement of (1) findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record; and (2) the appropriate rule, order, sanction, relief, or denial thereof.

SANCTIONS AND POWERS

SEC. 9. In the exercise of any power or authority—

(a) IN GENERAL.—No sanction shall be imposed or substantive rule or order be issued except within jurisdiction delegated to the agency and as authorized by law.

(b) LICENSES.—In any case in which application is made for a license required by law the agency, with due regard to the rights or privileges of all the interested parties or adversely affected persons and with reasonable dispatch, shall set and complete any proceedings required to be conducted pursuant to sections 7 and 8 of this Act or other proceedings required by law and shall make its decision. Except in cases of willfulness or those in which public health, interest, or

safety requires otherwise, no withdrawal, suspension, revocation, or annulment of any license shall be lawful unless, prior to the institution of agency proceedings therefor, facts or conduct which may warrant such action shall have been called to the attention of the licensee by the agency in writing and the licensee shall have been accorded opportunity to demonstrate or achieve compliance with all lawful requirements. In any case in which the licensee has, in accordance with agency rules, made timely and sufficient application for a renewal or a new license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined by the agency.

JUDICIAL REVIEW

SEC. 10. Except so far as (1) statutes preclude judicial review or (2) agency action is by law committed to agency discretion—

(a) **RIGHT OF REVIEW.**—Any person suffering legal wrong because of any agency action, or adversely affected or aggrieved by such action within the meaning of any relevant statute, shall be entitled to judicial review thereof.

(b) **FORM AND VENUE OF ACTION.**—The form of proceeding for judicial review shall be any special statutory review proceeding relevant to the subject matter in any court specified by statute or, in the absence or inadequacy thereof, any applicable form of legal action (including actions for declaratory judgments or writs of prohibitory or mandatory injunction or habeas corpus) in any court of competent jurisdiction. Agency action shall be subject to judicial review in civil or criminal proceedings for judicial enforcement except to the extent that prior, adequate, and exclusive opportunity for such review is provided by law.

(c) **REVIEWABLE ACTS.**—Every agency action made reviewable by statute and every final agency action for which there is no other adequate remedy in any court shall be subject to judicial review. Any preliminary, procedural, or intermediate agency action or ruling not directly reviewable shall be subject to review upon the review of the final agency action. Except as otherwise expressly required by statute, agency action otherwise final shall be final for the purposes of this subsection whether or not there has been presented or determined any application for a declaratory order, for any form of reconsideration, or (unless the agency otherwise requires by rule and provides that the action meanwhile shall be inoperative) for an appeal to superior agency authority.

(d) **INTERIM RELIEF.**—Pending judicial review any agency is authorized, where it finds that justice so requires, to postpone the effective date of any action taken by it. Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, every reviewing court (including every court to which a case may be taken on appeal from or upon application for certiorari or other writ to a reviewing court) is authorized to issue all necessary and appropriate process to postpone the effective date of any agency action or to preserve status or rights pending conclusion of the review proceedings.

(e) **SCOPE OF REVIEW.**—So far as necessary to decision and where presented the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of any agency action. It shall (A) compel agency action unlawfully withheld or unreasonably delayed; and (B) hold unlawful and set aside agency action, findings, and conclusions found to be (1) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; (2) contrary to

constitutional right, power, privilege, or immunity; (3) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; (4) without observance of procedure required by law; (5) unsupported by substantial evidence in any case subject to the requirements of sections 7 and 8 or otherwise reviewed on the record of an agency hearing provided by statute; or (6) unwarranted by the facts to the extent that the facts are subject to trial de novo by the reviewing court. In making the foregoing determinations the court shall review the whole record or such portions thereof as may be cited by any party, and due account shall be taken of the rule of prejudicial error.

Ante, pp. 241, 242.

EXAMINERS

SEC. 11. Subject to the civil-service and other laws to the extent not inconsistent with this Act, there shall be appointed by and for each agency as many qualified and competent examiners as may be necessary for proceedings pursuant to sections 7 and 8, who shall be assigned to cases in rotation so far as practicable and shall perform no duties inconsistent with their duties and responsibilities as examiners. Examiners shall be removable by the agency in which they are employed only for good cause established and determined by the Civil Service Commission (hereinafter called the Commission) after opportunity for hearing and upon the record thereof. Examiners shall receive compensation prescribed by the Commission independently of agency recommendations or ratings and in accordance with the Classification Act of 1923, as amended, except that the provisions of paragraphs (2) and (3) of subsection (b) of section 7 of said Act, as amended, and the provisions of section 9 of said Act, as amended, shall not be applicable. Agencies occasionally or temporarily insufficiently staffed may utilize examiners selected by the Commission from and with the consent of other agencies. For the purposes of this section, the Commission is authorized to make investigations, require reports by agencies, issue reports, including an annual report to the Congress, promulgate rules, appoint such advisory committees as may be deemed necessary, recommend legislation, subpoena witnesses or records, and pay witness fees as established for the United States courts.

42 Stat. 1488; 55 Stat. 613.
5 U. S. C. §§ 661-674;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

Ante, pp. 241, 242.

CONSTRUCTION AND EFFECT

SEC. 12. Nothing in this Act shall be held to diminish the constitutional rights of any person or to limit or repeal additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, all requirements or privileges relating to evidence or procedure shall apply equally to agencies and persons. If any provision of this Act or the application thereof is held invalid, the remainder of this Act or other applications of such provision shall not be affected. Every agency is granted all authority necessary to comply with the requirements of this Act through the issuance of rules or otherwise. No subsequent legislation shall be held to supersede or modify the provisions of this Act except to the extent that such legislation shall do so expressly. This Act shall take effect three months after its approval except that sections 7 and 8 shall take effect six months after such approval, the requirement of the selection of examiners pursuant to section 11 shall not become effective until one year after such approval, and no procedural requirement shall be mandatory as to any agency proceeding initiated prior to the effective date of such requirement.

Ante, pp. 241, 242.

Approved June 11, 1946.

[CHAPTER 325]

AN ACT

To authorize the payment of additional uniform gratuity to reserve officers commissioned from the status of aviation cadets.

June 11, 1946
[S. 1959]
[Public Law 405]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Naval Aviation Cadet Act of 1942, as amended (57 Stat. 573; 34 U. S. C. 850j), is hereby amended by striking out the period at the end of said section and adding the following: “: *Provided further,* That officers commissioned pursuant to this Act or to the Naval Aviation Reserve Act of 1939 (53 Stat. 819) shall be entitled to the additional uniform gratuity in the amount of \$50 in like manner and under the same circumstances as is provided in section 302 of the Naval Reserve Act of 1938 (52 Stat. 1180; 34 U. S. C. 855a).”

34 U. S. C., Supp. V, § 850j.

Additional uniform gratuity.
34 U. S. C. § 849 note; Supp. V, § 842 *et seq.*

Approved June 11, 1946.

[CHAPTER 326]

JOINT RESOLUTION

To amend the joint resolution creating the Niagara Falls Bridge Commission.

June 11, 1946
[H. J. Res. 340]
[Public Law 406]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of Public Resolution 117, Seventy-fifth Congress, as amended, is amended by adding after the third sentence thereof the following:

Niagara Falls Bridge Commission.
52 Stat. 768.

“Whenever it shall determine that it will be to its financial advantage so to do, the Commission may issue refunding bonds, in accordance with the provisions of this section, in such amount, as will, at the price paid therefor, provide funds sufficient to pay and retire any outstanding bonds of the Commission, at or prior to the maturity thereof, if the same be, by their terms or by any other instrument or agreement, subject to prior redemption, together with any matured or accrued interest thereon.”

Issuance of refunding bonds.

Approved June 11, 1946.

[CHAPTER 327]

JOINT RESOLUTION

To correct a technical error in the Act approved April 18, 1946 (Public Law 347, Seventy-ninth Congress, second session).

June 11, 1946
[H. J. Res. 347]
[Public Law 407]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 6 of the Act approved April 18, 1946 (Public Law 347, Seventy-ninth Congress, second session), is hereby amended by striking out the figure “2” wherever it occurs therein after the word “section” and substituting in lieu thereof the figure “5”, so that as thus amended the said subsection will read as follows:

Regular Navy.
Ante, p. 94.

“(c) Each officer above the grade of commissioned warrant officer whose commission is so revoked and who (1) at the time of his appointment under subsection (a) of section 5 held permanent status as a commissioned warrant officer may be reappointed by the President to such permanent status without examination, with the lineal position and other rights and benefits to which he would have been entitled had his service subsequent to reappointment under such subsection (a) been rendered in such permanent status, or (2) at the time of his appointment under subsection (a) of section 5 held permanent status

Reappointments.

as a warrant or petty officer, may be appointed by the President without examination to permanent commissioned warrant or warrant grade with the same lineal position and other rights and benefits which he would have had or normally would have attained in due course had he not been appointed pursuant to subsection (a) of section 5, or (3) at the time of his appointment under subsection (a) of section 5 held permanent status as a petty officer may be reenlisted as a chief petty officer (permanent appointment) and shall be entitled to the same rights and benefits to which he would have been entitled or normally would have attained in due course had he not been appointed pursuant to subsection (a) of section 5."

Approved June 11, 1946.

[CHAPTER 328]

AN ACT

Granting the consent and approval of Congress to an interstate compact between Colorado and New Mexico with respect to the waters of Costilla Creek.

June 11, 1946
[H. R. 4510]
[Public Law 408]

Costilla Creek Compact.
Colorado and New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to the compact between the State of Colorado and the State of New Mexico designated as the Costilla Creek Compact signed in the city of Santa Fe, State of New Mexico, on the 30th day of September, anno Domini 1944, by Clifford H. Stone, commissioner for the State of Colorado, and Thomas M. McClure, commissioner for the State of New Mexico, and thereafter approved by the Legislatures of the States of Colorado and New Mexico, which compact reads as follows:

COSTILLA CREEK COMPACT

The State of Colorado and the State of New Mexico, parties signatory to this compact (hereinafter referred to as "Colorado" and "New Mexico", respectively, or individually as a "State", or collectively as the "States"), having resolved to conclude a compact with respect to the waters of Costilla Creek, an interstate stream, have designated, pursuant to the Acts of their respective Legislatures and appointment by their respective Governors, as their Commissioners: Clifford H. Stone, for Colorado; Thomas M. McClure, for New Mexico; who, after negotiations, have agreed upon these articles:

ARTICLE I

Purposes of compact.

The major purposes of this compact are to provide for the equitable division and apportionment of the use of the waters of Costilla Creek; to promote interstate comity; to remove causes of present and future interstate controversies; to assure the most efficient utilization of the waters of Costilla Creek; to provide for the integrated operation of existing and prospective irrigation facilities on the stream in the two States; to adjust the conflicting jurisdictions of the two States over irrigation works and facilities diverting and storing water in one State for use in both States; to equalize the benefits of water from Costilla Creek, used for the irrigation of contiguous lands lying on either side of the Boundary, between the citizens

and water users of one State and those of the other; and to place the beneficial application of water diverted from Costilla Creek for irrigation by the water users of the two States on a common basis.

The physical and other conditions peculiar to the Costilla Creek and its basin, and the nature and location of the irrigation development and the facilities in connection therewith, constitute the basis for this compact; and neither of the States hereby, nor the Congress of the United States by its consent, concedes that this compact establishes any general principle or precedent with respect to any other interstate stream.

ARTICLE II

As used in this compact, the following names, terms, and expressions are described, defined, applied, and taken to mean as in this Article set forth:

(a) "Costilla Creek" is a tributary of the Rio Grande which rises on the west slope of the Sangre de Cristo range in the extreme southeastern corner of Costilla County in Colorado and flows in a general westerly direction crossing the Boundary three times above its confluence with the Rio Grande in New Mexico.

"Costilla Creek."

(b) The "Canyon Mouth" is that point on Costilla Creek in New Mexico where the stream leaves the mountains and emerges into the San Luis Valley.

"Canyon Mouth."

(c) The "Amalia Area" is that irrigated area in New Mexico above the Canyon Mouth and below the Costilla Reservoir which is served by decreed direct flow water rights.

"Amalia Area."

(d) The "Costilla-Garcia Area" is that area extending from the Canyon Mouth in New Mexico to a point in Colorado about four miles downstream from the Boundary, being a compact body of irrigated land on either side of Costilla Creek served by decreed direct flow water rights.

"Costilla-Garcia Area."

(e) The "Eastdale Reservoir No. 1" is that off-channel reservoir located in Colorado in Sections 7, 8, and 18, Township 1 North, Range 73 West, and Sections 12 and 13, Township 1 North, Range 74 West, of the Costilla Estates Survey, with a nominal capacity of three thousand four hundred sixty-eight (3,468) acre-feet and a present usable capacity of two thousand (2,000) acre-feet.

"Eastdale Reservoir No. 1."

(f) The "Eastdale Reservoir No. 2" is that off-channel reservoir located in Colorado in Sections 3, 4, 9, and 10, Township 1 North, Range 73 West, of the Costilla Estates Survey, with a nominal capacity of three thousand forty-one (3,041) acre-feet.

"Eastdale Reservoir No. 2."

(g) The "Costilla Reservoir" is that channel reservoir, having a nominal capacity of fifteen thousand seven hundred (15,700) acre-feet, located in New Mexico near the headwaters of Costilla Creek. The present Usable Capacity of the reservoir is eleven thousand (11,000) acre-feet, subject to future adjustment by the State Engineer of New Mexico. The condition of Costilla dam may be such that the State Engineer of New Mexico will not permit storage above a determined stage except for short periods of time.

"Costilla Reservoir."

(h) The "Cerro Canal" is that irrigation canal which diverts water from the left bank of Costilla Creek in New Mexico near the southwest corner of Section 12, Township 1 South, Range 73 West, of the Costilla Estates Survey, and runs in a northwesterly direction to the Boundary near Boundary Monument No. 140.

"Cerro Canal."

- "Boundary." (i) The "Boundary" is the term used herein to describe the common boundary line between Colorado and New Mexico.
- "Costilla Reservoir System." (j) The term "Costilla Reservoir System" means and includes the Costilla Reservoir and the Cerro Canal, the permits for the storage of water in Costilla Reservoir, the twenty-four and fifty-two hundredths (24.52) cubic feet per second of time of direct flow water rights transferred to the Cerro Canal, and the permits for the diversion of direct flow water by the Cerro Canal as adjusted herein to seventy-five and forty-eight hundredths (75.48) cubic feet per second of time.
- "Costilla Reservoir System Safe Yield." (k) The term "Costilla Reservoir System Safe Yield" means that quantity of usable water made available each year by the Costilla Reservoir System. The safe yield represents the most beneficial operation of the Costilla Reservoir System through the use, first, of the total usable portion of the yield of the twenty-four and fifty-two hundredths (24.52) cubic feet per second of time of direct flow rights transferred to the Cerro Canal, second, of the total usable portion of the yield of the direct flow Cerro Canal permits, and third, of that portion of the water stored in Costilla Reservoir required to complete such safe yield.
- "Usable Capacity." (l) The term "Usable Capacity" is defined and means that capacity of Costilla Reservoir at the stage above which the State Engineer of New Mexico will not permit storage except for short periods of time.
- "Temporary Storage." (m) The term "Temporary Storage" is defined and means the water permitted by the State Engineer of New Mexico to be stored in Costilla Reservoir for short periods of time above the Usable Capacity of that reservoir.
- "Additional Storage Facilities." (n) The term "Additional Storage Facilities" is defined and means storage capacity which may be provided in either State to impound waters of Costilla Creek and its tributaries in addition to the nominal capacity of Costilla Reservoir and the Costilla Creek complement of the Eastdale Reservoir No. 1 capacity.
- "Duty of Water." (o) The term "Duty of Water" is defined as the rate in cubic feet per second of time at which water may be diverted at the headgate to irrigate a specified acreage of land during the period of maximum requirement.
- "Surplus Water." (p) The term "Surplus Water" is defined and means water which cannot be stored in operating reservoirs during the Storage Season or water during the Irrigation Season which cannot be stored in operating reservoirs and which is in excess of the aggregate direct flow rights and permits recognized by this compact.
- "Irrigation Season." (q) The term "Irrigation Season" is defined and means that period of each calendar year from May 16 to September 30, inclusive.
- "Storage Season." (r) The term "Storage Season" is defined and means that period of time extending from October 1 of one year to May 15 of the succeeding year, inclusive.
- "Points of Interstate Delivery." (s) The term "Points of Interstate Delivery" means and includes (1) the Acequia Madre where it crosses the Boundary; (2) the Costilla Creek where it crosses the Boundary; (3) the Cerro Canal where it reaches the Boundary; and (4) any other interstate canals which might be constructed with the approval of the Commission at the point or points where they cross the Boundary.
- "Water Company." (t) The term "Water Company" means The San Luis Power and Water Company, a Colorado corporation, or its successor.

(u) The word "Commission" means the Costilla Creek Compact Commission created by Article VIII of this compact for the administration thereof.

"Commission."
Post, p. 253.

ARTICLE III

1. To accomplish the purposes of this compact, as set forth in Article I, the following adjustments in the operation of irrigation facilities on Costilla Creek, and in the use of water diverted, stored and regulated thereby, are made:

Adjustments.

(a) The quantity of water delivered for use in the two States by direct flow ditches in the Costilla-Garcia Area and by the Cerro Canal is based on a Duty of Water of one cubic foot per second of time for each eighty (80) acres, to be applied in the order of priority; provided, however, that this adjustment in each instance is based on the acreage as determined by the court in decreeing the water rights for the Costilla-Garcia Area, and in the case of the Cerro Canal such basis shall apply to eight thousand (8,000) acres of land; and provided further that, in order to maintain a usable head, any ditch supplying water for the Costilla-Garcia Area in Colorado shall be permitted to divert for beneficial consumptive use not less than one cubic foot per second of time under its water right.

(b) There is transferred from certain ditches in the Costilla-Garcia Area twenty-four and fifty-two hundredths (24.52) cubic feet per second of time of direct flow water rights, which rights of use are held by the Water Company or its successors in title, to the headgate of the Cerro Canal. The twenty-four and fifty-two hundredths (24.52) cubic feet of water per second of time hereby transferred represents an evaluation of these rights after adjustment in the Duty of Water, pursuant to subsection (a) of this Article, and includes a reduction thereof to compensate for increased use of direct flow water which otherwise would have been possible under these rights by this transfer.

(c) Except for the rights to store water from Costilla Creek in Eastdale Reservoir No. 1 as hereinafter provided, all diversion and storage rights from Costilla Creek for Eastdale Reservoirs No. 1 and No. 2 are relinquished and the water decreed thereunder is returned to the creek for use in accordance with the plan of integrated operation effectuated by this compact.

(d) The Cerro Canal direct flow permit shall be seventy-five and forty-eight hundredths (75.48) cubic feet per second of time.

(e) There is transferred to and made available for the irrigation of lands in Colorado a portion of the Costilla Reservoir complement of the Costilla Reservoir System Safe Yield in order that the storage of water in that reservoir may be made for the benefit of water users in both Colorado and New Mexico under the provisions of this compact for the allocations of water and the operation of facilities.

2. Each State grants for the benefit of the other and its water users the rights to change the points of diversion of water from Costilla Creek, to divert water from the stream in one State for use in the other and to store water in one State for the irrigation of lands in the other, insofar as the exercise of such rights may be necessary to effectuate the provisions of this Article and to comply with the terms of this compact.

Rights to change
points of diversion.

Consent and approval of Water Company.

3. The Water Company has consented to and approved the adjustments contained in this Article; and such consent and approval shall be evidenced in writing and filed with the Commission.

ARTICLE IV

Apportionment and allocation of use of water.

The apportionment and allocation of the use of Costilla Creek water shall be as follows:

(a) There is allocated for diversion from the natural flow of Costilla Creek and its tributaries sufficient water for beneficial use on meadow and pasture lands above Costilla Reservoir in New Mexico to the extent and in the manner now prevailing in that area.

(b) There is allocated for diversion from the natural flow of Costilla Creek and its tributaries thirteen and forty-two hundredths (13.42) cubic feet of water per second of time for beneficial use on lands in the Amalia Area in New Mexico.

(c) In addition to allocations made in subsections (e), (f), and (g) of this Article, there is allocated for diversion from the natural flow of Costilla Creek fifty-one and forty-two hundredths (51.42) cubic feet of water per second of time for Colorado and eighty-eight and twenty-eight hundredths (88.28) cubic feet of water per second of time for New Mexico, subject to adjustment as provided in Article V (e), and such water shall be delivered for beneficial use in the two States in accordance with the schedules and under the conditions set forth in Article V.

Post, p. 252.

(d) There is allocated for diversion from the natural flow of Costilla Creek sufficient water to provide each year one thousand (1,000) acre-feet of stored water in Eastdale Reservoir No. 1, such water to be delivered as provided in Article V.

(e) There is allocated for diversion to Colorado thirty-six and five-tenths per cent (36.5%) and to New Mexico sixty-three and five-tenths per cent (63.5%) of the water stored by Costilla Reservoir for release therefrom for irrigation purposes each year, subject to adjustment as provided in Article V (e) and such water shall be delivered for beneficial use in the two States on a parity basis in accordance with the provisions of Article V. By "parity basis" is meant that neither State shall enjoy a priority of right of use.

Post, p. 252.

"Parity basis."

(f) There is allocated for beneficial use in each of the States of Colorado and New Mexico one-half of the Surplus Water, as defined in Article II (p), to be delivered as provided in Article V.

Ante, p. 248.

(g) There is allocated for beneficial use in each of the States of Colorado and New Mexico one-half of any water made available and usable by Additional Storage Facilities which may be constructed in the future.

ARTICLE V

Operation of facilities and delivery of water.

The operation of the facilities of Costilla Creek and the delivery of water for the irrigation of land in Colorado and New Mexico, in accordance with the allocations made in Article IV, shall be as follows:

(a) Diversions of water for use on lands in the Amalia Area shall be made as set forth in Article IV (b) in the order of decreed priorities in New Mexico and of relative priority dates in the two States, subject to the right of New Mexico to change the points of diversion and places of use of any of such water to other points of diversion and places of use; provided, however, that the rights so transferred shall be limited in each instance to the quantity of water actually consumed on the lands from which the right is transferred.

(b) Deliveries to Colorado of direct flow water below the Canyon Mouth shall be made by New Mexico in accordance with the following schedule:

DELIVERIES OF DIRECT FLOW WATER TO COLORADO DURING IRRIGATION SEASON

Usable discharge of creek at canyon mouth gaging station (c. f. s.)	Incremental allocations to Colorado (c. f. s.)		Point of interstate delivery	Cumulative allocations to Colorado (c. f. s.)	Remarks
	(2A)	(2B)				(3)	(4)	(5)
25.00	6.55		Acequia Madre		When the usable discharge of the creek is less than 25.00 c. f. s., deliver to Colorado 26.20 percent of usable discharge adjusted for transmission losses.
	2.53		Cerro Canal	9.08	When the usable discharge of the creek is less than 25.00 c. f. s., deliver to Colorado 10.13 percent of usable discharge adjusted for transmission losses.
36.88	.38		Acequia Madre		When the usable discharge of the creek is in excess of 25.38 c. f. s. and less than 36.88 c. f. s., deliver to Colorado 3.26 percent of usable discharge adjusted for transmission losses.
	4.04		Cerro Canal	13.50	When the usable discharge of the creek is in excess of 25.38 c. f. s. and less than 36.88 c. f. s., deliver to Colorado 35.11 percent of usable discharge adjusted for transmission losses.
38.62		1.00	Creek	14.50	When the usable discharge of the creek is in excess of 37.62 c. f. s. and less than 38.62 c. f. s., deliver to Colorado all of usable discharge adjusted for transmission losses.
44.91	2.24		Cerro Canal	16.74	When the usable discharge of the creek is in excess of 38.62 c. f. s. and less than 44.76 c. f. s., deliver to Colorado 36.5 percent of usable discharge adjusted for transmission losses.
50.91		6.00	Creek	22.74	When the usable discharge of the creek is in excess of 44.91 c. f. s. and less than 50.91 c. f. s., deliver to Colorado all of usable discharge adjusted for transmission losses.
56.48	.13		Cerro Canal	22.87	When the usable discharge of the creek is in excess of 55.35 c. f. s. and less than 56.48 c. f. s., deliver to Colorado 11.18 percent of usable discharge adjusted for transmission losses.
61.48		1.00	Creek	23.87	When the usable discharge of the creek is in excess of 60.48 c. f. s. and less than 61.48 c. f. s., deliver to Colorado all of usable discharge adjusted for transmission losses.
64.22					At usable creek discharge of 64.22 c. f. s. the Cerro Canal direct flow permit becomes operative after 1,000 acre-feet has been stored in Eastdale Reservoir No. 1.
139.70	27.55		Cerro Canal	51.42	When the usable discharge of the creek is in excess of 64.22 c. f. s. and less than 139.70 c. f. s., deliver to Colorado 36.5 percent of usable discharge adjusted for transmission losses.

The actual discharges of Costilla Creek at the canyon mouth gaging station at which the various blocks of direct flow water become effective shall equal the flows set forth in column (1) increased by the transmission losses necessary to deliver those flows to the headgates of the respective direct flow ditches.

The delivery of ditch water at the boundary shall equal the allocation set forth in column (2a) reduced by the transmission losses between the headgate of the ditch and the point where the ditch crosses the boundary. The allocations to be delivered to Colorado through the Cerro Canal represent in each and all cases 36.5 per cent of those blocks of direct flow water of the Costilla Reservoir system which are subject to adjustment as provided in subsection (e) of this article.

The delivery of water in the creek at the boundary shall equal the allocation set forth in column (2b) increased by the transmission losses between the boundary and the headgate of the Colorado ditch which is to receive the water.

The above table is compiled on the basis of the delivery to Colorado at the Boundary of thirty-six and five-tenths per cent (36.5%) of all direct flow water of the Costilla Reservoir System diverted by the Cerro Canal and the delivery at the Boundary of all other direct flow water allocated to Colorado, in the order of priority, all such deliveries to be adjusted for transmission losses. In the event of change in the Usable Capacity of the Costilla Reservoir, Colorado's share of Cerro Canal diversions, to be delivered at the Boundary and adjusted for transmission losses, shall be determined by the percentages set forth in Column (4) of the table which appears in subsection (e) of this Article.

(c) During the Storage Season, no water shall be diverted under direct flow rights unless there is water in excess of the demand of all operating reservoirs for water from Costilla Creek for storage.

(d) In order to assure the most efficient utilization of the available water supply, the filling of Eastdale Reservoir No. 1 from Costilla Creek shall be commenced as early in the spring as possible and shall be completed as soon thereafter as possible. The Cerro Canal or any other ditch which may be provided for that purpose shall be used, insofar as practicable, to convey the water from the Canyon Mouth to Eastdale Reservoir No. 1. During any season when the Commission determines that there will be no Surplus Water, any diversions, waste or spill from any canal or canals supplying Eastdale Reservoir No. 1 will be charged to the quantity of water diverted for delivery to said reservoir.

(e) The Commission shall estimate each year the Safe Yield of Costilla Reservoir System and its component parts as far in advance of the Irrigation Season as possible, and shall review and revise such estimates from time to time as may be necessary.

In the event the Usable Capacity of the Costilla Reservoir changes, the average safe yield and the equitable division thereof between the States shall be determined in accordance with the following table:

Usable capacity of Costilla Reservoir (1)	Average annual safe yield (acre-feet) (2)	Division of safe yield			
		Colorado		New Mexico	
		Acre-feet (3)	Percent (4)	Acre-feet (5)	Percent (6)
0.....	1,800	1,510	83.9	290	16.1
1,000.....	3,400	2,000	58.8	1,400	41.2
2,000.....	4,900	2,450	50.0	2,450	50.0
3,000.....	6,400	2,910	45.5	3,490	54.5
4,000.....	7,900	3,370	42.7	4,530	57.3
5,000.....	9,300	3,800	40.9	5,500	59.1
6,000.....	10,700	4,220	39.4	6,480	60.6
7,000.....	12,000	4,620	38.5	7,380	61.5
8,000.....	13,200	4,990	37.8	8,210	62.2
9,000.....	14,300	5,320	37.2	8,980	62.8
10,000.....	15,200	5,600	36.8	9,600	63.2
11,000.....	16,000	5,840	36.5	10,160	63.5
12,000.....	16,600	6,020	36.3	10,580	63.7
13,000.....	17,000	6,140	36.1	10,860	63.9
14,000.....	17,400	6,270	36.0	11,130	64.0
15,000.....	17,700	6,360	35.9	11,340	64.1
15,700.....	17,900	6,420	35.9	11,480	64.1

Intermediate quantities shall be computed by proportionate parts.

In the event of change in the Usable Capacity of the Costilla Reservoir, the Costilla Reservoir complement of the Costilla Reservoir System Safe Yield shall be divided between Colorado and New Mexico in accordance with the percentages given in Columns 4 and 6, respectively, of the above table.

Each State may draw from the Reservoir in accordance with the allocations made herein, up to its proportion of the Costilla Reservoir complement of the Costilla Reservoir System Safe Yield and its proportion of Temporary Storage and no more. Colorado may call for the delivery of its share thereof at any of the specified Points of Interstate Delivery.

Deliveries of water from Costilla Reservoir to the Canyon Mouth shall be adjusted for transmission losses, if any, between the two points. Deliveries to Colorado at the Boundary shall be further adjusted for transmission losses from the Canyon Mouth to the respective Points of Interstate Delivery.

Water stored in Costilla Reservoir and not released during the current season shall not be held over to the credit of either State but shall be apportioned when the safe yield is subsequently determined.

(f) The Colorado apportionment of Surplus Water, as allocated in Article IV (f), shall be delivered by New Mexico at such points of interstate delivery and in the respective quantities, subject to transmission losses, requested by the Colorado member of the Commission.

Ante, p. 250.

(g) In the event that additional water becomes usable by the construction of Additional Storage Facilities, such water shall be made available to each State in accordance with rules and regulations to be prescribed by the Commission.

(h) When it appears to the Commission that any part of the water allocated to one State for use in a particular year will not be used by that State, the Commission may permit its use by the other State during that year, provided that a permanent right to the use of such water shall not thereby be established.

ARTICLE VI

The desirability of consolidating various of the direct flow ditches serving the Costilla-Garcia Area, which are now or which would become interstate in character by consolidation, and diverting the water available to such ditches through a common headgate is recognized. Should the owners of any of such ditches, or a combination of them, desire to effectuate a consolidation and provide for a common headgate diversion, application therefor shall be made to the Commission which, after review of the plans submitted, may grant permission to make such consolidation.

Consolidation of direct flow ditches.

ARTICLE VII

The Commission shall cause to be maintained and operated a stream-gaging station, equipped with an automatic water-stage recorder, at each of the following points, to-wit:

Stream-gaging stations.

- (a) On Costilla Creek immediately below Costilla Reservoir.
- (b) On Costilla Creek at or near the Canyon Mouth above the headgate of Cerro Canal and below the Amalia Area.
- (c) On Costilla Creek at or near the Boundary.
- (d) On the Cerro Canal immediately below its headgate.
- (e) On the Cerro Canal at or near the Boundary.
- (f) On the intake from Costilla Creek to the Eastdale Reservoir No. 1, immediately above the point where the intake discharges into the reservoir.
- (g) On the Acequia Madre immediately below its headgate.
- (h) On the Acequia Madre at the Boundary.
- (i) Similar gaging stations shall be maintained and operated at such other points as may be necessary in the discretion of the Commission for the securing of records required for the carrying out of the provisions of the compact.

Such gaging stations shall be equipped, maintained, and operated by the Commission directly or in cooperation with an appropriate federal or state agency, and the equipment, method, and frequency of measurement at such stations shall be such as to produce reliable records at all times.

ARTICLE VIII

The two States shall administer this compact through the official in each State who is now or may hereafter be charged with the duty of administering the public water supplies, and such officials shall constitute the Costilla Creek Compact Commission. In addition to

Costilla Creek Compact Commission. Administrative, etc., duties.

the powers and duties hereinbefore specifically conferred upon such Commission, the Commission shall collect and correlate factual data and maintain records having a bearing upon the administration of this compact. In connection therewith, the Commission may employ such engineering and other assistance as may be reasonably necessary within the limits of funds provided for that purpose by the States. The Commission may, by unanimous action, adopt rules and regulations consistent with the provisions of this compact to govern its proceedings. The salaries and expenses of the members of the Commission shall be paid by their respective States. Other expenses incident to the administration of the compact, including the employment of engineering or other assistance and the establishment and maintenance of compact gaging stations, not borne by the United States shall be assumed equally by the two States and paid directly to the Commission upon vouchers submitted for that purpose.

The United States Geological Survey, or whatever Federal agency may succeed to the functions and duties of that agency, shall collaborate with the Commission in the correlation and publication of water facts necessary for the proper administration of this compact.

ARTICLE IX

This compact shall become operative when ratified by the Legislatures of each of the signatory States and consented to by the Congress of the United States.

In witness whereof, the Commissioners have signed this compact in triplicate original, one copy of which shall be deposited in the archives of the Department of State of the United States of America, and one copy of which shall be forwarded to the Governor of each of the signatory States.

Done in the City of Santa Fe, New Mexico, on the 30th day of September, in the year of our Lord, one thousand nine hundred and forty-four.

(Signed) CLIFFORD H. STONE
Commissioner for Colorado

(Signed) THOMAS M. McCLURE
Commissioner for New Mexico

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Neither this Act nor the compact hereby ratified shall be construed as amending, modifying or affecting in any way the obligations of any of the parties to the Rio Grande Compact, dated March 18, 1938, approved by the Congress by the Act of May 31, 1939 (53 Stat. 785).

Approved June 11, 1946.

[CHAPTER 377]

AN ACT

To protect scenic values along and tributary to the Catalina Highway within the Coronado National Forest, Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter mining locations made under mining laws of the United States within the following-described lands within the Coronado National Forest, Pima County, Arizona: Sections 25, 26, 35, and 36, and the east half of section 34, township 11 south, range 15 east; sections 30, 31, 32, and 33, and the west half of section 29, township 11 south, range 16 east; sections 1, 2, and 3, township 12 south, range 15 east; sections 3, 4, 5, 6, 7, 8, 9, 10, 15, and 16, the west half of section 11, the west

Rules and regula-
tions.

Salaries and expen-
ses.

Correlation and
publication of water
facts.

Rights reserved.

June 11, 1946
[S. 913]

[Public Law 409]

Coronado National
Forest, Ariz.
Right of occupancy
for prospecting, min-
ing, etc.

half of section 14, and the northwest quarter of section 23, township 12 south, range 16 east; Gila and Salt River base and meridian, shall confer on the locator the right to occupy and use so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting, mining, and beneficiation of ores including the taking of mineral deposits and timber required by or in the mining and ore reducing operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however,* That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

Cutting and removal of timber.

SEC. 2. That hereafter all patents issued under the United States mining laws affecting lands within the above-described area shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in extracting and removing and beneficiation of the mineral deposits, if the timber is cut under sound principles of forest management as defined by the national-forest rules and regulations, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Department of Agriculture.

Patents to convey title to mineral deposits.

SEC. 3. That valid mining claims within the said lands, existing on the date of the enactment of this Act, and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of Arizona, may be perfected under this Act, or under the laws under which they were initiated, as the claimant may desire.

Mining claims.

Approved June 11, 1946.

[CHAPTER 378]

AN ACT

To amend the Act entitled "An Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians, or any tribe, or band thereof, may have against the United States, and for other purposes", approved June 28, 1938.

June 11, 1946
[H. R. 4567]
[Public Law 410]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of June 28, 1938 (52 Stat. 1209, 1211), entitled "An Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians, or any tribe, or band thereof, may have against the United States, and for other purposes", approved June 28, 1938, be, and the same hereby is, amended so as to read in full as follows:

Ute Indians.
Jurisdiction of Court of Claims to hear, etc., claims against U. S.

"Upon the final determination of any suit, cause, or action instituted hereunder, whether by judgment, compromise, or otherwise, the Court of Claims, in the event of success by any plaintiff, or in the event any claim asserted by any of said bands of Indians shall be compromised or settled without the institution of any suit hereunder, the Secretary

Attorneys' fees.

of the Interior shall decree that there shall be paid to the attorney or attorneys employed therein by said plaintiff under contracts negotiated or entered into as provided by existing law, such fees as, based upon a quantum meruit, it or he shall find reasonable. In no case shall the fees decreed by said Court of Claims and/or by the Secretary of the Interior be in excess of the amount stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and in no event to exceed 10 per centum of the amount of the recovery, and shall be paid upon money being appropriated for the benefit of any bands of Ute Indians pursuant to any judgment or settlement hereunder whether distributable thereto or not. In determining the amount of fees payable to the attorney or attorneys the Court of Claims, or the Secretary of the Interior, as the case may be, shall consider all services rendered by such attorney or attorneys, including services rendered before the Members and committees of Congress, any department or commission of the Government, and the courts. The actual expenses of said attorney or attorneys heretofore or hereafter incurred or expended in prosecuting any suit, cause, or action instituted under this Act shall be paid as provided in the contracts approved by the Secretary of the Interior under which such suit, cause, or action is instituted and the tribal funds of the Ute Indians represented in such suit, cause, or action are hereby made available for expenditure for that purpose."

Approved June 11, 1946.

[CHAPTER 379]

AN ACT

Authorizing the Secretary of War to lend certain property of the War Department to national veterans' organizations for use at State and national conventions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to lend, at his discretion and under conditions which he may prescribe, to any recognized national veterans' organization such cots, blankets, pillows, mattresses, bed sacks, unoccupied barracks of the Army, and other available articles or equipment under his jurisdiction as may be needed by such veterans' organization for use at any of its national or State conventions.

SEC. 2. Such property may be delivered upon such terms and at such time prior to any such convention as may be agreed upon by the Secretary of War and the representatives of such veterans' organization, except that no expense shall be incurred by the United States in the delivery and return of any such property.

SEC. 3. The Secretary of War shall take from each veterans' organization to which property is lent pursuant to the provisions of this Act, a good and sufficient bond for the return of such property in good condition.

Approved June 11, 1946.

[CHAPTER 390]

AN ACT

To authorize the exchange of certain land at the Benicia Arsenal, California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized under such terms and conditions as he may prescribe, to convey to the Southern Pacific Railroad Company for right-of-way purposes a perpetual easement over, across, and upon a portion of the Benicia Arsenal, California, comprising

Restrictions.

Determination of amount.

Veterans' conventions. Use of Army equipment.

Terms.

Bond.

June 11, 1946
[H. R. 6343]
[Public Law 411]

June 12, 1946
[S. 1776]
[Public Law 412]

Benicia Arsenal, Calif. Conveyance.

two and ten one-hundredths acres of land, more or less, and that in exchange therefor the United States of America accept a perpetual easement for right-of-way purposes for roadways, trackage, drainage ditches, and similar purposes over, across, and upon nineteen acres of land owned by the Southern Pacific Railroad Company, situated in the same vicinity.

Approved June 12, 1946.

[CHAPTER 404]

AN ACT

To grant to the Federal Works Administrator certain powers with respect to site acquisition, building construction, purchase of buildings, and other matters.

June 14, 1946
[H. R. 5407]
[Public Law 413]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator is hereby authorized under the provisions of the Public Buildings Act of May 25, 1926, as amended (40 U. S. C. 341-347), and as hereby further amended—

44 Stat. 630.

(a) For projects outside of the District of Columbia: To construct extensions to the marine hospitals at Seattle, Washington, and San Francisco, California; to purchase buildings either unencumbered or subject to existing leases where in his determination it is advantageous to do so and to remodel the same; and to establish the limits of cost and design new building projects where the sites are in Government ownership, notwithstanding the fact that appropriations for construction work shall not have been made. The total limit of cost for the foregoing shall be \$13,000,000, and the unobligated balances of appropriations heretofore made for the construction of projects outside the District of Columbia are hereby made available for this purpose.

Projects outside
D. C.

Cost limitation.

(b) To acquire additional land in and contiguous to the area in the District of Columbia defined in the Act of March 31, 1938 (52 Stat. 149), under a limit of cost of \$2,000,000. Funds for this purpose are hereby made available from the unobligated balances of appropriations heretofore made for the construction of buildings outside the District of Columbia.

Acquisition of land.
40 U. S. C. § 341
note.

SEC. 2. The limit of cost for the site and building for the West Central Heating Plant, Washington, District of Columbia, authorized in the First Supplemental Civil Functions Appropriation Act, 1941, as amended by Public Law 371, Seventy-seventh Congress, approved December 23, 1941, is hereby increased to \$7,750,000.

West Central Heat-
ing Plant.

54 Stat. 1036; 55
Stat. 856.

SEC. 3. For the extension of the site of the Barge Office, New York, New York, and to permit the city of New York to proceed with the development of its highway system, the Federal Works Administrator is hereby authorized to exchange a portion of the site of the Barge Office, for land owned by the city upon such terms and conditions as are mutually satisfactory to the Administrator and the city government of New York.

Barge Office site,
N. Y.
Exchange of lands.

SEC. 4. The last two provisos of section 2 of the Act of August 27, 1935, as amended (40 U. S. C. 304b), beginning with the words: "Provided further, That the amount so charged against any Federal agency * * *" to the end of the section are hereby repealed.

Repeal.
49 Stat. 886.

Section 3 of the Act of August 27, 1935, as amended (40 U. S. C. 304c), is hereby amended to read as follows:

49 Stat. 886.

"The Commissioner of Public Buildings is authorized to procure space by lease, on such terms and for such period not in excess of five years as he may deem in the public interest, for the housing of any Federal agency or agencies outside of the District of Columbia, except the Post Office Department, and to assign and reassign

Lease of space, etc.

such space. To the extent that the appropriations of the Public Buildings Administration not otherwise required are inadequate therefor, the Commissioner of Public Buildings may require each Federal agency to which leased space has been assigned to pay promptly by check to the Public Buildings Administration out of its available appropriations, either in advance or during occupancy of such space, all or part of the estimated cost of rent, repairs, alterations, maintenance, operation, and moving: *Provided*, That when space in a building is occupied by two or more agencies, the Commissioner of Public Buildings shall determine and equitably apportion rental, operation, and other charges on the basis of the total amount of space so leased."

Survey, reallocation,
etc., of office space.

SEC. 5. The Commissioner of Public Buildings is authorized to maintain a survey of the use of Government-owned and leased office space in the larger metropolitan centers and the District of Columbia, including adjacent areas, and to study and determine the extent to which consolidation, reassignment, and reallocation of office space, including the cancellation of uneconomical leases, would be advantageous to the Government. Where he finds uneconomical use of space in buildings operated or leased by the Public Buildings Administration, he shall direct and prescribe its economical use or its surrender. Where such conditions are found to exist in space operated or leased by others than the Public Buildings Administration, he shall report his findings to those responsible therefor to the end that economical use of office space and cooperation between all agencies of the Government on space problems may be achieved. This section shall not apply to the Executive Mansion and Office of the President, buildings under the jurisdiction of the Regents of the Smithsonian Institution, buildings in or under the legislative branch of the Government, buildings structurally or domestically maintained by the Architect of the Capitol, or to buildings operated by the Post Office Department.

37 Stat. 718.

SEC. 6. That portion of the Act of March 2, 1913 (40 U. S. C. 36), pertaining to the leasing of storage space in the District of Columbia, is hereby amended to read as follows:

Leasing of storage
space, D. C.

"The Commissioner of Public Buildings is authorized to enter into contracts for the leasing, for periods of not exceeding five years, of storage accommodations within the District of Columbia for the use of the several activities of the Government, subject to the provisions of section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a), payable from appropriations that Congress may from time to time make for rent of buildings in the District of Columbia: *Provided*, That the authority granted herein shall also extend to the head of any department or establishment of the Government to which an appropriation is made specifically for the rental of storage accommodations within the District of Columbia."

47 Stat. 412.

Communications
services.

SEC. 7. The Commissioner of Public Buildings is authorized to provide and operate public utility communications services serving one or more governmental activities, in and outside the District of Columbia, where it is found that such services are economical and in the interest of the Government. This section does not apply to communications systems for handling messages of a confidential or secret nature, or to the operation of cryptographic equipment or transmission of secret, security, or coded messages, or to buildings operated or occupied by the Post Office Department, except upon request of the department or agency concerned.

Nonapplicability.

Approval of build-
ing sketches, plans,
etc.

SEC. 8. Hereafter, subject to applicable provisions of existing law relating to the functions in the District of Columbia of the National

Capital Park and Planning Commission and the Commission of Fine Arts, only the Commissioner of Public Buildings shall be required to approve sketches, plans, and estimates for buildings to be constructed by the Public Buildings Administration, except in the case of buildings designed for post-office purposes which shall be approved by the Commissioner of Public Buildings and the Postmaster General.

SEC. 9. In the prosecution of construction projects or planning programs assigned to the Public Buildings Administration for which funds are provided by direct appropriation or transferred under authority contained in the Act of June 15, 1938 (40 U. S. C. 265), an amount administratively determined as necessary for the payment of salaries and expenses of personnel engaged upon the preparation of plans and specifications, field supervision, and general office expense, may be transferred and consolidated on the books of the Treasury Department into a special account for direct expenditure in the prosecution of said work, such expenditures to be subsequently allocated and reported upon by projects in accordance with procedures prescribed by the General Accounting Office.

SEC. 10. The Federal Works Administrator is hereby authorized to dispose of that parcel of land situated in the city of Washington, District of Columbia, described as lot numbered 71 in square 234, improved by premises 2218 Thirteenth Street Northwest, together with the improvements thereon, in such manner and upon such terms as he may deem to be for the best interest of the United States, to convey the said land, together with improvements thereon, to the purchaser thereof by quitclaim deed, and to deposit the proceeds of said sale in the Treasury of the United States as miscellaneous receipts.

SEC. 11. The Federal Works Administrator is hereby authorized to assume permanent custody and control for the use of the Public Buildings Administration, without reimbursement, of that portion of the Denver Ordnance Plant, Denver, Colorado (which has been declared surplus and assigned to the Public Buildings Administration as disposal agency by the Surplus Property Administration), comprised of section 9, and the west half of the west half of section 10, township 4 south, range 69 west, the tract numbered 1, township 4 south, range 69 west (railroad right-of-way), located in section 4, and tract numbered 1 (pump house property), comprising an area one hundred and five feet by four hundred feet located in section 34, township 3 south, range 69 west, together with all buildings, appurtenances, equipment, and supplies necessary for the maintenance, operation, and protection of the area described, and the Public Buildings Administration may operate the plant and assign and reassign space to such Federal agencies as may be accommodated therein.

SEC. 12. The Federal Works Administrator is authorized to convey, upon such terms as he shall deem to be in the public interest, that parcel of land, together with the improvements thereon, described as "All of block 172, City of Portland, in the City of Portland, County of Multnomah, State of Oregon", in exchange for any lands in such city which, in his determination, are more suitable for use as a site for the erection of a new Federal building.

Approved June 14, 1946.

Transfer of funds.

52 Stat. 683.

Disposal of land,
D. C.

Denver Ordnance
Plant.

Portland, Oreg.
Conveyance.

[CHAPTER 412]

JOINT RESOLUTION

To provide for United States participation in the Philippine independence ceremonies on July 4, 1946.

June 15, 1946
[H. J. Res. 360]
[Public Law 414]

Philippine independence ceremonies.
Commission.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a commission to be composed of not more than fifteen members, as follows: Not more than three officers of the Executive branch of the Government to be appointed by the President of the United States; not more than six Members of the Senate to be appointed by the President pro tempore of the Senate; and not more than six Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The commissioners shall serve without compensation and shall select a chairman from among their number.

U. S. participation.

SEC. 2. The commission is authorized to represent the United States at the ceremonies to be held at Manila on July 4, 1946, in celebration of the independence of the Philippines, and to make and carry out appropriate plans for United States participation in such ceremonies. In making and carrying out such plans the commission is authorized to cooperate with official representatives of the Philippines.

Employees.
42 Stat. 1433.
5 U. S. C. §§ 661-674;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

SEC. 3. The commission is authorized, without regard to the civil-service laws or the Classification Act of 1923, as amended, to appoint and prescribe the duties, and fix the compensation, of such employees as are necessary for the execution of its functions.

Appropriations authorized.
Post, pp. 263, 602.

SEC. 4. Such amounts as may be necessary are hereby authorized to be appropriated for the carrying out of the provisions of this joint resolution.

Approved June 15, 1946.

[CHAPTER 413]

AN ACT

To provide for the appointment of one additional district judge for the northern district of California.

June 15, 1946
[S. 1163]
[Public Law 415]

California.
Appointment of district judge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to appoint, by and with the advice and consent of the Senate, one additional district judge for the District Court of the United States for the Northern District of California: *Provided*, That unless the President shall, not later than July 1, 1946, submit a nomination to the Senate to fill the office hereby created, then in that event this Act shall be of no force and effect.

Time limitation.

Approved June 15, 1946.

[CHAPTER 419]

AN ACT

To facilitate the liquidation of Washington Railway and Electric Company.

June 18, 1946
[H. R. 5718]
[Public Law 416]

Washington Railway and Electric Company, liquidation.
37 Stat. 990.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhibitions and restrictions contained in sections 804 and 805 of title 43 of the Code of Laws of the District of Columbia be, and the same are hereby, removed so far, and only so far, as they affect the validity of any action taken by Washington Railway and Electric Company or Potomac Electric Power Company, with the approval of the Public Utilities Commission of the District of Columbia, pursuant to an order of the

Securities and Exchange Commission under the provisions of the Public Utility Holding Company Act of 1935.

SEC. 2. Notwithstanding the provisions of section 216 of title 29 of the Code of Laws of the District of Columbia, Potomac Electric Power Company, with the approval of the Public Utilities Commission of the District of Columbia, may acquire the capital stock of Braddock Light and Power Company, Incorporated, if authorized so to do by the Securities and Exchange Commission under the provisions of the Public Utility Holding Company Act of 1935, and, after such acquisition, may hold the same and, from time to time, acquire additional shares thereof.

SEC. 3. The inhibitions and restrictions contained in section 502 of title 43 of the Code of Laws of the District of Columbia be, and the same are hereby, removed so far, and only so far, as they affect the acquisition and ownership of any stock or bonds lawfully owned by Washington Railway and Electric Company by any corporation lawfully holding the stock of Washington Railway and Electric Company at the time of any such acquisition, provided such acquisition is pursuant to an order of the Securities and Exchange Commission under the provisions of the Public Utility Holding Company Act of 1935.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved to the Congress. Nothing contained in this Act shall affect the jurisdiction of the Public Utilities Commission for the District of Columbia, the Securities and Exchange Commission, or any agency or officer of the United States; nor shall anything herein be construed as approving or disapproving or prejudging any action taken by either Commission or any agency or officer of the United States; nor shall anything contained herein be construed as a prejudgment to the issues raised by the United States in United States against Public Utilities Commission for the District of Columbia (now pending a decision in the United States Court of Appeals for the District of Columbia, case numbered 8995).

Approved June 18, 1946.

[CHAPTER 422]

AN ACT

To amend section 1 of the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia", approved May 27, 1924.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section 1 of the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia", approved May 27, 1924, as reads: "members of said force detailed to detective headquarters in the prevention and detection of crime shall each receive extra compensation of \$600 per annum; members of said force who may be mounted on bicycles shall receive an extra compensation of \$70 per annum; members of said force detailed for special service in the various precincts in the prevention and detection of crime shall each receive an extra compensation of \$240 per annum; and members detailed to motorcycle service shall each receive an extra compensation of \$120 per annum." be, and the same hereby is, amended to read as follows: "members of said force assigned to detective headquarters in the prevention and detection of crime shall have their basic salaries increased by \$600 per annum; members of said force who may be mounted on bicycles shall have their basic salaries increased by \$70 per annum; members of said force assigned

49 Stat. 803.
15 U. S. C. §§ 79-79z-6.
Potomac Electric Power Company.
Acquisition of certain capital stock.
31 Stat. 1286.

Supra.

Acquisition and ownership of certain stock or bonds.
37 Stat. 1006.

Supra.

Rights reserved.

June 19, 1946
[H. R. 5000]
[Public Law 417]

District of Columbia.
Salaries of policemen.
Post, p. 480.

43 Stat. 174.
D. C. Code § 4-108;
Supp. V, § 4-108 note.

Increase in basic salaries.

for special service in the various precincts in the prevention and detection of crime shall have their basic salaries increased by \$240 per annum; and members assigned to motorcycle service shall have their basic salaries increased by \$120 per annum."

Effective dates.

SEC. 2. This Act shall be effective as to officers and members of the Metropolitan Police force of the District of Columbia as of the effective date of said Act of May 27, 1924, and shall be effective as to officers and members of the United States Park Police force upon its enactment.

Approved June 19, 1946.

[CHAPTER 424]

JOINT RESOLUTION

Authorizing the President of the United States of America to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

June 21, 1946
[H. J. Res. 304]
[Public Law 418]

General Pulaski's
Memorial Day.
11 F. R. 10907.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1946, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

Approved June 21, 1946.

[CHAPTER 425]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes.

June 21, 1946
[H. R. 6601]
[Public Law 419]

Third Urgent De-
ficiency Appropria-
tion Act, 1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

For payment to Mary Scott Glass, widow of Carter Glass, late a Senator from the State of Virginia, \$10,000.

For payment to Musa Harkins Bankhead, widow of John H. Bankhead, late a Senator from the State of Alabama, \$10,000.

Post, p. 391.

For the payment of twenty-one pages for the Senate Chamber, at \$5 per day each, for the period July 1, 1946, to December 31, 1946, both dates inclusive, fiscal year 1947, \$19,320.

Post, p. 391.

For the employment of an additional assistant chief telephone operator at \$2,400 per annum, and seven additional telephone operators at \$1,800 per annum each, fiscal year 1947, \$15,000.

HOUSE OF REPRESENTATIVES

OFFICE OF THE CLERK

Salaries: For the employment of eight additional telephone operators at the basic rate of \$1,800 per annum each (authorized by House Resolution Numbered 628, adopted May 21, 1946), fiscal year 1947, \$14,400.

Post, p. 394.

COMMITTEE EMPLOYEES

Stenographer, Committee on Expenditures in the Executive Departments, at the rate of \$2,400 per annum, fiscal year 1947, \$2,400.

Post, p. 394.

OFFICE OF DOORKEEPER

Salaries: For payment of fifty pages, including ten pages for duty at the entrances to the Hall of the House, from July 1 to December 31, 1946, both dates inclusive, at \$5 per day each, fiscal year 1947, \$46,000.

Post, p. 396.

CONTINGENT EXPENSES OF THE HOUSE

Reporting hearings: For an additional amount for stenographic reports of hearings of committees other than special and select committees, fiscal year 1946, \$5,000.

59 Stat. 248.
Ante, p. 184.

Telegraph and telephones: For an additional amount for telegraph and telephone service, exclusive of personnel services, fiscal year 1946, \$25,000.

59 Stat. 249.
Ante, p. 184.

Folding documents: For an additional amount for folding speeches and pamphlets at a rate not to exceed \$1 per thousand or for the employment of personnel at a rate not exceeding \$5.20 per day per person, fiscal year 1946, and to remain available until June 30, 1947, \$15,000.

59 Stat. 249.
Post, pp. 398, 912.COMMISSION TO REPRESENT THE UNITED STATES AT THE PHILIPPINE
INDEPENDENCE CEREMONIES

For travel and other expenses of the Commission created by H. J. Res. 360, entitled "Joint resolution to provide for United States participation in the Philippine independence ceremonies on July 4, 1946", to enable the Commission to make and carry out appropriate plans for United States participation in such ceremonies, in accordance with the provisions of said joint resolution, \$30,000, to remain available until July 31, 1946, and to be disbursed by the Secretary of the Senate on vouchers approved by the Chairman of the Commission.

Ante, p. 260; post,
p. 602.

INDEPENDENT OFFICES

FEDERAL POWER COMMISSION

Penalty mail costs: For an additional amount, fiscal year 1946, for deposit in the general fund of the Treasury for cost of penalty mail of the Federal Power Commission, \$1,000.

59 Stat. 112.

FEDERAL SECURITY AGENCY

SOCIAL SECURITY BOARD

Such sums as may be necessary are hereby appropriated for making for the first quarter of the fiscal year 1947 (1) grants to States for assistance to aged needy individuals, needy dependent children, and needy individuals who are blind, as authorized in titles I, IV, and

Grants to States.
Post, p. 694.

49 Stat. 620, 627, 645.
42 U. S. C. §§ 301-
306, 601-606, 1201-1206.
Post, p. 979 *et seq.*

X, respectively, of the Social Security Act approved August 14, 1935, as amended, and (2) grants to States for unemployment compensation administration: *Provided*, That the obligations incurred and expenditures made for each of such purposes under the authority of this appropriation shall be charged to the appropriations therefor in the Labor-Federal Security Appropriation Act, 1947.

Post, p. 694.

FEDERAL WORKS AGENCY

BUREAU OF COMMUNITY FACILITIES

Public works advance planning: For an additional amount for "Public works advance planning", \$35,000,000, which together with the appropriations for this purpose in the Independent Offices Appropriation Act, 1946, and the First Deficiency Appropriation Act, 1946, shall remain available until June 30, 1947, of which total amount not to exceed \$1,183,000 shall be available for administrative expenses during fiscal year 1947, including objects specified under this head in said Independent Offices Act.

59 Stat. 112, 638.

Maintenance and operation of schools: For carrying out the provisions of "An Act to expedite the provision of housing in connection with national defense, approved October 14, 1940, as amended, to permit the making of contributions, during the fiscal year ending June 30, 1947, for the maintenance and operation of certain school facilities, and for other purposes" (H. R. 5796, Seventy-ninth Congress), not to exceed \$7,000,000 of the unobligated balances of the funds heretofore appropriated for carrying out the provisions of titles II and III of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534 and 1541) to remain available until June 30, 1947, of which amount not to exceed \$280,000 shall be available for administrative expenses, including the objects specified under the head "Defense public works (community facilities)" in the Second Deficiency Appropriation Act, 1941, and the joint resolution approved December 23, 1941 (Public Law 371).

54 Stat. 1125.
42 U. S. C., Supp.
V, § 1521 *et seq.*
Ante, p. 9; *post*, p.
314.
Post, p. 314.

55 Stat. 361-363.
42 U. S. C., Supp.
V, §§ 1531-1534, 1541-
1553.
Ante, p. 9; *post*, p.
314.

55 Stat. 546.

55 Stat. 855.

Administrative ex-
penses.

War public works (community facilities) liquidation: For all administrative expenses necessary during the fiscal year 1947 for the liquidation of all activities under titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534, 1541, and 1562), except those under the appropriation "Maintenance and operation of schools", not to exceed \$1,000,000 of the unobligated balances of the funds heretofore appropriated for carrying out the provisions of titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534, 1541, and 1562), including personal services and rents in the District of Columbia and elsewhere; printing and binding; operation and maintenance of passenger automobiles; of which amount \$150,000 shall be for payment for accumulated and accrued leave of employees separated from the Government service due to said liquidation.

55 Stat. 361-363; 56
Stat. 212.
42 U. S. C., Supp.
V, §§ 1531-1534, 1541-
1553, 1561-1564.
Ante, p. 9; *post*, p.
314.

OFFICE OF DEFENSE TRANSPORTATION

Printing and bind-
ing.

Salaries and expenses: The limitation under the head "Office of Defense Transportation" on the amount available for printing and binding fixed at \$14,000 by the First Supplemental Surplus Appropriation Rescission Act, 1946, is hereby increased to \$20,000.

Ante, p. 7.

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For an additional amount, fiscal year 1946, for "Administration, medical, hospital, and domiciliary services", including the objects specified

Ante, p. 82.

under this head in the Independent Offices Appropriation Act, 1946, \$59,000,000. 59 Stat. 127.

Printing and binding: For an additional amount, fiscal year 1946, for printing and binding for the Veterans' Administration, \$740,000. 59 Stat. 129.

Penalty mail costs: For an additional amount, fiscal year 1946, for deposit in the general fund of the Treasury for cost of penalty mail of the Veterans' Administration, \$916,000.

National service life insurance: For an additional amount, fiscal year 1946, for "National service life insurance", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$356,000,000, to remain available until expended.

Hospital and domiciliary facilities: For proceeding with the provision of those hospital and domiciliary facilities on account of which appropriations heretofore made remain unobligated, in addition to such appropriations remaining unobligated the Administrator of Veterans' Affairs may, prior to July 1, 1947, enter into contracts and incur obligations to an amount not in excess of \$441,250,000: *Provided*, That not to exceed 6.7 per centum of this contract authorization plus unobligated balances of appropriations under this head for the fiscal year 1947 and prior fiscal years shall be available for the employment in the District of Columbia and in the field of all necessary technical and clerical personnel for the preparation of plans and specifications for the projects as approved hereunder and in the supervision of the execution thereof, and for all traveling expenses, field office equipment, and supplies in connection therewith, except that whenever Veterans' Administration finds it necessary in the construction of any project to employ other Government agencies or persons outside the Federal service to perform such services not to exceed 10 per centum of the cost of such projects may be expended for such services. 59 Stat. 129. Hospital and domiciliary facilities. *Ante*, p. 77. Technical and clerical personnel.

DISTRICT OF COLUMBIA

FISCAL SERVICE

Collector's office: For an additional amount, fiscal year 1946, for "Collector's office", including the objects specified for this purpose in the District of Columbia Appropriation Act, 1946, \$65,000. 59 Stat. 272.

REGULATORY AGENCIES

Coroner's office: For an additional amount, fiscal year 1946, for "Coroner's office", including the objects specified for this purpose in the District of Columbia Appropriation Act, 1946, \$5,640. 59 Stat. 274.

PUBLIC LIBRARY

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, Public Library", including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$27,500. 59 Stat. 278.

FIRE DEPARTMENT

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, Fire Department", including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$47,500. 59 Stat. 280.

PUBLIC WELFARE

Mental Rehabilitation Service

Saint Elizabeths Hospital: For an additional amount, fiscal year 1946, for "Saint Elizabeths Hospital", including the objects specified

under this head in the District of Columbia Appropriation Act, 1946, \$62,100.

59 Stat. 285.

PUBLIC WORKS

Operating expenses, Office of Superintendent of District Buildings: For an additional amount, fiscal year 1946, for "Operating expenses, Office of Superintendent of District Buildings", including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$1,750.

59 Stat. 286.

WASHINGTON AQUEDUCT

Operating expenses (payable from water fund): For an additional amount, fiscal year 1946, for "Operating expenses (payable from water fund)", including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$32,400.

59 Stat. 291.

NATIONAL GUARD

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, National Guard", including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$968.

59 Stat. 292.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia, shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia as defined in the District of Columbia Appropriation Act, 1946.

59 Stat. 271.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

For an additional amount, fiscal year 1946, for personal services, as follows:

Administrative Division, \$7,500;

Tax Division, \$9,000;

Criminal Division, \$20,000;

Office of the Assistant Solicitor General, \$10,210;

Office of Pardon Attorney, \$392.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$75,000.

Ante, p. 195.

Salaries and expenses, Lands Division: For an additional amount, fiscal year 1942, for "Salaries and expenses, Lands Division", including the objects specified under this head in the Department of Justice Appropriation Act, 1942, \$408.89.

55 Stat. 294.

Fees of witnesses: For an additional amount, fiscal year 1946, for "Fees of witnesses", including the objects specified under this head in the Department of Justice Appropriation Act, 1946, \$63,500: *Provided*, That the limitation on the amount which may be expended for compensation and expenses of witnesses or informants authorized or approved by the Attorney General is hereby increased from \$25,000 to \$50,000.

59 Stat. 183.

Authorized limitation increased.

Pay and expenses of bailiffs: For an additional amount, fiscal year 1946, for "Pay and expenses of bailiffs", including the objects specified under this head in the Department of Justice Appropriation Act, 1946, \$20,000.

59 Stat. 184.

DEPARTMENT OF LABOR

CHILDREN'S BUREAU

Grants to States for emergency maternity and infant care (national defense): For an additional amount, fiscal year 1946, for "Grants to States for emergency maternity and infant care (national defense)", including the objects specified under this head in the Department of Labor Appropriation Act, 1946, \$1,974,000.

59 Stat. 364.

POST OFFICE DEPARTMENT

(Out of the postal revenues)

FIELD SERVICE, POST OFFICE DEPARTMENT

For additional amounts, fiscal year 1946, for appropriations of the Post Office Department, including the objects specified in the Post Office Department Appropriation Act, 1946, under each head respectively, as follows:

59 Stat. 68.

OFFICE OF THE POSTMASTER GENERAL

Adjusted losses and contingencies, \$10,000;

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Ante, p. 196.

Compensation to postmasters, \$2,156,000;
 Compensation to assistant postmasters, \$325,000;
 Clerks, first- and second-class post offices, \$15,800,000;
 Miscellaneous items, first- and second-class post offices, \$68,000;
 Carfare and bicycle allowance, \$60,000;
 City delivery carriers, \$11,000,000;

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star-route service, \$810,000;
 Railroad transportation and mail messenger service, \$1,000,000;
 Railway Mail Service, \$1,683,000;

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Ante, p. 197.

Rent, light, power, fuel, and water, \$500,000;
 Pneumatic-tube service, New York City, \$14,300;
 Transportation of equipment and supplies, \$187,500;

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating force, \$700,000;
 Operating supplies, public buildings, \$112,200.

INCREASED PAY COSTS

For payment of increased pay costs for the period January 1, 1946, to June 30, 1946, as authorized by the Act of May 21, 1946 (Public Law 386), \$79,661,100, to be apportioned as indicated in House Document Numbered 610, Seventy-ninth Congress.

Ante, p. 204.

TREASURY DEPARTMENT

FISCAL SERVICE

BUREAU OF ACCOUNTS

Salaries and expenses: For an additional amount for salaries and expenses, Bureau of Accounts, fiscal year 1947, including the objects

Post, p. 570.

specified under this head in the Treasury Department Appropriation Act, 1947, for obligations (including payment of accrued annual leave) incurred by and the liquidation of War Agencies placed in liquidation during the fiscal year 1946, \$75,400, of which \$30,000 shall be immediately available.

59 Stat. 58.

Division of Disbursement, salaries and expenses: For an additional amount, fiscal year 1946, for salaries and expenses, Division of Disbursement, \$825,000.

WAR DEPARTMENT—CIVIL FUNCTIONS

Ante, p. 182.

CEMETERIAL EXPENSES (ACT OF MAY 16, 1946)

For all expenses necessary, not otherwise provided for, to enable the Secretary of War to carry out his responsibilities in connection with the evacuation and return to their homeland of the remains of members of the armed forces and certain citizens and employees of the United States as authorized by the Act of May 16, 1946, Public Law Numbered 383, including funeral and burial expenses or payment of allowances in lieu thereof; personal services at the seat of government (not to exceed \$1,350,000) and elsewhere; construction of buildings and facilities; acquisition of real estate or interests therein; purchase, operation, maintenance, and repair of passenger automobiles; printing and binding; settlement of claims incident to and resulting from activities pursuant to said Act in accordance with the Act approved July 3, 1943 (31 U. S. C. 223b); and communication and other services and supplies at the seat of government or elsewhere; \$92,500,000, to remain available until expended: *Provided*, That the Secretary of War is authorized to furnish, without reimbursement, supplies and equipment in excess of the needs of the Military Establishment and to make available existing facilities of the Military Establishment to the fullest extent possible for the accomplishment of the objects provided for herein: *Provided further*, That expenditures from this appropriation may be made when necessary to carry out its purpose without regard to sections 355, 1136, 3648, 3709, and 3734, Revised Statutes, as amended, or civil-service and classification laws.

Ante, p. 182.

57 Stat. 372.
31 U. S. C., Supp.
V, §§ 215-217 notes,
223b, 223c.
Post, pp. 332, 347.
Supplies and equip-
ment.

33 U. S. C. § 733 and
note; 10 U. S. C. § 1339;
31 U. S. C. § 529; 41
U. S. C. § 5; 40 U. S. C.
§§ 259, 267.
Post, p. 809.

THE JUDICIARY

MISCELLANEOUS ITEMS OF EXPENSE

59 Stat. 198.

Probation system, United States courts: For an additional amount, fiscal year 1946, for "Probation system, United States Courts", \$20,000.

59 Stat. 199.

Miscellaneous salaries: For an additional amount, fiscal year 1946, for "Miscellaneous salaries", \$10,000.

59 Stat. 199.

Salaries, court reporters: For an additional amount, fiscal year 1946, for "Salaries, court reporters", \$58,500.

TITLE II—GENERAL PROVISIONS

Persons engaging,
etc., in strikes against
or advocating over-
throw of U. S. Gov-
ernment.

SEC. 201. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in

Affidavit.

a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 202. The appropriations and authority with respect to appropriations contained in (1) any regular annual appropriation Act for the fiscal year 1947, or (2) contained in other than a regular annual appropriation Act for the fiscal year 1947, and being for such fiscal year, or (3) contained in other than a regular annual appropriation Act for the fiscal year 1947, and being supplemental to an existing appropriation and for obligation after June 30, 1946, such Acts not being laws on July 1, 1946, shall be available from and including July 1, 1946, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1946, and the date of enactment of such appropriation Acts as may not have been enacted on or before July 1, 1946, in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

SEC. 203 This Act may be cited as the "Third Urgent Deficiency Appropriation Act, 1946".

Approved June 21, 1946.

[CHAPTER 443]

AN ACT

Granting the consent of Congress to the Norfolk and Western Railway Company to construct, maintain, and operate a bridge across New River near Radford, Montgomery County, Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Norfolk and Western Railway Company, a corporation organized under the laws of the State of Virginia, its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across New River at a point suitable to the interests of navigation near Radford, Montgomery County, Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the Norfolk and Western Railway Company, its successors and assigns, and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized to exercise

Penalty.

Ratification, etc., of certain obligations incurred subsequent to June 30, 1946.

Short title.

June 22, 1946
[H. R. 5187]
[Public Law 420]

Bridge,
New River.

34 Stat. 84.
33 U. S. C. §§ 491-498.
Rights granted.

the same as fully as though conferred herein directly upon such corporation.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 22, 1946.

[CHAPTER 444]

AN ACT

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River between the Borough of Belle Vernon, Fayette County, Pennsylvania, and the Borough of Speers, Washington County, Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Monongahela River, at a point suitable to the interests of navigation, between the Boroughs of Belle Vernon, in Washington Township, Fayette County, and Speers, in Fallowfield Township, Washington County, and in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 22, 1946.

[CHAPTER 445]

AN ACT

Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1947, hereinafter referred to as the current fiscal year, namely:

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For the Secretary of Agriculture, hereafter in this Act referred to as the Secretary, and other personal services in the Office of the Secretary in the District of Columbia, and elsewhere, and other necessary expenses, including the purchase of one and the maintenance, repair, and operation of four motor-propelled passenger-carrying vehicles; travel expenses, including examination of estimates for appropriations in the field; stationery, supplies, materials, and equipment; freight, express, and drayage charges; advertising, communication service, postage, washing towels, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, hereafter in this Act referred to as the Department, \$1,838,500, together with such amounts from other appropriations or

June 22, 1946
[H. R. 5387]

[Public Law 421]

Bridge.
Monongahela River.

34 Stat. 84.
33 U. S. C. §§ 491-
496.

June 22, 1946
[H. R. 5605]

[Public Law 422]

Department of Ag-
riculture Appropria-
tion Act, 1947.
Post, p. 617.

authorizations as are provided in the schedules in the Budget for the current fiscal year for such services and expenses, which several amounts or portions thereof as may be determined by the Secretary, not exceeding a total of \$79,480, shall be transferred to and made a part of this appropriation: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That, of appropriations herein made which are available for the purchase of lands, not to exceed \$1 may be expended for each option to purchase any particular tract or tracts of land: *Provided further*, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast, except as to damage threatened or caused by insects and pests, with respect to future prices of cotton or the trend of same: *Provided further*, That, except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this Act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Adjustments in amounts.

Options to purchase lands.

Employee predicting future price of cotton.

Purchase of twine.

PENALTY MAIL

For deposit in the general fund of the Treasury for cost of penalty mail of the Department, as required by section 2 of the Act of June 28, 1944 (39 U. S. C. 321d), \$3,186,000.

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

OFFICE OF THE SOLICITOR

For necessary expenses for the Office of Solicitor including personal services in the District of Columbia and elsewhere, purchase of law-books, books of reference, and periodicals, and payment of fees or dues for the use of law libraries by attorneys in the field service, \$2,214,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$120,115 shall be transferred to and made a part of this appropriation; and there may be expended for personal services in the District of Columbia not to exceed \$1,484,848: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations.

Adjustments in amounts.

OFFICE OF INFORMATION

SALARIES AND EXPENSES

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, the preparation, distribution, and display of agricultural motion and sound pictures, and exhibits, and the coordination of informational work in the Department, \$578,500, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$12,555 shall be transferred to and made a part of this appropriation, of which total appropriation amounts not exceeding those specified may be used for the purposes enumerated as follows: For personal services in the District of Columbia, \$525,320; for preparation and display of exhibits, \$115,900; and the preparation, distribution, and display of motion and sound pictures, \$58,296: *Provided, however*, That if the total amounts of the appropriations or authorizations for the current fiscal year from which transfers to this appropriation are herein authorized shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That when and to the extent that in the judgment of the Secretary agricultural exhibits and motion and sound pictures relating to the authorized programs of the various agencies of the Department can be more advantageously prepared, displayed, or distributed by the Office of Information, as the central agency of the Department therefor, additional funds not exceeding \$300,000 for these purposes may be transferred to and made a part of this appropriation, from the funds applicable, and shall be available for the objects specified herein, including personal services in the District of Columbia: *Provided further*, That in the preparation of motion pictures or exhibits by the Department, not exceeding a total of \$10,000 may be used for employment pursuant to the second sentence of section 706 (a) of the Department of Agriculture Organic Act of 1944 (5 U. S. C. 574), said Act being elsewhere herein referred to as the Organic Act of 1944: *Provided*, That no part of this appropriation shall be used for the establishment or maintenance of regional or State field offices or for the compensation of employees in such offices except that not to exceed \$9,000 may be used to maintain the San Francisco radio office.

Adjustments in amounts.

Transfer of additional funds if Office acts as central agency.

Temporary employment.

58 Stat. 742.
5 U. S. C., Supp. V,
§ 574.

Regional or State field offices.

Annual Report of the Secretary.
28 Stat. 601; 38 Stat. 1110; 49 Stat. 1550; 34 Stat. 825.
Farmers' bulletins.

PRINTING AND BINDING

For all printing and binding for the Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, except as otherwise in this Act provided, \$1,309,500, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary, as required by the Acts of January 12, 1895 (44 U. S. C. 111, 212-220, 222, 241, 244), March 4, 1915 (7 U. S. C. 418), and June 20, 1936 (5 U. S. C. 108), and in pursuance of the Act approved March 30, 1906 (44 U. S. C. 214, 224), also including not to exceed \$250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the

country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220); and including \$180,000 for printing and binding two hundred thirty-one thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture), as authorized by section 73 of the Act of January 12, 1895 (44 U. S. C. 241): *Provided*, That the Secretary may transfer to this appropriation from the appropriation made for "Conservation and Use of Agricultural Land Resources" such sums as may be necessary for printing and binding in connection with marketing quotas under the Agricultural Adjustment Act of 1938, and from funds appropriated to carry into effect the terms of section 32 of the Act of August 24, 1935 (7 U. S. C. 612c), as amended, such sums as may be necessary for printing and binding in connection with the activities under said section 32: *Provided further*, That the total amount that may be transferred under the authority granted in the preceding proviso shall not exceed \$190,000.

40 Stat. 1270.

Yearbook of Agriculture.

28 Stat. 612.

Transfer of funds.

52 Stat. 31.
7 U. S. C. § 1281;
Supp. V, § 1282, *et seq.*
Ante, p. 21; *post*, pp.
705, 866.49 Stat. 774.
7 U. S. C., Supp. V,
§ 612c note.

Limitation.

LIBRARY, DEPARTMENT OF AGRICULTURE

Salaries and expenses: For purchase and exchange of reference books, lawbooks, technical and scientific books, periodicals, and for expenses incurred in completing imperfect series; not to exceed \$1,200 for newspapers; dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; salaries in the city of Washington and elsewhere; travel expenses, and library fixtures, library cards, supplies, and all other necessary expenses, \$552,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year, for such salaries and expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$850, shall be transferred to and made a part of this appropriation, of which total appropriation not to exceed \$381,640 may be expended for personal services in the District of Columbia: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations.

Adjustments in amounts.

BUREAU OF AGRICULTURAL ECONOMICS

For necessary expenses, including not to exceed \$2,121,589 for personal services in the District of Columbia, of the Bureau of Agricultural Economics, including the salary of Chief of Bureau at \$10,000 per annum, and not to exceed \$1,000 for the purchase of books of reference, periodicals, and newspapers, as follows:

Economic investigations: For conducting investigations and for acquiring and diffusing useful information among the people of the

United States, relative to agricultural production, distribution, land utilization, and conservation in their broadest aspects, including farm management and practice, utilization of farm and food products, purchasing of farm supplies, farm population and rural life, farm labor, farm finance, insurance and taxation, adjustments in production to probable demand for the different farm and food products; land ownership and values, costs, prices and income in their relation to agriculture, including causes for their variations and trends, \$2,163,457, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such salaries and expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$71,150 shall be transferred to and made a part of this appropriation: *Provided, however,* That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further,* That no part of the funds herein appropriated or made available to the Bureau of Agricultural Economics under the heading "Economic investigations" shall be used for State and county land-use planning, for conducting cultural surveys, or for the maintenance of regional offices.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops and numbers, grades, and value of livestock and livestock products on farms, and for the collection and publication of statistics of peanuts as provided by the Act approved June 24, 1936, as amended May 12, 1938 (7 U. S. C. 951-957), \$2,132,000: *Provided,* That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton, or for estimates of apple production for other than the commercial crop.

OFFICE OF FOREIGN AGRICULTURAL RELATIONS

Salaries and expenses: For carrying out the functions of the Secretary under the Act of June 5, 1930, as amended (7 U. S. C. 541-545), and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including the employment of persons and means in the District of Columbia and elsewhere, the purchase, maintenance, repair, and operation of one passenger automobile in the District of Columbia, and the purchase of books and periodicals and not to exceed \$500 for newspapers, \$650,000.

INTERNATIONAL PRODUCTION CONTROL COMMITTEES

Not to exceed \$12,500 may be expended from the appropriations "Salaries and expenses, Agricultural Adjustment Administration" and "Sugar Act" for the share of the United States as a member of the International Wheat Advisory Committee, the International Sugar

Adjustments in amounts.

Land-use planning.

Peanut statistics.

49 Stat. 1898; 52 Stat. 348.
Cotton and apple reports.

46 Stat. 497.
Post, p. 1039.

Council, or like events or bodies concerned with the reduction of agricultural surpluses or with other objectives of said appropriations, together with traveling and other necessary expenses relating thereto.

EXTENSION SERVICE

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO

For payments to the States, Hawaii, Alaska, and Puerto Rico, for cooperative agricultural extension work as follows:

Capper-Ketcham, Bankhead-Jones, and related Acts: Capper-Ketcham Act, the Act approved May 22, 1928 (7 U. S. C. 343a, 343b), \$1,480,000; Bankhead-Jones Act, section 21, title II, of the Act approved June 29, 1935 (7 U. S. C. 343c), \$12,000,000; Bankhead-Jones Act, section 23, title II, of the Act approved June 29, 1935, as amended by the Act of June 6, 1945 (Public Law 76), \$8,500,000; additional extension work, the Act approved April 24, 1939, as amended (7 U. S. C. 343c-1), \$555,000; Alaska, the Act approved February 23, 1929 (7 U. S. C. 386c), extending the benefits of the Smith-Lever Act to the Territory of Alaska, \$13,950, and section 3 of the Act approved June 20, 1936 (7 U. S. C. 343e), extending the benefits of the Capper-Ketcham Act to the Territory of Alaska, \$10,000, in all, for Alaska, \$23,950; Puerto Rico, the Act approved August 28, 1937 (7 U. S. C. 343f-343g) extending the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico, \$140,000; in all, Capper-Ketcham, Bankhead-Jones, and related Acts, \$22,698,950.

Cooperative agricultural extension work.

45 Stat. 711.

49 Stat. 438; 59 Stat. 232.
7 U. S. C., Supp. V, § 343c.
59 Stat. 231.
7 U. S. C., Supp. V, § 343d-1.
53 Stat. 589.
7 U. S. C., Supp. V, § 343c-1.
45 Stat. 1256.

49 Stat. 1554.

50 Stat. 881.

SALARIES AND EXPENSES

Administration and coordination of extension work: For the employment of persons and means in the District of Columbia and elsewhere to enable the Secretary to administer the provisions of the Smith-Lever Act, approved May 8, 1914 (7 U. S. C. 341-348), and Acts amendatory or supplementary thereto, and to coordinate the extension work of the Department and the several States, Territories, and insular possessions, \$776,900, of which amount not to exceed \$620,000 may be expended for personal services in the District of Columbia.

38 Stat. 372.

AGRICULTURAL RESEARCH ADMINISTRATION

OFFICE OF ADMINISTRATOR

Salaries and expenses: For necessary salaries and expenses of the Office of Administrator, including the salary of the Administrator at \$10,000 per annum, and personal services in the District of Columbia and elsewhere, and for necessary expenses in connection with the maintenance, operation, and furnishing of facilities and services at the Agricultural Research Center, including not to exceed \$15,000 for the construction of a building to house water-treatment facilities at the Center, and including not to exceed \$20,000 to be immediately available for special exploratory investigations of agricultural problems of Alaska, \$480,500: *Provided*, That the appropriation current at the time services are rendered may be reimbursed (by advance credits or reimbursements based on estimated or actual charges) from applicable appropriations, to cover the charges, including handling and other related services, for equipment rentals (including depreciation, maintenance, and repairs); for services, supplies, equipment and materials furnished, stores of which may be maintained at the Center, and for building construction, alteration, and repair performed by the Center in carrying out the purposes of such applicable

Investigations in Alaska.

Reimbursement.

Buildings and im-
provements.

Limitation.

appropriations and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation: *Provided further*, That the several appropriations of the Agricultural Research Administration shall be available for the construction, alteration, and repair of buildings and improvements: *Provided, however*, That unless otherwise provided, the cost of constructing any one building (excepting head-houses connecting greenhouses) shall not exceed \$5,000, the total amount for construction of buildings costing more than \$2,500 each shall be within the limits of the estimates submitted and approved therefor, and the cost of altering any one building during the fiscal year shall not exceed \$2,500 or 2 per centum of the cost of the building as certified by the Research Administrator, whichever is greater.

SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

For enabling the Secretary to carry into effect the provisions of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (7 U. S. C. 427, 427b, 427c, 427f); for administration of the provisions of section 5 of the said Act, and for special research work, including the planning, programming, coordination, and printing the results of such research, to be conducted by such agencies of the Department as the Secretary may designate or establish, and to which he may make allotments from this fund, including the employment of persons and means in the District of Columbia and elsewhere; \$1,193,000, of which amount \$723,126 shall be available for the maintenance and operation of research laboratories and facilities in the major agricultural regions provided for by section 4 of said Act.

49 Stat. 436, 437.
7 U. S. C. § 427d;
Supp. V, § 427d.
Post, p. 1082 *et seq.*

7 U. S. C. § 427c.
Post, p. 1082 *et seq.*

OFFICE OF EXPERIMENT STATIONS

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO

For payments to the States, Hawaii, Alaska, and Puerto Rico to be paid quarterly in advance, to carry into effect the provisions of the following Acts relating to agricultural experiment stations:

Hatch, Adams, Purnell, Bankhead-Jones, and related Acts: Hatch Act, the Act approved March 2, 1887 (7 U. S. C., 362, 363, 365, 368, 377-379), \$720,000; Adams Act, the Act approved March 16, 1906 (7 U. S. C. 369), \$720,000; Purnell Act, the Act approved February 24, 1925 (7 U. S. C. 361, 366, 370, 371, 373-376, 380, 382), \$2,880,000; Bankhead-Jones Act, title I of the Act approved June 29, 1935 (7 U. S. C. 427-427g), \$2,663,708; Hawaii, the Act approved May 16, 1928 (7 U. S. C. 386-386b), extending the benefits of certain Acts of Congress to the Territory of Hawaii, \$90,000; Alaska, the Act approved February 23, 1929 (7 U. S. C. 386c), extending the benefits of the Hatch Act to the Territory of Alaska, \$15,000, and the provisions of section 2 of the Act approved June 20, 1936 (7 U. S. C. 369a), extending the benefits of the Adams and Purnell Acts to the Territory of Alaska, \$27,500; in all, for Alaska, \$42,500; Puerto Rico, the Act approved March 4, 1931, as amended (7 U. S. C. 386d-386f), extending the benefits of certain Acts of Congress to Puerto Rico, \$90,000; in all, payments to States, Hawaii, Alaska, and Puerto Rico, \$7,206,208.

24 Stat. 440.

34 Stat. 63.

43 Stat. 970.

49 Stat. 436.
7 U. S. C., Supp. V,
§ 427d.
Post, p. 1082 *et seq.*
45 Stat. 571.

45 Stat. 1256.

49 Stat. 1554.

46 Stat. 1620.

SALARIES AND EXPENSES

Administration of grants and coordination of research with States: For salaries and expenses, including not to exceed \$162,350 for personal

services in the District of Columbia, necessary to enable the Secretary to enforce the provisions of the Acts approved March 2, 1887, March 16, 1906, February 24, 1925, May 16, 1928, February 23, 1929, March 4, 1931, and June 20, 1936, and Acts amendatory thereto (7 U. S. C. 361-363, 365-383, 386-386f), relative to their administration and for the administration of an agricultural experiment station in Puerto Rico, \$173,000; and the Secretary shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the research work of the State agricultural colleges and experiment stations in the lines authorized in said Acts with research of the Department in similar lines, and make report thereon to Congress.

Federal Experiment Station, Puerto Rico: To enable the Secretary to establish and maintain an agricultural experiment station in Puerto Rico, including the preparation, illustration, and distribution of reports and bulletins, \$170,200, of which not to exceed \$56,000 may be expended for construction of seven buildings.

BUREAU OF ANIMAL INDUSTRY

SALARIES AND EXPENSES

For the employment of persons and means in the District of Columbia and elsewhere, including not to exceed \$698,246 for departmental personal services in the District of Columbia, for carrying out the provisions of the Act, as amended, establishing a Bureau of Animal Industry, and related Acts, and for investigations concerned with the livestock and meat industries, as follows:

Animal husbandry: For investigations and experiments in animal husbandry and animal and poultry feeding and breeding, and for carrying out the purposes of section 101 (b) of the Organic Act of 1944 (7 U. S. C. 429) authorizing cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries, \$965,900, including not to exceed \$20,000 for construction of three or more buildings at the Southwest Poultry Experiment Station, Glendale, Arizona.

Diseases of animals: For scientific investigations of diseases of animals, and necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, \$885,000, including not to exceed \$30,000 for construction of a building to be used in conducting investigations of pneumoencephalitis in poultry and not to exceed \$75,000 for enlarging the zoological laboratory building at the Agricultural Research Center.

Eradicating tuberculosis and Bang's disease: For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, avian tuberculosis, and Bang's disease of cattle, \$6,750,000: *Provided*, That no part of the money hereby appropriated shall be used in compensating owners of cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State,

24 Stat. 440; 34 Stat. 63; 43 Stat. 970; 45 Stat. 571, 1256; 46 Stat. 1520; 49 Stat. 1553.
7 U. S. C., Supp. V, § 367.

23 Stat. 31.
7 U. S. C. §§ 391-394; Supp. V, § 391 *et seq.*

58 Stat. 734.
7 U. S. C., Supp. V, § 429.

Southwest Poultry Experiment Station, Glendale, Ariz.

Compensation of cattle owners, restrictions.

Limitation on amount of payment.

Territory, county, and municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than \$25 for any grade animal or more than \$50 for any purebred animal.

Post, p. 617.

Inspection and quarantine: For inspection and quarantine work, including the control and eradication of hog cholera and related swine diseases, southern cattle ticks, scabies in sheep and cattle, and dourine in horses, the supervision of the transportation of livestock, the inspection of vessels, the execution of the twenty-eight-hour law, the inspection and quarantine of imported animals in accordance with the Act of August 30, 1890 (21 U. S. C. 102), and the inspection work relative to the existence of contagious diseases, \$1,125,000.

26 Stat. 416.

Meat inspection: For carrying out the provisions of laws relating to Federal inspection of meat and meat food products, \$9,160,000.

37 Stat. 832.

Virus Serum Toxin Act: For carrying out the provisions of the Act approved March 4, 1913 (21 U. S. C. 151-158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals, \$300,000.

Marketing agreements, hog cholera virus and serum: The sum of \$37,300 of the appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, is hereby made available during the fiscal year for which appropriations are herein made to carry into effect sections 56 to 60, inclusive, of the Act approved August 24, 1935 (7 U. S. C. 851-855), entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", including the employment of persons and means in the District of Columbia and elsewhere.

48 Stat. 33.
7 U. S. C. § 612;
Supp. V, § 612 note.

49 Stat. 781.

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pest and similar diseases in poultry, which, in the opinion of the Secretary, threatens the livestock or the poultry industry of the country, he may expend in the city of Washington or elsewhere any unexpended balances of appropriations heretofore made for this purpose, not to exceed \$305,000, in the arrest and eradication of any such disease, including the payment of claims growing out of past and future purchases and destruction of animals (including poultry) affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for such animals hereafter purchased may be made on appraisement based on the meat, egg-production, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any such animal shall exceed three times its meat, egg-production, or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary, the payment by the United States Government for any such animals shall not exceed one-half of any such appraisements: *Provided further*, That poultry may be appraised in groups when the basis for appraisal is the same for each bird.

Payment of claims.

Basis of appraisement.

Group appraisal for poultry.

BUREAU OF DAIRY INDUSTRY

Post, p. 617.

Salaries and expenses: For necessary expenses, including not to exceed \$497,032 for personal services in the District of Columbia,

of the Bureau of Dairy Industry in carrying out the provisions of the Act of May 29, 1924 (7 U. S. C. 401-404), including investigations, experiments, and demonstrations in dairy industry, for carrying out the applicable provisions of the Acts of May 9, 1902 (26 U. S. C. 2325, 2326 (c), 2327 (b)), and August 10, 1912 (26 U. S. C. 2327 (c)), relating to process or renovated butter, and the Act of May 23, 1908 (21 U. S. C. 94 (a)), insofar as it relates to the exportation of process or renovated butter, \$981,012.

43 Stat. 243.
7 U. S. C., Supp.
V, §§ 401-404 note.
32 Stat. 196; 37 Stat.
273.
Post, pp. 300, 302.

35 Stat. 254.

BUREAU OF PLANT INDUSTRY, SOILS, AND AGRICULTURAL ENGINEERING

SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, and demonstrations in connection with the production and improvement of farm crops and other plants and plant industries; soils and soil-plant relationships, and the application of engineering principles to agriculture; plant diseases, including nematodes, and methods for their prevention and control; plant and plant-disease collections and surveys; the distribution of weeds and means for their control; methods of handling, processing, transportation, and storage of agricultural products; and plants in foreign countries and our possessions for introduction into the United States, including explorations and surveys, and propagation and testing in this country; for the operation and maintenance of airplanes; and for personal services in the city of Washington and elsewhere, as follows:

Plant and soil investigations.

Airplanes.

Field crops: For investigations on the production, improvement, and diseases of alfalfa, barley, clover, corn, cotton, flax, grasses, oats, rice, rubber crops, sorghums, soybeans, sugar beets, sugarcane, tobacco, wheat, and other field crops, including not to exceed \$26,800 for investigation in the blackroot disease of sugar beets, \$2,428,300; and there shall be transferred to the Bureau of Plant Industry, Soils, and Agricultural Engineering, without compensation therefor, real property (located in the vicinity of Salinas, California) and personal property valued at not exceeding a total of \$306,000, acquired for and heretofore used in connection with the Emergency Rubber Project; and there shall be included in the next annual Budget a statement in detail of the amount and value of the property so transferred.

Transfer of real property.

Fruit, vegetable, and specialty crops: For investigations on the production, improvement, and diseases of fruit, vegetable, nut, ornamental, drug, condiment, oil, insecticide, and related crops and plants, \$2,070,300.

Forest diseases: For investigations of diseases of forest and shade trees and forest products, and methods for their control, \$371,500.

Soils, fertilizers, and irrigation: For investigations of soil management methods to increase and maintain productivity, including fertilization, liming, crop rotations, tillage practices, and other means of improving soils; fertilizers, fertilizer ingredients, and their improvement for agricultural use; soil management and crop production on dry and irrigated lands, and the quality of irrigation water and its use by crops; and for the classification of soils in a national system and indication of their extent and distribution on maps, and determination of their potential productivity under adapted cropping and improved soil management; \$1,355,000.

Agricultural engineering: For investigations involving the application of engineering principles to agriculture, including farm power and equipment, rural water supply and sanitation, and rural electrification; farm buildings and their appurtenances and buildings for

processing and storing farm products, and the preparation and distribution of building plans and specifications; cotton ginning, and other engineering problems relating to the production, processing, transportation, and storage of agricultural products; \$584,000.

National Arboretum: For the maintenance and development of the National Arboretum established under the provisions of the Act entitled "An Act authorizing the Secretary of Agriculture to establish a National Arboretum, and for other purposes", approved March 4, 1927 (20 U. S. C. 191-194), including travel expenses of the advisory council, \$76,000, of which not to exceed \$2,500 may be expended for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574).

44 Stat. 1422.

58 Stat. 742.
5 U. S. C., Supp. V,
§ 574.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, demonstrations, and surveys for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, and the best ways of utilizing beneficial insects, for carrying into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151-167), the Honey Bee Act (7 U. S. C. 281-283), the Insect Pest Act (7 U. S. C. 141-144), the Mexican Border Act (7 U. S. C. 149) and the Organic Act of 1944 (7 U. S. C. 147a), authorizing the eradication, control, and prevention of spread of injurious insects and plant pests; including the operation and maintenance of airplanes and the purchase of not to exceed seven, and not to exceed \$625,560 for personal services in the District of Columbia, as follows:

37 Stat. 315.
42 Stat. 833.
7 U. S. C., Supp. V,
§ 283.
33 Stat. 1269.
56 Stat. 40.
7 U. S. C., Supp. V,
§ 149.
58 Stat. 734.
7 U. S. C., Supp.
V, § 147a.

Insect investigations: For the investigation of insects affecting fruits, grapes, nuts, trees, shrubs, forests and forest products, truck and garden crops, cereal, forage and range crops, cotton, tobacco, sugar plants, ornamental and other plants and agricultural products, household possessions, and man and animals; for bee culture and apiary management; for classifying, identifying, and collecting information to determine the distribution and abundance of insects; for investigations in connection with introduction of natural enemies of injurious insects and related pests and for the exchange with other countries of useful and beneficial insects and other arthropods; for developing methods, equipment, and apparatus to aid in enforcing plant quarantines and in the eradication and control of insect pests and plant diseases; and for investigations of insecticides and fungicides, including methods of their manufacture and use and the effects of their application, \$2,676,500.

Insect and plant disease control: For carrying out operations or measures to eradicate, suppress, control, or to prevent or retard the spread of Japanese beetle, sweetpotato weevil, Mexican fruitflies, gypsy and brown-tail moths, Dutch elm disease, phony peach and peach mosaic, cereal rusts, and pink bollworm and *Thurberia* weevil, including the enforcement of quarantine regulations and cooperation with States to enforce plant quarantines as authorized by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151-167), and including the establishment of such cotton-free areas as may be necessary to stamp out any infestation of the pink bollworm as authorized by the Act of February 8, 1930 (46 Stat. 67),

37 Stat. 315.
Establishment of
cotton-free areas.

and for the enforcement of domestic plant quarantines through inspection in transit, including the interception and disposition of materials found to have been transported interstate in violation of Federal plant quarantine laws or regulations, and operations under the Terminal Inspection Act (7 U. S. C. 166), \$3,066,600: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees, farm animals, farm crops, or other property injured or destroyed: *Provided further*, That, in the discretion of the Secretary, no part of this appropriation shall be expended for the control of sweetpotato weevil in any State until such State has provided cooperation necessary to accomplish this purpose, or for barberry eradication until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of this purpose: *Provided further*, That in the discretion of the Secretary, no expenditures from this appropriation shall be made for applying methods of control of the Dutch elm disease in any State where measures for the removal and destruction of trees on non-Federal lands suffering from the Dutch elm disease are not in force, provided such removal and destruction are deemed essential or appropriate for the carrying on of the control program, nor until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals, or organizations concerned: *Provided, however*, That expenditures incurred for removal of trees infected with Dutch elm disease from non-Federal lands shall not be considered a part of such appropriations, subscriptions, or contributions: *Provided further*, That no part of this appropriation shall be expended for the removal and destruction of trees infected with the Dutch elm disease except where such trees are located on property owned or controlled by the Government of the United States, or on property included within local experimental control areas.

Inspection in transit.

38 Stat. 1113.

Restriction.

State, etc., cooperation.

Dutch elm disease, local requirements.

Removal and destruction of trees.

Foreign plant quarantines: For operations against the introduction of insect pests or plant diseases into the United States, including the enforcement of foreign plant quarantines and regulations promulgated under sections 5 and 7 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151-167), the Insect Pest Act of 1905 (7 U. S. C. 141-144), and the Mexican Border Act of 1942 (7 U. S. C. 149), for enforcement of domestic plant quarantines as they pertain to territories of the United States and enforcement of regulations governing the movement of plants into and from the District of Columbia promulgated under section 15 of the Plant Quarantine Act of August 20, 1912, as amended, and for inspection and certification of plants and plant products to meet the sanitary requirements of foreign countries, as authorized in section 102 of the Organic Act of 1944 (7 U. S. C. 147a), \$1,552,000.

37 Stat. 316, 317.
7 U. S. C. §§ 159, 160.
33 Stat. 1269.
56 Stat. 40.
7 U. S. C., Supp. V, § 149.

41 Stat. 726.
7 U. S. C. § 167.

58 Stat. 735.
7 U. S. C., Supp. V, § 147a.

CONTROL OF EMERGENCY OUTBREAKS OF INSECTS AND PLANT DISEASES

To enable the Secretary to carry out the provisions of and for expenditures authorized by the joint resolution approved May 9, 1938 (7 U. S. C. 148-148e), including the operation and maintenance of airplanes and the purchase of not to exceed three, and surveys and control operations in Canada in cooperation with the Canadian Government or local Canadian authorities, and the employment of Canadian citizens, \$2,800,000.

52 Stat. 344.
Cooperation with Canada.

BUREAU OF AGRICULTURAL AND INDUSTRIAL CHEMISTRY

SALARIES AND EXPENSES

For investigations, experiments, and demonstrations hereinafter authorized, including the employment of necessary persons and means in the city of Washington and elsewhere, of which not to exceed \$202,274 may be expended for personal services in the District of Columbia, as follows:

12 Stat. 387.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (5 U. S. C. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, plant and animal products, and substances used in the manufacture thereof; for investigations of the physiological effects and for the pharmacological testing of such products and of insecticides; for the investigation and development of methods for the manufacture of sugars, sugar sirups, and starches and the utilization of new agricultural materials for such purposes; and for the technological investigation of the utilization of fruits and vegetables and for frozen pack investigations; \$461,500.

49 Stat. 653.

Naval-stores investigations: For the investigation of naval stores (turpentine and rosin) and their components; the investigation and experimental demonstration of improved equipment, methods, or processes of preparing naval stores; the weighing, storing, handling, transportation, and utilization of naval stores; and for the assembling and compilation of data on production, distribution, and consumption of turpentine and rosin, pursuant to the Act of August 15, 1935 (5 U. S. C. 556b), \$140,000.

52 Stat. 37.

Regional research laboratories: For continuing the researches established under the provisions of section 202 (a) to 202 (e), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1292), including research on food products of farm commodities, \$4,450,000.

BUREAU OF HUMAN NUTRITION AND HOME ECONOMICS

Salaries and expenses: For necessary expenses, including not to exceed \$300,202 for personal services in the District of Columbia, of the Bureau of Human Nutrition and Home Economics for conducting investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and such economic investigations, including housing and household buying, as have for their purpose the improvement of the rural home, and for disseminating useful information on this subject, \$917,000.

WHITE PINE BLISTER RUST CONTROL

54 Stat. 168.

For expenses necessary to enable the Secretary to carry out the purposes of the Act entitled "An Act for forest protection against the white pine blister rust", approved April 26, 1940 (16 U. S. C. 594a), and in accordance with the provisions thereof, including the employment of persons and means in the District of Columbia and elsewhere, \$6,000,000, of which amount \$646,418 shall be available to the Department of the Interior for control of white pine blister rust on or endangering Federal lands under the jurisdiction of that Department or lands of Indian tribes which are under the jurisdiction of or retained under restrictions of the United States; \$2,599,471 of said amount to the Forest Service for the control of

Availability of funds
for designated agen-
cies.

white pine blister rust on or endangering lands under its jurisdiction; and \$2,754,111 of said amount to the Bureau of Entomology and Plant Quarantine for leadership and general coordination of the entire program, method development, and for operations conducted under its direction for such control, including, but not confined to, the control of white pine blister rust on or endangering State and privately owned lands.

FOREST SERVICE

SALARIES AND EXPENSES

For the employment of persons and means in the District of Columbia and elsewhere, including not to exceed \$1,003,710 for departmental personal services in the District of Columbia, and not to exceed \$10,000 for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), the maintenance, repair, and operation of one passenger automobile in the District of Columbia, and to enable the Secretary to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed \$10,000, with the exception that any building erected, purchased, or acquired, the cost of which was \$10,000 or more, may be improved out of the appropriations made under this Act for the Forest Service by an amount not to exceed 2 per centum of the cost of such building as certified by the Secretary; to protect, administer, and improve the national forests, including tree planting and other measures to prevent erosion, drift, surface wash, soil waste, and the formation of floods, and to conserve water; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase lawbooks, reference and technical books, and technical journals for officers of the Forest Service stationed outside of Washington: *Provided*, That not to exceed \$50,000 of the appropriation for "National forest protection and management", and not to exceed \$50,000 of the appropriation for "Forest fire cooperation" may be transferred to the appropriation "Printing and binding, Department of Agriculture", for forest fire prevention posters and related printed material, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief Forester at \$10,000 per annum, for the necessary expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (16 U. S. C. 514), and for other personal services in the District of Columbia, \$610,000.

National forest protection and management: For the administration, protection, use, maintenance, improvement, and development of the national forests, including the establishment and maintenance of

58 Stat. 742.
5 U. S. C., Supp. V,
§ 574.

Experiments and
investigations.

Cost of buildings.

Protection, etc., of
national forests.

Care of fish and
game.

Transfer of funds.

36 Stat. 963.

forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the operation and maintenance of airplanes and the purchase of not to exceed four; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests, including experimental areas under Forest Service administration, except that where, in the opinion of the Secretary, direct purchases will be more economical than construction, improvements may be purchased; the construction (not to exceed \$10,000 for any one structure), equipment, and maintenance of sanitary and recreational facilities; control of destructive forest tree diseases and insects; timber cultural operations; development and application of fish and game management plans; propagation and transplanting of plants suitable for planting on semi-arid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906, and the Act of August 10, 1912 (16 U. S. C. 506-509), as provided by the Act of March 4, 1913 (16 U. S. C. 512); investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national forests; and all expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests, \$21,786,000.

Fighting forest fires: For fighting and preventing forest fires on or threatening lands under Forest Service administration, including lands under contract for purchase or in process of condemnation for Forest Service purposes, \$100,000, which amount shall also be available for meeting obligations of the preceding fiscal year.

Forest research: For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", approved May 22, 1928, as amended (16 U. S. C. 581, 581a, 581f-581i), including the construction and maintenance of improvements, as follows:

Forest and range management investigations: Fire, silvicultural, watershed, and other forest investigations and experiments under said section 2, as amended, and investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, \$2,380,000.

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, \$1,395,000, of which at least \$10,000 shall be expended for research in the utilization of waste woods.

Forest resources investigations: A comprehensive forest survey

Direct purchases.

Homestead lands.

34 Stat. 233; 37 Stat. 287, 842.

45 Stat. 699.
16 U. S. C., Supp.
V, § 681h.

16 U. S. C. § 581a.

16 U. S. C. § 581f.

16 U. S. C. § 581g.

under section 9, and investigations in forest economics under section 10, \$1,072,000.

16 U. S. C., Supp. V, § 581h; 16 U. S. C. § 581i.

FOREST-FIRE COOPERATION

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924, as amended (16 U. S. C. 564-570), \$8,300,000, of which not to exceed \$57,982 shall be available for personal services in the District of Columbia.

43 Stat. 653, 16 U. S. C., Supp. V, §§ 565, 566.

FARM AND OTHER PRIVATE FORESTRY COOPERATION

To enable the Secretary through the Forest Service to advise timberland owners and associations, wood-using industries or other appropriate agencies in the application of forest management principles to federally owned lands leased to States and to private forest lands, so as to attain sustained-yield management, the conservation of the timber resources, the productivity of forest lands, and the stabilization of employment and economic continuance of forest industries, and to carry into effect, through such agencies of the Department as he may designate, the provisions of the Cooperative Farm Forestry Act, approved May 18, 1937 (16 U. S. C. 568b), (not to exceed \$622,034) and the provisions of sections 4 (not to exceed \$83,700) and 5 (not to exceed \$65,766), of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (16 U. S. C. 567-568), and Acts supplementary thereto; in all, not to exceed \$771,500, of which not to exceed \$47,074 may be expended for personal services in the District of Columbia; the purchase of reference books and technical journals; not to exceed \$30,000 for the construction, alteration, or purchase of necessary buildings, and other improvements: *Provided*, That in carrying into effect the provisions of the Cooperative Farm Forestry Act, no part of this appropriation shall be used to establish new nurseries or to acquire land for the establishment of such new nurseries.

50 Stat. 188.

43 Stat. 654, 16 U. S. C., Supp. V, §§ 567, 568 notes.

New nurseries.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

Under Week's Act: For the acquisition of forest lands under the provisions of the Act approved March 1, 1911, as amended (16 U. S. C. 513-519, 521), \$3,000,000, of which not to exceed \$44,419 may be expended for personal services in the District of Columbia.

36 Stat. 961.

Under special Acts: For the acquisition of land to facilitate the control of soil erosion and flood damage originating within the exterior boundaries of the following national forests, in accordance with the provisions of the following Acts authorizing annual appropriations of forest receipts for such purposes, and in not to exceed the following amounts from such receipts: Uinta and Wasatch National Forests, Utah, Act of August 26, 1935 (Public Law 337), as amended, \$40,000; Cache National Forest, Utah, Act of May 11, 1938 (Public Law 505), as amended, \$10,000; San Bernardino and Cleveland National Forests, Riverside County, California, Act of June 15, 1938 (Public Law 634), as amended, \$22,000; Nevada and Toiyabe National Forests, Nevada, Act of June 25, 1938 (Public Law 748), as amended, \$10,000; Angeles National Forest, California, Act of June 11, 1940 (Public Law 591), \$20,000; Cleveland National Forest, San Diego County, California,

49 Stat. 866.

52 Stat. 347.

52 Stat. 699.

52 Stat. 1205.

54 Stat. 299.

54 Stat. 297.

54 Stat. 402.

Act of June 11, 1940 (Public Law 589), \$5,000; Sequoia National Forest, California, Act of June 17, 1940 (Public Law 637), \$35,000; in all, \$142,000.

FOREST ROADS AND TRAILS

42 Stat. 218.

Experimental areas.

58 Stat. 838.
23 U. S. C., Supp.
V, §§ 60-63.

15 U. S. C. § 6067; 16
U. S. C. §§ 8-1, 460b,
460c; 23 U. S. C. § 3b
et seq.; 25 U. S. C. §
318b.

*Supra.*Buildings for stor-
age of equipment.

Nonapplicability.

33 U. S. C. § 733 and
note.

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921, as amended (23 U. S. C. 23, 23a), and for the construction, reconstruction, and maintenance of roads and trails on experimental areas under Forest Service administration, (1) \$12,500,000 for forest development roads and trails, which sum is authorized to be appropriated by the Act of December 20, 1944 (Public Law 521), and (2) \$13,714,222 for forest highways, which latter sum consists of (a) the balance of the amount authorized to be appropriated for the fiscal year 1942 and the amount authorized to be appropriated for the fiscal year 1943 by the Act of September 5, 1940 (54 Stat. 867, Public Law 780—Seventy-sixth Congress), and (b) \$4,500,000, a part of the amount authorized to be appropriated by the Act of December 20, 1944 (Public Law 521), in all, \$26,214,222 (including not to exceed \$99,804 for personal services in the District of Columbia), to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, construction, or alteration of buildings necessary for the storage and repair of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased, altered, or constructed under this authorization shall not exceed \$10,000, with the exception that any building erected, purchased, or acquired, the cost of which was \$10,000 or more, may be improved within any fiscal year by an amount not to exceed 2 per centum of the cost of such building as certified by the Secretary: *Provided further*, That in obligating or expending funds herein contained for "Forest roads and trails" the provisions of Revised Statute, 355, as amended, shall not be applicable to easements or rights-of-way for forest roads and trails constructed under the provision of this section, where the cost of any such easement or right-of-way acquired under a single instrument of conveyance and the estimated cost of the improvements to be constructed thereon does not exceed \$40,000.

FLOOD CONTROL

58 Stat. 905.

49 Stat. 1570.
33 U. S. C., Supp.
V, § 701a-1 *et seq.*
Yazoo and Little
Tallahatchie water-
sheds.

Flood control: For expenses necessary to enable the Secretary to perform works of improvement authorized by section 13 of the Act of December 22, 1944 (Public Law 534), including personal services in the District of Columbia; \$2,100,000, to be immediately available and to remain available until expended, which sum shall be merged with the unexpended balances of funds heretofore transferred to the Department from the appropriation "Flood control, general", Corps of Engineers, War Department, for the purposes of the Flood Control Act of June 22, 1936, as amended (33 U. S. C., ch. 15): *Provided*, That no part of such funds shall be used for the purchase of lands in the Yazoo and Little Tallahatchie watersheds without specific approval of the County Board of Supervisors of the county in which such lands are situated.

SOIL CONSERVATION SERVICE

49 Stat. 163.
16 U. S. C., Supp.
V, § 690f.

To carry out the provisions of "An Act to provide for the protection of land resources against soil erosion, and for other purposes", approved April 27, 1935 (16 U. S. C. 590a-590f), which provides for a national program of erosion control and soil and water conservation, including the employment of persons and means in the District of

Columbia and elsewhere (but not to exceed \$1,027,000 may be expended for personal services in the District of Columbia), purchase of books and periodicals, purchase, maintenance, repair, and operation of one passenger-carrying automobile in the District of Columbia, furnishing of subsistence to employees, operation and maintenance of aircraft, and the purchase and erection or alteration of permanent buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed \$2,500 except where buildings are acquired in conjunction with land being purchased for other purposes and except for eight buildings to be constructed at a cost not to exceed \$15,000 per building: *Provided further*, That no money appropriated in this Act shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That in the State of Missouri where the State has established a central State agency authorized to enter into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district, as follows:

Cost of buildings.

Construction on land not owned by Government.

Central State agency, Missouri.

Soil conservation research: For research and investigations into the character, cause, extent, history, and effects of erosion, soil and moisture depletion and methods of soil and water conservation (including the construction and hydrologic phases of farm irrigation and land drainage, and water regulation to conserve the soil and reduce fire hazards in the Everglades region of Florida, except that expenditures for all work in the Everglades region shall be limited to a sum not in excess of funds made available for such work by the State of Florida, or political subdivisions thereof); and for construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, \$1,278,000.

Everglades region, Fla.

Soil conservation operations: For carrying out preventive measures to conserve soil and water, including such special measures as may be necessary to prevent floods and the siltation of reservoirs, and including the improvement of farm irrigation and land drainage, the establishment and operation of conservation nurseries, the making of conservation plans and surveys, and the dissemination of information, \$39,300,000: *Provided*, That no part of this appropriation may be expended for soil and water conservation operations in demonstration projects.

Demonstration projects.

LAND UTILIZATION AND RETIREMENT OF SUBMARGINAL LAND

To enable the Secretary to carry out the provisions of title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1010-1013), and the provisions of the Act approved August 11, 1945 (Public Law 179, Seventy-ninth Congress), including the employment of persons and means in the District of Columbia and elsewhere, \$1,453,000.

50 Stat. 525.
7 U. S. C., Supp. V,
§ 1011(c).
59 Stat. 532.
7 U. S. C., Supp. V,
§ 1011 note.

WATER CONSERVATION AND UTILIZATION PROJECTS

For expenses necessary to enable the Secretary to carry into effect the functions of the Department under the Act of October 14, 1940 (16 U. S. C. 590y-z-10), as amended, relating to the construction, operation, and maintenance of water conservation and utilization

54 Stat. 1119.
16 U. S. C., Supp.
V, § 590y et seq.

projects, \$700,000, to be immediately available and to remain available until expended, which sum shall be merged with the unexpended balances of funds heretofore appropriated or transferred to said Department for the purposes of said Act, including personal services in the District of Columbia; purchase of books of reference and periodicals; and leveling or otherwise preparing any lands, irrespective of ownership, within the boundaries of approved projects for the utilization of irrigation water.

PRODUCTION AND MARKETING ADMINISTRATION

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES

Soil conservation.

49 Stat. 1148.
16 U. S. C., Supp. V, § 590g *et seq.*
Post, p. 663.
52 Stat. 31.
7 U. S. C., Supp. V, § 1282 *et seq.*
Ante, p. 21; *post*, pp. 705, 866.
52 Stat. 36 *et seq.*
7 U. S. C. §§ 1291, 1292, 1303, 1381, 1383, 1401-1518; Supp. V, §§ 1381 note, 1401 *et seq.*

49 Stat. 774.
7 U. S. C., Supp. V, § 612 note.

Harvesting of seeds.

Administrative expenses.

52 Stat. 69.
7 U. S. C. § 1392; Supp. V, § 1392.
Information employees.

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

Programs of soil-building practices, etc.

49 Stat. 1148; 52 Stat. 31.
16 U. S. C. §§ 590g-590q; Supp. V, § 590g *et seq.*; 7 U. S. C. §§ 1281-1407; Supp. V, § 1282 *et seq.*
Ante, p. 21; *post*, pp. 663, 705, 866.

For all expenses necessary to enable the Secretary to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U. S. C. 590g-590q), and the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281-1407) (except the provisions of sections 201, 202, 303, 381, and 383 and the provisions of titles IV and V), including personal services in the District of Columbia and elsewhere; not to exceed \$6,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; purchase of lawbooks, books of reference, periodicals; \$259,246,000, together with \$42,500,000 of the unobligated balances for the fiscal years 1944, 1945, and 1946 of the funds appropriated by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (7 U. S. C. 612 (c)); in all, \$301,746,000, to remain available until December 31, 1947, for compliance with programs under said provisions of the Agricultural Adjustment Act of 1938, as amended, and the Act of February 29, 1936, as amended, pursuant to the provisions of the 1946 programs carried out during the period July 1, 1945, to December 31, 1946, inclusive, and, in addition, \$12,500,000 for making additional payments on an acreage and pound basis for harvesting seeds of grasses and legumes determined by the Secretary to be necessary for an adequate supply of such seeds; in all, \$314,246,000: *Provided*, That not to exceed \$27,942,888 of the total sum provided under this head shall be available during the current fiscal year, for salaries and other administrative expenses for carrying out such programs, the cost of aerial photographs, however, not to be charged to such limitation; but not more than \$7,886,480 shall be transferred to the appropriation account, "Administrative expenses, section 392, Agricultural Adjustment Act of 1938": *Provided further*, That none of the funds herein appropriated or made available for the functions assigned to the Agricultural Adjustment Agency pursuant to the Executive order (No. 9069) of February 23, 1942, shall be used to pay the salaries or expenses of any regional information employees or any State or county information employees, but this shall not preclude the answering of inquiries or supplying of information to individual farmers: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of the 1947 programs (amounting to \$300,000,000, including administration) of soil-building practices and soil- and water-conservation practices, under the Act of February 29, 1936, as amended, and programs under the Agricultural Adjustment Act of 1938, as amended; but the payments or grants under such program shall be conditioned upon the utilization of land with respect to which such payments or grants are to be made, in conformity with farming practices which will encourage

and provide for soil-building and soil- and water-conserving practices in the most practical and effective manner and adapted to conditions in the several States, as determined and approved by the State agricultural conservation committee for the respective States: *Provided further*, That the Secretary, may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of the General Accounting Office in auditing payments under this item: *Provided further*, That such amount shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary in the 1946, 1947, and 1948 programs under said Act of February 29, 1936, as amended: *Provided, however*, That the Secretary of Agriculture is authorized and directed to make payments to farmers who complied with the terms and conditions of the agricultural conservation programs, formulated pursuant to sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, if the Secretary determines that, because of induction into the armed forces of the United States, such farmers failed to file, or were prevented from filing, applications for payment under any such program during the period the applicable appropriation for such program was available for obligation, such payments to be made out of the unobligated balance of the appropriation, "Conservation and use of agricultural land resources", in the Department of Agriculture Appropriation Act, 1946: *Provided further*, That an application for payment on the prescribed form is filed by any such farmer (or the person entitled to payment in case of death, disappearance, or incompetency of the farmer under regulations issued pursuant to section 385 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C., 1940 edition, 1385)) within one year from the date of his discharge from the armed forces, or by December 31, 1946, whichever is later: *Provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939, as amended, or who has been found in accordance with the provisions of section 6 of the Act of July 11, 1919 (18 U. S. C. 201), to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels.

Transfer of funds.

Purchase of farming materials.

Payments to farmers inducted into armed forces.

49 Stat. 1148.
16 U. S. C. §§ 590g-590q; Supp. V, 590g et seq.
Post, p. 663.

59 Stat. 154.

52 Stat. 68.

Salary or travel expenses, restriction.

53 Stat. 1147.
18 U. S. C. §§ 61-61t; Supp. V, § 61h et seq.
Post, p. 937.

41 Stat. 68.

SUGAR ACT

To enable the Secretary to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, approved September 1, 1937, as amended (7 U. S. C. 1100-1183), including the employment of persons and means, in the District of Columbia and elsewhere, as authorized by said Act, \$53,500,000, to remain available until June 30, 1948.

50 Stat. 903.
7 U. S. C., Supp. V, § 1111 et seq.

EXPORTATION AND DOMESTIC CONSUMPTION OF AGRICULTURAL COMMODITIES

To enable the Secretary to further carry out the provisions of section 32, as amended, of the Act entitled "An Act to amend the Agricultural

49 Stat. 774.
7 U. S. C., Supp. V,
§ 612 note.

Ante, p. 288.

Limitation.

Ante, pp. 230, 233.

Adjustment Act, and for other purposes", approved August 24, 1935 (7 U. S. C. 612 (c)), and subject to all provisions of law relating to the expenditure of funds appropriated by such section 32, there is hereby reappropriated for the fiscal year 1947 the unobligated balances of the funds made available for the purposes of such section 32 for the fiscal years 1944, 1945, and 1946, less \$42,500,000, which is appropriated herein for "Conservation and use of agricultural land resources". Such sums shall be in addition to, and not in substitution for, other appropriations made by or for the purposes of such section 32: *Provided*, That not exceeding \$75,000,000 of the funds appropriated by and pursuant to such section 32 may also be used during the fiscal year 1947, without regard to the 25 per centum limitation contained in said section 32, to carry out the purposes and provisions of the National School Lunch Act, approved June 4, 1946 (Public Law 396), such amount to be exclusive of funds expended in accordance with the last sentence of section 9 of the National School Lunch Act.

MARKETING SERVICES

For the employment of such persons and means in the city of Washington and elsewhere (including not to exceed \$2,434,764 for departmental personal services in the District of Columbia) as may be necessary in conducting investigations, experiments, and demonstrations, as follows:

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, cottonseed, and seeds, and other agricultural products, \$1,320,972.

Market inspection of farm products: For enabling the Secretary to investigate and certify, in one or more jurisdictions, to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, canned, or otherwise processed, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered, \$536,000.

Marketing farm products: For acquiring and diffusing among the people of the United States useful information relative to the needed supplies, standardization, classification, grading, preparation for market, handling, transportation, storage, and marketing of farm and food products, including the demonstration and promotion of the use of uniform standards of classification of American farm and food products throughout the world for making analyses of cotton fiber as provided by the Act of April 7, 1941 (7 U. S. C. 473d), and for expenses necessary to enable the Secretary to perform functions vested in him by Executive Orders 9280, 9310, 9322, 9328, 9334, and 9577, including not to exceed \$10,000 for employment pursuant to the second sentence of section 706 (a), and not to exceed \$20,000 for transportation, per diem, and other necessary expenses pursuant to section 706 (b) of the Organic Act of 1944 (5 U. S. C. 541b, 574); printing and binding; the purchase of books of reference, periodicals, and not to exceed \$150 for newspapers; and operation and maintenance of one passenger automobile in the District of Columbia; \$2,251,500, of

55 Stat. 131.
7 U. S. C., Supp. V,
§ 473d.
50 U. S. C., Supp. V,
app. §§ 601, 901 notes.
3 CFR, Cum. Supp.,
p. 1273.

58 Stat. 742.
5 U. S. C., Supp. V,
§§ 574, 541b.

which not to exceed \$350,000 may be expended for the wage stabilization program conducted during the fiscal year 1946 under the appropriation "Salaries and expenses, War Food Administration", and, in the absence of other governing statute, the provisions of law applicable to such program during the fiscal year 1946 are continued during the fiscal year 1947: *Provided*, That the Secretary may make available to any bureau, office, or agency of the Department such amounts from this appropriation as may be necessary to carry out the functions for which this appropriation is made, and any such amounts shall be in addition to amounts transferred or otherwise made available to appropriation items in this Act: *Provided further*, That none of the funds herein appropriated shall be used for the promulgation or execution of orders under which assessments are made against producers or handlers of agricultural products, excepting walnuts, for administration of such orders: *Provided further*, That no part of this appropriation shall be used for agricultural wage stabilization with respect to any commodity unless a majority of the producers of such commodity within the area affected participating in a referendum or meeting held for that purpose request the intervention of the Secretary.

Tobacco Acts: To enable the Secretary to carry into effect the provisions of "An Act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco-inspection service, and for other purposes", approved August 23, 1935 (7 U. S. C. 511-511q), "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929 (7 U. S. C. 501-508), as amended, and "An Act to prohibit the exportation of tobacco seed and plants, except for experimental purposes", approved June 5, 1940 (7 U. S. C. 516), \$1,219,000.

Perishable Agricultural Commodities, Produce Agency, and Standard Container Acts: To enable the Secretary to carry into effect the provisions of the Perishable Agricultural Commodities Act, approved June 10, 1930, as amended (7 U. S. C. 499a-499r), and the Act to prevent the destruction or dumping of farm produce, and for other purposes, approved March 3, 1927 (7 U. S. C. 491-497), the Standard Baskets Act, approved August 31, 1916, as amended (15 U. S. C. 251-256), and the Act to fix standards for hampers, round stave baskets, and splint baskets for fruit and vegetables, and for other purposes, approved May 21, 1928 (15 U. S. C. 257-257i), \$214,800.

Cotton Statistics, Classing, Standards and Futures Acts: To enable the Secretary to carry into effect the provisions of the Act authorizing him to collect and publish statistics of the grade and staple length of cotton, approved March 3, 1927, as amended by the Act of April 13, 1937 (7 U. S. C. 471-476), and to perform the duties imposed upon him by chapter 14 of the Internal Revenue Code relating to cotton futures (26 U. S. C. 1920-1935), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923, as amended (7 U. S. C. 51-65), \$1,274,000.

United States Grain Standards Act: To enable the Secretary to carry into effect the provisions of the United States Grain Standards Act, \$940,000.

United States Warehouse Act: To enable the Secretary to carry into effect the provisions of the United States Warehouse Act, \$584,000.

Federal Seed Act: To enable the Secretary to carry into effect the provisions of the Act entitled "An Act to regulate interstate and foreign commerce in seeds; to require labeling and to prevent misrepresentation of seeds in interstate commerce; to require certain

Additional amounts.

Promulgation, etc., of assessment orders, restriction.

Wage stabilization.

49 Stat. 731.

45 Stat. 1079.

54 Stat. 231.

46 Stat. 531.
7 U. S. C., Supp. V,
§ 499b.

44 Stat. 1355.

39 Stat. 673.

45 Stat. 685.

44 Stat. 1372; 50
Stat. 62.
7 U. S. C., Supp. V,
§ 473d.

Post, p. 940.

53 Stat. 210.

42 Stat. 1517.

7 U. S. C., Supp. V,
§ 57a.39 Stat. 482.
7 U. S. C. §§ 71-87.39 Stat. 486.
7 U. S. C. §§ 241-273.

53 Stat. 1275.
7 U. S. C., Supp. V,
§ 1605.
International Seed
Testing Congress.

standards with respect to certain imported seeds; and for other purposes", approved August 9, 1939, as amended (7 U. S. C. 1561-1610), \$137,000: *Provided*, That not to exceed \$250 of this amount may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress.

42 Stat. 159; 49
Stat. 648.
7 U. S. C., Supp. V,
§ 204 *et seq.*

Packers and Stockyards Act: For carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921, as amended by the Act of August 14, 1935 (7 U. S. C. 181-229), \$464,500.

42 Stat. 1435.

Naval Stores Act: For enabling the Secretary to carry into effect the provisions of the Naval Stores Act of March 3, 1923 (7 U. S. C. 91-99), \$33,800.

36 Stat. 331.

Insecticide Act: For enabling the Secretary to carry into effect the provisions of the Act of April 26, 1910 (7 U. S. C. 121-134), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes", \$262,500.

49 Stat. 1491.

Commodity Exchange Act: To enable the Secretary to carry into effect the provisions of the Commodity Exchange Act, as amended (7 U. S. C. 1-17a), \$495,000.

52 Stat. 36.

Freight rates for farm products: To carry out the provisions of section 201 (a) to 201 (d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1291), \$123,000.

Post, p. 1063.

LOANS, GRANTS, AND RURAL REHABILITATION

Assistance to needy
farmers.

To enable the Secretary to continue to provide assistance through rural rehabilitation and grants to needy farmers in the United States, its Territories and possessions, including (1) loans to needy individual farmers, (2) grants, (3) making and servicing of loans and grants under this and prior laws, (4) farm debt adjustment service, (5) liquidation as expeditiously as possible of Federal rural rehabilitation projects, and (6) servicing and collecting loans made under the provisions of the Act of July 12, 1943, Public Law 140, as amended, \$24,000,000, which sum shall be also available for necessary administrative expenses incident to the foregoing, including personal services in the District of Columbia and elsewhere; not to exceed \$57,000 for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574); purchase of lawbooks, books of reference, periodicals, and not to exceed \$1,000 for newspapers; and printing and binding: *Provided*, That the Secretary shall transmit to the Congress semiannually a progress report with respect to the liquidation of Federal rural rehabilitation projects, under his supervision, showing by name and by States all dispositions of such projects, or parts thereof, together with the amounts of Federal funds expended in the process of liquidation, and any losses incurred in the use of such funds.

57 Stat. 542.

58 Stat. 742.
5 U. S. C., Supp. V,
§ 574.
Semiannual report
to Congress.

In making any grant payments under this Act, the Secretary is authorized to require with respect to such payments the performance of work on useful public projects, Federal and non-Federal, including work on private or public land in furtherance of the conservation of natural resources, and the provisions of the Act of February 15, 1934 (5 U. S. C. 796), as amended, relating to disability or death compensation, and benefits shall apply to those persons performing such work: *Provided*, That this section shall not apply to any case coming within the purview of the workmen's compensation law of any State, Territory, or possession, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

Disability or death
benefits.
48 Stat. 351.
5 U. S. C., Supp. V,
§ 796 note.

For additional funds for the purpose of making rural rehabilitation loans to needy individual farmers, who are unable to obtain credit elsewhere at comparable rates for the area where such loan is proposed to be made, the Reconstruction Finance Corporation is authorized and directed to make advances to the Secretary upon his request in an aggregate amount of not to exceed \$70,000,000. Such advances shall be made (1) with interest at not to exceed the rate of 3 per centum per annum payable semiannually; (2) upon the security of obligations acceptable to the Corporation heretofore or hereafter acquired by the Secretary pursuant to law; (3) in amounts which shall not exceed 75 per centum of the then unpaid principal amount of the obligations securing such advances; and (4) upon such other terms and conditions, and with such maturities as the Corporation may determine. The Secretary shall pay to the Corporation, currently as received by him, all moneys collected as payments of principal and interest on the loans made from the amounts so advanced or collected upon any obligations held by the Corporation as security for such advances, until such amounts are fully repaid. The amount of notes, debentures, bonds, or other such obligations which the Corporation is authorized and empowered to issue and to have outstanding at any one time under the provisions of law in force on the date this Act takes effect is hereby increased by an amount sufficient to carry out the provisions of this paragraph.

Advances from
R.F.C.

Repayment.

Increase of RFO
obligations.Limitation on use of
funds.

None of the moneys appropriated or otherwise authorized under this caption "Loans, grants, and rural rehabilitation", shall be used for (1) the purchase or leasing of land or for the carrying on of any land-purchase or land-leasing program; or (2) the carrying on of any operations in collective farming, or cooperative farming, or the organization, promotion, or management of homestead associations, land-leasing associations, land-purchasing associations, or cooperative land purchasing for colonies of rehabilitants or tenant purchasers, except for the liquidation as expeditiously as possible of any such projects heretofore initiated; or (3) the making of loans to any individual farmer in excess of a total outstanding obligation of \$5,000 for all such loans or the making of loans to any individual farmer in excess of \$2,500; or (4) the making of loans to any cooperative association; or (5) the making of loans for the payment of dues to or the purchase of any share or stock interest in any cooperative association (except for medical, dental, or hospital services) or for any expenditure other than that deemed necessary, in the discretion of the Secretary, for the production of agricultural commodities.

Trust funds.

The Secretary may expend funds administered by him as trustee under the various transfer agreements with the several State rural rehabilitation corporations only for purposes for which funds made available under this caption may be expended, and the limitations applicable to such funds shall also be applicable to the expenditure of such trust funds by the Secretary.

The appropriation and authorizations herein made under the heading "Loans, grants, and rural rehabilitation", shall constitute the total amount to be available for obligation under this heading during the current fiscal year and shall not be supplemented by funds from any source.

Total amount avail-
able for obligation.

No part of the appropriation herein made under the heading "Loans, grants, and rural rehabilitation", shall be available to pay the compensation of any person appointed in accordance with the civil-service laws.

Civil service ap-
pointees.

Post, p. 1063

FARM TENANCY

To enable the Secretary to carry into effect the provisions of title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000-1006), as follows:

50 Stat. 522.
7 U. S. C., Supp. V,
§ 1001 note.
Post, p. 1072.

Salaries and expenses: For necessary expenses in connection with the making of loans and the collection of moneys due the United States on account of loans heretofore made under the provisions of title I of said Act, including the employment of persons and means in the District of Columbia and elsewhere, exclusive of printing and binding, as authorized by said Act, \$2,804,000.

58 Stat. 293.
38 U. S. C., Supp.
V, § 694e(b).

Loans: For loans to individual farmers in accordance with title I of said Act and section 505 (b) of the Servicemen's Readjustment Act of 1944 (38 U. S. C. 694e (b)), \$50,000,000, including \$25,000,000 for loans to eligible veterans which may be distributed, without regard to the provisions of section 4 of the Bankhead-Jones Farm Tenant Act, among the States and Territories in such amounts as are necessary to make such loans, which sums shall be borrowed from the Reconstruction Finance Corporation at an interest rate of not to exceed 3 per centum per annum and no loans, excepting those to eligible veterans, may be made for the acquisition or enlargement of farms which have a value, as acquired, enlarged, or improved, in excess of the average value of efficient family-size farm-management units, as determined by the Secretary, in the county, parish, or locality where the farm is located; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum to the Secretary upon the security of any obligations of borrowers from the Secretary under the provisions of title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000-1006): *Provided*, That the amount loaned by the Reconstruction Finance Corporation shall not exceed 85 per centum of the principal amount outstanding of the obligations constituting the security therefor: *Provided further*, That the Secretary may utilize proceeds from payments of principal and interest on any loans made under such title I to repay the Reconstruction Finance Corporation the amount borrowed therefrom under the authority of this paragraph: *Provided further*, That the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof.

50 Stat. 524.
7 U. S. C. § 1004.
Post, p. 1072.
RFC loans.

Supra.
Limitation on
amount.

Repayment.

Increase of RFC
obligations.

WATER FACILITIES, ARID AND SEMIARID AREAS

To enable the Secretary to carry into effect the provisions of the Act entitled "An Act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes", approved August 28, 1937, as amended (16 U. S. C. 590r-590x, 590z-5), \$1,750,000, of which not to exceed \$11,000 may be expended for personal services in the District of Columbia.

50 Stat. 869.

RURAL ELECTRIFICATION ADMINISTRATION

To enable the Secretary to carry into effect the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, as amended (7 U. S. C. 901-915), as follows:

49 Stat. 1363.
7 U. S. C., Supp. V,
§ 903 *et seq.*

Salaries and expenses: For administrative expenses and expenses of studies, investigations, publications, and reports including the salary of the Administrator, Rural Electrification Administration, and other personal services in the District of Columbia and elsewhere; purchase

and exchange of books, lawbooks, books of reference, directories, and periodicals; not to exceed \$500 for newspapers; purchase (not to exceed \$1,500), maintenance, repair, and operation of one passenger automobile in the District of Columbia and elsewhere; and not to exceed \$500 for financial and credit reports, \$5,000,000.

Loans: For loans in accordance with sections 3, 4, and 5 of said Act, and for carrying out the provisions of section 7 thereof, \$250,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation in accordance with the provisions of section 3 (a) of said Act.

49 Stat. 1364, 1365.
7 U. S. C. §§ 903-905,
907; Supp. V, § 903
et seq.

FARM CREDIT ADMINISTRATION

SALARIES AND EXPENSES

For salaries and expenses of the Farm Credit Administration in the District of Columbia and the field, including printing and binding; travel expenses, including not to exceed \$5,000 for travel incurred under proper authority attending meetings or conventions of members of organizations at which matters of importance to the work of the Farm Credit Administration are to be discussed or transacted; lawbooks, books of reference, and not to exceed \$750 for periodicals and newspapers; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; not to exceed \$20,000 for expenditures authorized by section 602 of the Organic Act of 1944 (12 U. S. C. 833); purchase of one, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles in the District of Columbia and elsewhere; garage rental in the District of Columbia; payment of actual transportation and other necessary expenses and not to exceed \$10 per diem in lieu of subsistence of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Farm Credit Administration, except that such expenditures shall not exceed \$10,000; necessary administrative expenses in connection with the making of loans under the provisions of the Act of January 29, 1937 (12 U. S. C. 1020i-1020n, 1020o), and the collection of moneys due the United States on account of loans made under the provisions of said Act and similar Acts administered by the Farm Credit Administration relating to loans for crop production, feed, seed, and harvesting; examination of corporations, banks, associations, and institutions operated, supervised, or regulated by the Farm Credit Administration; in all, \$544,000, together with not to exceed \$4,569,300 from the funds made available to the Farm Credit Administration pursuant to the Act of January 29, 1937 (12 U. S. C. 1020i-1020n, 1020o). Collections made pursuant to section 601 of the Organic Act of 1944 (12 U. S. C. 832), are hereby made available to reimburse this appropriation for the cost of examining and supervising the corporations, banks, associations, and other organizations as provided in said section.

58 Stat. 741.
12 U. S. C., Supp.
V, § 833.

50 Stat. 5.
Post, p. 1063.
Collection of moneys
on loans.

Examination of
banks, etc.

Supra.
Reimbursement of
costs.
58 Stat. 740.
12 U. S. C., Supp.
V, § 832.

Post, p. 1063.
50 Stat. 5.

Farmers' crop production and harvesting loans: For loans to farmers under the Act of January 29, 1937, as amended (12 U. S. C. 1020i-1020n, 1020o), \$5,000,000, together with the unobligated balance (exclusive of the amount of such balance made available for "Salaries and expenses, Farm Credit Administration, 1947") of the appropriation "Crop production and harvesting loans" as made in the Act of May 5, 1945 (Public Law 52), is hereby made available, together with all collections of principal and interest on loans heretofore or hereafter made under said Act of January 29, 1937 (12 U. S. C. 1020i-1020n, 1020o).

59 Stat. 163.

GENERAL PROVISIONS

Limitations respect-
ing loans and ad-
vances.

SEC. 2. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation or expenses of any officer or employee of the Department, or any bureau, office, agency, or service of the Department, or any corporation, institution, or association supervised thereby, who makes or approves, or directs or authorizes any other officer or employee of the Department or of any such bureau, office, agency, service, corporation, institution, or association to make or approve, (1) any loan or advance under the provisions of food production financing bulletins F-1 or F-2, issued by the Farm Credit Administration operating under the Food Production Administration, Production Loans Branch, as heretofore or hereafter amended, unless (a) the applicant represents in writing and it is administratively determined that credit sufficient in amount to finance the production of the crops or livestock specified in the application is not available to him from sources other than the Regional Agricultural Credit Corporation or is available from other sources only on such terms and conditions that he could not use the other credit available to the extent necessary to produce the entire quantity of such crops or livestock specified in his application and (b) the person authorized to approve the loan or advance on behalf of the Regional Agricultural Credit Corporation finds that a greater quantity of the crops or livestock specified in the application would be likely to be produced if the loan or advance is made than would be produced otherwise, or (2) any loan or advance under the provisions of section 201 (e) of the Emergency Relief and Construction Act of 1932 (12 U. S. C. 1148), as amended (other than loans or advances under bulletins F-1 and F-2 made or approved on the conditions specified in this section) except (a) in regions in which loans or advances had been made under said section 201 (e) of the Emergency Relief and Construction Act of 1932 within one year prior to December 1, 1942, or (b) in any region which the Secretary shall have designated as a region in which the making of such loans or advances is necessary in order to finance the production of crops or livestock that otherwise would not be produced in such region: *Provided*, That none of the limitations provided for by this section shall apply with respect to any loan or advance made or approved at any time for the purpose of financing the completion of production undertaken before July 12, 1943, or for the purpose of protecting or preserving the security for or assisting in the collection or liquidation of any loan or advance made or approved before such date.

47 Stat. 713.

Exceptions.

Vehicles.

SEC. 3. Within the unit limit of cost fixed by law the lump-sum appropriations herein made for the Department shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department outside the District of Columbia, but the number of such vehicles purchased or otherwise acquired for all the activities of the Department for which appropriations are made in this Act shall not exceed the total number indicated for purchase by the Department under the statements of proposed expenditures for purchase, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles in the Budget plus twelve additional such vehicles for work in connection with experimental forests and ranges: *Provided*, That such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motor-trucks in the District of Columbia: *Provided further*, That appropriations contained in this Act shall be available for the maintenance, operation, and repair of motor-propelled and horse-drawn passenger-carrying vehicles: *Provided further*, That the funds available under

Limitation on use.

Maintenance, etc.

Use of funds.

the appropriation "Conservation and use of agricultural land resources" may be used for the maintenance, repair, and operation of one passenger-carrying vehicle in the District of Columbia.

SEC. 4. Provisions of law prohibiting or restricting the employment of aliens shall not apply to (1) the temporary employment of translators when competent citizen translators are not available; (2) employment in cases of emergency of persons in the field service of the Department for periods of not more than sixty days; (3) employment on the emergency rubber project; (4) employment by the Rural Electrification Administration of not to exceed twenty junior engineer trainees who are citizens of other American republics; and (5) employment under the appropriation for the Office of Foreign Agricultural Relations.

SEC. 5. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That such administrative or supervisory employees of the Department as may be designated for the purpose by the Secretary are hereby authorized to administer the oaths to persons making affidavits required by this section, and they shall charge no fee for so doing: *Provided further*, That any person who engaged in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That nothing in this section shall be construed to require an affidavit from any person employed for less than sixty days for sudden emergency work involving the loss of human life or destruction of property, and payment of salary or wages may be made to such persons from applicable appropriations for services rendered in such emergency without execution of the affidavit contemplated by this section.

SEC. 6. Nothing contained in this Act shall be construed to alter, or modify in any manner whatsoever, the aggregate maximum personnel ceilings established by section 14 (a) of the Federal Employees' Pay Act of 1946 (Public Law No. 390) nor to authorize the compensation of a greater aggregate number than the number provided for in the aforesaid Act. In the case of any activity whose personnel may be increased in consequence of appropriations contained in this Act, the Director of the Bureau of the Budget shall recommend and

Ante, p. 288.

Employment of
aliens.

Persons engaging,
etc., in strikes against
or advocating over-
throw of U. S. Gov-
ernment.

Affidavit.

Administration of
oaths.

Penalty.

Emergency work.

Personnel ceilings.

Ante, p. 219.

effectuate such reduction in personnel in such governmental agencies as he may deem advisable as will offset any increase in personnel for which provision is made in this Act.

Short title.

SEC. 7. This Act may be cited as the "Department of Agriculture Appropriation Act, 1947".

Approved June 22, 1946.

[CHAPTER 446]

AN ACT

June 22, 1946

[H. R. 5907]

[Public Law 423]

To authorize the Administrator of Veterans' Affairs to grant an easement for highway purposes to the Commonwealth of Pennsylvania, in certain lands in the reservation of the Veterans' Administration hospital, Lebanon County, Pennsylvania, and for other purposes.

Pennsylvania.
Easement for high-
way purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of relocating a part of the Lebanon-Buffalo Springs Road, Route Numbered 38016, the Administrator of Veterans' Affairs is authorized and directed to grant an easement to the Commonwealth of Pennsylvania for highway purposes in certain lands in the reservation of the Veterans' Administration hospital in Lebanon County, Pennsylvania, described as follows:

All that part of a strip of land sixty feet wide extending thirty feet either way from the following-described centerline and lying within the boundaries of the Veterans' Administration property: Beginning at a point in the center of existing road, Route Numbered 38016, at station one hundred and eight plus seventy-five; thence north seventeen degrees forty-two minutes west to station one hundred and eleven plus three and eighty-one one-hundredths; thence on a curve to the right, having a radius of nine hundred and fifty-five and thirty-seven one-hundredths feet to station one hundred and thirteen plus forty-nine and ninety-two one-hundredths; thence north two degrees fifty-six minutes west to station one hundred and twenty-four plus forty-one and ninety-four one-hundredths; thence on a curve to the left, having a radius of seven hundred and sixteen and seventy-eight one-hundredths feet to station one hundred and thirty plus four and twenty-three one-hundredths; thence north forty-seven degrees fifty-five minutes west to station one hundred and thirty-four plus forty-six and forty-three one-hundredths; thence on a curve to the right, having a radius of two thousand eight hundred and sixty-four and ninety-three one-hundredths feet to station one hundred and thirty-six plus forty-two and twenty-six one-hundredths; thence north forty-four degrees west to a point in center of existing road, Route Numbered 38016, at station one hundred and thirty-seven plus fifty. The above-described right-of-way is in accordance with the road plan of the Commonwealth of Pennsylvania, Department of Highways, Route Numbered 38016, section numbered 1, dated September 11, 1945.

Condition.

The grant of the foregoing easement shall be conditioned upon the vacation, abandonment, and extinguishment within a reasonable time of the presently existing easement in that strip of land described as follows:

All that part of the right-of-way of the existing Lebanon-Buffalo Springs Road lying within or bounded by the Veterans' Administration reservation, Lebanon County, Pennsylvania, and lying between the following-described points: Station one hundred eight plus seventy-five and station one hundred thirty-seven plus fifty, in accordance with the road plan of the Commonwealth of Pennsylvania, Department of Highways, Route Numbered 38016, section numbered 1, dated September 11, 1945, except that portion south of station one hundred thirteen plus twenty-five and that portion

north of station one hundred thirty-five plus twenty-five which will be used for the new road as shown on the aforesaid road plan.

The easement herein authorized to be granted shall be limited to the period of time the aforesaid lands are required and actually used for highway purposes, and when no longer so required and used, all interests herein authorized to be conveyed in said lands shall cease and determine.

Time limitation.

Approved June 22, 1946.

[CHAPTER 447]

AN ACT

To amend section 100 of the Servicemen's Readjustment Act of 1944.

June 22, 1946
[H. R. 6069]
[Public Law 424]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 100 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 693), is amended by adding an additional paragraph thereto so that the section will read as follows:

58 Stat. 284.
38 U. S. C., Supp.
V, § 693.

"SEC. 100. The Veterans' Administration is hereby declared to be an essential war agency and entitled to priority equal to the highest granted any department or agency of the Government in personnel, service, space, equipment, supplies, and material under any laws, Executive orders, and regulations pertaining to priorities. The Administrator is authorized, for the purpose of extending benefits to veterans and dependents, and to the extent he deems necessary, to procure the necessary space for administrative, clinical, medical, and out-patient treatment purposes by lease, purchase, or construction of buildings, or by condemnation or declaration of taking, pursuant to existing statutes.

Veterans' Administration declared an essential war agency.
Priorities.

Procurement of space.

"Until June 30, 1947, the Administrator is authorized to enter into leases or renewals of leases of property for any of the purposes specified in this section for periods not exceeding five years. The provisions of the Act of June 30, 1932 (47 Stat. 412), as amended by section 15 of the Act of March 3, 1933 (47 Stat. 1517; 40 U. S. C. 278a), the provisions of section 3679 of the Revised Statutes, as amended by the Act of March 3, 1905 (33 Stat. 1257), and the Act of February 27, 1906 (34 Stat. 48; 31 U. S. C. 665); and the provisions of section 3732 of the Revised Statutes (41 U. S. C. 11) shall not apply to any lease entered into by the Administrator under the authority of this section. Nothing in this section shall be construed to diminish, or in any way limit any right, power, or authority granted to the Administrator under any other law."

Leases of property.

34 Stat. 255.

Approved June 22, 1946.

[CHAPTER 448]

AN ACT

To remove the existing limitation on the number of associate members of the Board of Veterans' Appeals in the Veterans' Administration.

June 22, 1946
[H. R. 6153]
[Public Law 425]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part of paragraph I preceding subparagraph (a) of part II of Veterans Regulation Numbered 2 (a), as amended (38 U. S. C., ch. 12 note), is amended to read as follows:

38 U. S. C. note foll.
§ 724.

"I. There is hereby created in the Veterans' Administration a Board of Veterans' Appeals under the administrative control and supervision of a chairman directly responsible to the Administrator of Veterans' Affairs. The Board shall be composed of a Chairman, a Vice Chairman, such number of associate members as may be found necessary not

Veterans' Administration.
Board of Veterans' Appeals.

to exceed fifty, and such other professional, administrative, clerical, and stenographic personnel as are necessary in conducting hearings and considering and disposing of appeals properly before such Board in accordance with the instructions herein provided. Members of the Board, including the Chairman and the Vice Chairman, shall be appointed by the Administrator of Veterans' Affairs with the approval of the President."

Approved June 22, 1946.

[CHAPTER 458]

AN ACT

June 24, 1946

[S. 943]

[Public Law 426]

Granting the consent of Congress to the State of Washington to construct, maintain, and operate a free highway bridge across the Columbia River at Northport, Washington.

Bridge.
Columbia River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Washington to construct, maintain, and operate a free highway bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near the town of Northport, in Stevens County, Washington, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

34 Stat. 84.
33 U. S. C. §§ 491-498.

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

Approved June 24, 1946.

[CHAPTER 459]

AN ACT

June 24, 1946

[H. R. 3611]

[Public Law 427]

To authorize the condemnation of materials which are intended for use in process or renovated butter and which are unfit for human consumption, and for other purposes.

I. R. C., amend-
ments.
26 U. S. C. § 2325.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2325 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 254), is amended to read as follows:

"SEC. 2325. INSPECTION OF PROCESS OR RENOVATED BUTTER.

"For the purpose of protecting interstate and foreign commerce from process or renovated butter which is unclean, unwholesome, unhealthful, or otherwise unfit for human food—

"(a) The Secretary of Agriculture shall, through inspectors appointed by him, cause inspections to be made of all milk, butter, butter oil, and other ingredients intended for use in the manufacture of process or renovated butter. All ingredients which are found to be putrid or decomposed or which contain organic or inorganic substances which are foreign to such ingredients when properly made, manufactured, produced, collected, stored, transported, or handled, and which organic or inorganic substances cannot be removed by processing, shall be deemed unfit for use in the manufacture of process or renovated butter, shall be marked 'U. S. Inspected and Condemned', and shall be denatured or destroyed under the supervision of the inspector. All other ingredients shall be marked 'U. S. Inspected and Passed', and shall be deemed fit for use in the manufacture of process or renovated butter.

"(b) The Secretary of Agriculture shall cause inspections to be made of all process or renovated butter. If such butter is found to be clean, wholesome, healthful, and otherwise fit for human food,

it shall be marked 'U. S. Inspected and Passed'. Process or renovated butter that is found to be unclean, unwholesome, unhealthful, or otherwise unfit for human food shall be denatured or destroyed under the supervision of the inspector.

“(c) The Secretary of Agriculture shall cause inspections to be made of all factories wherein process or renovated butter is manufactured to determine the sanitary conditions thereof, and if it is found that the conditions existing in any such factory do not meet the standards prescribed by the Secretary in his regulations, he shall cause inspection to be withdrawn therefrom.

“(d) The Secretary of Agriculture is authorized to withdraw inspection from any factory wherein process or renovated butter is made, if the manufacturer shall fail to comply with any of the provisions of this section or with any of the rules and regulations prescribed hereunder.

“(e) The Secretary of Agriculture is authorized to make such rules and regulations as he deems necessary for the efficient administration of the provisions of this section, and all inspections hereunder shall be made in such manner as may be prescribed in such regulations. The Secretary of Agriculture may, from time to time, by regulations define the foreign substances and the extent thereof that render the ingredients unfit for use in manufacturing process or renovated butter.

“(f) The Secretary of Agriculture shall cause to be ascertained, and he shall report, from time to time, the quantity and quality of all process or renovated butter manufactured and the character and condition of the materials from which it is made.

“(g) No person, firm, or corporation shall forge, counterfeit, simulate, falsely represent, detach, or knowingly alter, deface, or destroy, or use without proper authority, any of the marks, stamps, labels, or tabs provided for in this section or in any regulations prescribed hereunder by the Secretary of Agriculture for use on process or renovated butter or on wrappers, packages, containers, or cases in which the product is contained, or any certificate in relation thereto.

“(h) All process or renovated butter and the packages or containers thereof shall be marked with the words 'Process Butter' and by such other marks, labels, or brands, and in such manner, as may be prescribed by the Secretary of Agriculture.

“(i) No statement that is false or misleading in any particular shall be placed on or affixed to any wrapper, label, carton, or container of process or renovated butter.

“(j) No person, firm, or corporation shall transport, or offer for transportation, or sell or offer for sale, in interstate or foreign commerce, or in commerce affecting commerce among the States, any process or renovated butter that has not been inspected and passed and marked, labeled, and branded in accordance with this section and the regulations issued hereunder.

“(k) The administration and enforcement of the provisions of this Act, other than its provisions relating to revenue, but including the seizure and denaturing or destruction of ingredients intended to be used in the manufacture of process or renovated butter and the denaturing or destruction of process or renovated butter, are committed exclusively to the Secretary of Agriculture: *Provided*, That any powers and duties of the Food and Drug Administration of the Federal Security Agency under the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C., 1940 edition, 301, and the following), as regards such ingredients before they come into the possession of the manufacturers of process or renovated butter, or as regards such powers and duties in connection with process or renovated butter

after it leaves such manufacturers and comes into the hands of wholesale or retail dealers, or others, shall not be affected by this Act."

26 U. S. C. § 2326 (c). SEC. 2. Subsection (c) of section 2326 of the Internal Revenue Code (53 Stat. 255) is amended by striking out "shall be punished by a fine of not less than \$50 nor more than \$500 or by imprisonment for not less than one month nor more than six months, or by both said punishments," and by inserting in lieu thereof the following: "shall be punished by a fine of not more than \$1,000 or by imprisonment for a period of not more than six months, or by both such fine and imprisonment."

26 U. S. C. § 2327. SEC. 3. Section 2327 of the Internal Revenue Code (53 Stat. 255) is amended by striking out subsections (b) and (c) of said section.

Separability of provisions.

SEC. 4. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons or circumstances shall not be affected thereby.

Approved June 24, 1946.

[CHAPTER 460]

AN ACT

To provide for the disposition of tribal funds of the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana.

June 24, 1946
[H. R. 3843]
[Public Law 428]

Indians.
Availability of designated tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of existing law, the tribal funds now on deposit or hereafter placed to the credit of the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana, in the United States Treasury, shall be available for such purposes as may be designated by the tribal council of said tribe and approved by the Secretary of the Interior: *Provided,* That any expenditures so designated and approved shall be in accordance with the provisions of the tribal constitution and charter.

Expenditures.

Approved June 24, 1946.

[CHAPTER 461]

AN ACT

To provide for the burial in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia, of the remains of an unknown American who lost his life while serving overseas in the armed forces of the United States during the Second World War.

June 24, 1946
[H. R. 3959]
[Public Law 429]

Unknown American of Second World War.
Burial.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed (1) to cause to be brought to the United States the remains of an American who lost his life while serving overseas in the armed forces of the United States during the Second World War and whose identity has not been established; and (2) to provide for the burial, with appropriate ceremonies, of such unknown American in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia, near or beside the remains of the Unknown American Soldier of the First World War.

Appropriation authorized.

SEC. 2. There is authorized to be appropriated such sum as may be necessary to carry out the purposes of this Act.

Approved June 24, 1946.

[CHAPTER 462]

AN ACT

To exempt transfers of property to the American National Red Cross from the District of Columbia inheritance tax.

June 24, 1946
[H. R. 4654]
[Public Law 430]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective as of the effective date of title V of the District of Columbia Revenue Act of 1937, section 1 (e) of title V of such Act is amended by inserting after "within the District of Columbia," the following: "and property transferred to the American National Red Cross,"

American National Red Cross.

50 Stat. 684.
D. C. Code § 47-1601 (e).

SEC. 2. This Act shall not authorize nor require the refund of any taxes paid for the transfer of any property to the American National Red Cross except such taxes as may have been paid under protest.

Refunds.

Approved June 24, 1946.

[CHAPTER 463]

AN ACT

To amend the Act establishing the Hot Springs National Park.

June 24, 1946
[H. R. 5317]
[Public Law 431]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of April 20, 1904 (33 Stat. 187), as amended (16 U. S. C. 372), is further amended by striking out the words "Eastern United States Judicial District of Arkansas" and inserting in lieu thereof "Western United States Judicial District of Arkansas".

Hot Springs National Park.
Transfer of jurisdiction over certain offenses.

SEC. 2. Section 6 of the Act of April 20, 1904 (33 Stat. 188), as amended (16 U. S. C. 376), is further amended by striking out the words "United States District Court for the Eastern District of Arkansas" wherever they appear in said section and inserting in lieu thereof the words "United States District Court for the Western District of Arkansas".

SEC. 3. Section 7 of the Act of April 20, 1904 (33 Stat. 188), as amended (16 U. S. C. 377), is further amended by striking out the words "United States District Court for the Eastern District of Arkansas" and inserting in lieu thereof the words "United States District Court for the Western District of Arkansas".

SEC. 4. Section 8 of the Act of April 20, 1904 (33 Stat. 189), as amended (16 U. S. C. 378), is further amended by striking out the words "Eastern District of Arkansas" and inserting in lieu thereof the words "Western District of Arkansas".

SEC. 5. Section 9 of the Act of April 20, 1904 (33 Stat. 189), as amended (16 U. S. C. 379), is further amended by striking out the words "Eastern District of Arkansas" and inserting in lieu thereof the words "Western District of Arkansas".

SEC. 6. Section 12 of the Act of April 20, 1904 (33 Stat. 189, 16 U. S. C. 382), is amended to read as follows:

"SEC. 12. All persons who may be imprisoned for nonpayment of any fine or costs provided for by this Act or awaiting trial without bail, shall be confined in any approved jail situated in the Western District of Arkansas or at such place as may be otherwise designated".

Imprisonment for non-payment of fine or costs.

Approved June 24, 1946.

[CHAPTER 464]

AN ACT

To accept the renunciation by Albert W. Johnson of pension under section 260 of the Judicial Code.

June 24, 1946

[H. R. 5413]

[Public Law 432]

Albert W. Johnson.
Pension.
36 Stat. 1161.
28 U. S. C. § 375;
Supp. V, § 375.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after July 14, 1945, no payment shall be made under section 260 of the Judicial Code to Albert W. Johnson (or to his estate), formerly district judge of the District Court of the United States for the Middle District of Pennsylvania, who resigned as such judge on July 3, 1945, and who, on July 14, 1945, renounced and relinquished his rights under section 260 of the Judicial Code to receive the salary therein provided for judges who resign after having served at least ten years and having attained the age of seventy years.

Approved June 24, 1946.

[CHAPTER 465]

AN ACT

To authorize certain expenditures by the Alaska Railroad, and for other purposes.

June 24, 1946

[H. R. 5453]

[Public Law 433]

Funds for operation
of Alaska Railroad.
Availability.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds available for the operation of the Alaska Railroad shall be available for maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; for purchase of stores for resale; and for payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on said railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding \$100 in value.

Approved June 24, 1946.

[CHAPTER 466]

JOINT RESOLUTION

To permit articles imported from foreign countries for the purpose of exhibition at the Inter-American Trade Exposition, Fort Worth, Texas, to be admitted without payment of tariff, and for other purposes.

June 24, 1946

[H. J. Res. 327]

[Public Law 434]

Inter-American
Trade Exposition, Ft.
Worth, Tex.
Importation of arti-
cles for exhibition, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the Inter-American Trade Exposition, an international exposition, to be held at Fort Worth, Texas, from October 6 to 12, 1946, inclusive, by the Texas Pan-American Association, a corporation, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided,* That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if

Sale of articles.

Articles withdrawn.

any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the Texas Pan-American Association, a corporation, shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisal, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the Texas Pan-American Association, a corporation, to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930, as amended (U. S. C., 1940 edition, title 19, sec. 1524).

Approved June 24, 1946.

Marking requirements.

Abandonment of articles.

Articles in customs custody.

Texas Pan-American Association.
Sole consignee; expenses.

Deposit of receipts.

46 Stat. 741.

[CHAPTER 467]

AN ACT

To set aside certain lands in Oklahoma in trust for the Indians of the Kiowa, Comanche, and Apache Indian Reservation.

June 24, 1946

[S. 1043]

[Public Law 435]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby eliminated from the Rainy Mountain School Reserve in Oklahoma and title is hereby vested in the United States in trust for the Indians of the Kiowa, Comanche, and Apache Indian Reservation: South half and northwest quarter of section 13; all of section 14; south half and northeast quarter of section 23; and west half of section 24; township 6 north, range 16 west, of the Indian meridian, Oklahoma, containing one thousand nine hundred and twenty acres.

Indians.
Title to designated lands.

Approved June 24, 1946.

[CHAPTER 468]

AN ACT

June 24, 1946
[S. 1336]
[Public Law 436]

To transfer certain real and personal property in Ward County, North Dakota, to the State of North Dakota acting by and through the Industrial Commission of North Dakota.

North Dakota.
Transfer of real and
personal property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the written consent of the majority of directors of North Dakota Rural Rehabilitation Corporation, the Secretary of Agriculture is hereby authorized and directed to transfer and to cause to be transferred forthwith to the State of North Dakota, acting by and through the Industrial Commission of North Dakota, all right, title, claim, and estate in and to all real and personal property in Ward County, North Dakota, known as the Burlington farmstead and coal-mine project, and which said properties were transferred by North Dakota Rural Rehabilitation Corporation, in trust to the United States of America acting by and through the Secretary of Agriculture, by transfer agreement dated June 25, 1937, and which said properties have been subject to administration by the Secretary as trustee under such agreement. Such transfer by the Secretary of Agriculture shall be subject to any legal rights existing by virtue of any lease or other agreement by the Secretary, his successors or representatives as such trustee, to use such properties or any proceeds received therefrom wholly for rural rehabilitation.

Rural rehabilita-
tion.

SEC. 2. The transfer of the real and personal property under this Act is hereby found to be in the general interest of rural rehabilitation and particularly in the rehabilitation of disabled veterans of the United States, and dependent members of their families, resident in North Dakota, and shall not be deemed to impose any liability upon the Secretary of Agriculture with respect to his obligations under such agreement of transfer of June 25, 1937.

Approved June 24, 1946.

[CHAPTER 469]

JOINT RESOLUTION

June 24, 1946
[S. J. Res. 162]
[Public Law 437]

Extending for seven months the period of time during which alcohol plants are permitted to produce sugars or sirups simultaneously with the production of alcohol.

59 Stat. 555.
26 U. S. C., Supp.
V, § 3126 (a).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3126 (a) of the Internal Revenue Code (relating to emergency production of sugars and sirups in industrial alcohol plants) is amended by striking out "July 1, 1946," and inserting in lieu thereof "February 1, 1947."

Approved June 24, 1946.

[CHAPTER 472]

AN ACT

June 25, 1946
[S. 1857]
[Public Law 438]

To authorize the availability for certain necessary administrative expenses of appropriations for the Department of the Interior.

Department of the
Interior.
Hire of boats, ve-
hicles, etc.
Post, p. 385.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations for field work of the Department of the Interior shall be available for the hire, with or without personal services, of boats, work animals, and animal-drawn and motor-propelled vehicles and equipment.

Damages to private
property.
Post, p. 350.

SEC. 2. Appropriations for contingent expenses of the Department of the Interior shall be available, to the extent specified therein, for the payment of damages to private property (not to exceed \$500 in

any one case) caused by the negligent operation of motor vehicles under such appropriations.

SEC. 3. The Secretary of the Interior, in carrying out the Act of February 22, 1935, as amended (15 U. S. C., ch. 15A), is authorized to cooperate with Federal and State authorities.

49 Stat. 30.
15 U. S. C. §§ 715-
715i; Supp. V, ch. 15A.

Approved June 25, 1946.

[CHAPTER 473]

AN ACT

Authorizing the Secretary of the Interior to convey certain lands situated in Clark County, Nevada, to the Boulder City Cemetery Association for cemetery purposes.

June 25, 1946
[H. R. 3966]
[Public Law 439]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized to convey to the Boulder City Cemetery Association, a rural cemetery association incorporated pursuant to the laws of the State of Nevada, for cemetery purposes, upon such terms and conditions as he may prescribe and subject to such rules and regulations for the protection of property and interests of the United States of America and for the preservation of the public health, safety, and welfare in Boulder City, Nevada, and vicinity, as may thereafter be promulgated by him or pursuant to his authority, all right, title, and interest of the United States of America in and to certain lands in Clark County, State of Nevada, heretofore withdrawn for reclamation purposes, described as follows:

Boulder City Cemetery Association.
Conveyance.

The east half of the southwest quarter of the northwest quarter of the northwest quarter of the southwest quarter, the southeast quarter of the northwest quarter of the northwest quarter of the southwest quarter, the west half of the southwest quarter of the northeast quarter of the northwest quarter of the southwest quarter, the east half of the northwest quarter of the southwest quarter of the northwest quarter of the southwest quarter, the northeast quarter of the southwest quarter of the northwest quarter of the southwest quarter, and the west half of the northwest quarter of the southeast quarter of the northwest quarter of the southwest quarter, section 10, township 23 south, range 64 east, Mount Diablo base and meridian, Nevada, consisting of ten acres, more or less, by deed reserving a right-of-way thereon for the construction, operation, and maintenance of electric transmission lines and telephone lines constructed by the authority of the United States or under permit from the Secretary of the Interior: *Provided*, That title to such of said lands as should in the judgment of the Secretary so revert shall revert to the United States in any of the following events: (a) if any portion of said lands shall cease to be used and maintained for cemetery purposes; (b) if any portion of said lands shall be used for any purpose other than cemetery purposes; or (c) if said association shall violate any of the rules or regulations hereafter promulgated by the Secretary of the Interior pursuant to this Act and if the Secretary, whose decision shall be final, shall determine in writing that as a result of such violation the interests of the United States require a reverter of said lands; a reverter resulting from any of the aforesaid events shall become effective upon the filing for record by the Secretary with the Recorder of Clark County, State of Nevada, of a declaration that a reverter has occurred for reasons therein stated and upon the service of a copy thereof upon the association by regular mail addressed to it at its last known address.

Reversion of title.

Approved June 25, 1946.

[CHAPTER 474]

AN ACT

June 25, 1946
[H. R. 5271]
[Public Law 440]

To amend an Act entitled "An Act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II".

World War II veter-
ans.
Homestead entries.

58 Stat. 747.
43 U. S. C., Supp.
V, § 279.

Age.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act approved September 27, 1944, entitled "An Act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II" (Public, Numbered 434, Seventy-eighth Congress, second session), is hereby amended by deleting the period at the end thereof, by substituting a colon, and by inserting the following proviso: "*Provided*, That no person who has served or may serve in the military or naval forces of the United States for a period of at least ninety days during World War II and is honorably discharged shall be disqualified from making homestead entry or from any other benefits of this Act merely by reason of not having reached the age of twenty-one years."

Approved June 25, 1946.

[CHAPTER 475]

AN ACT

June 25, 1946
[H. R. 6195]
[Public Law 441]

To amend section 1 of the Act of June 4, 1920 (41 Stat. 751), entitled "An Act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes", as amended by the Act of May 26, 1926 (44 Stat. 658).

Crow Indian lands.
Leases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of June 4, 1920 (41 Stat. 751), as amended by section 1 of the Act of May 26, 1926 (44 Stat. 658), be further amended by striking out the next to the last sentence of section 1, reading "No lease shall be made for a period longer than five years," and by substituting therefor the following: "No lease of any allotment shall be made for a period longer than five years except that irrigable lands in Indian ownership under the Big Horn unit of the Crow Indian irrigation project may be leased for farming purposes for a period not exceeding ten years. All other provisions of these Acts with respect to the leasing of Crow Indian lands shall continue in effect."

Approved June 25, 1946.

[CHAPTER 487]

JOINT RESOLUTION

June 25, 1946
[H. J. Res. 307]
[Public Law 442]

To authorize the use of naval vessels to determine the effect of atomic weapons upon such vessels.

Atomic weapons.
Use of naval vessels
as targets.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy, with the approval of the President, is authorized to employ vessels of the Navy as targets for purposes of test and experimentation in determining the effect of atomic weapons upon such vessels.

Disposition of ves-
sels.

SEC. 2. After employment pursuant to authority contained in section 1 of this Act vessels may, in the discretion of the Secretary of the Navy or such other person as may be designated by him, be—

(a) sunk if considered unseaworthy; or

(b) retained with or without repair for further test and experimentation, for further naval use, or for other disposition in accordance with other provisions of law.

Number of vessels.

SEC. 3. The number of combatant vessels, exclusive of those received from foreign governments, which may be employed as

targets for the purposes set forth in section 1 of this joint resolution, is limited to thirty-three. The term "combatant vessels" for purposes of this section is defined as naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers, and submarines.

"Combatant ves-
sels."

SEC. 4. The Secretaries of War and of the Navy shall take such measures as they may deem necessary to safeguard the information, observations, findings, conclusions, and recommendations pertaining to and resulting from these tests and which are of a military nature as would normally be attached to any other vital military information or military secret.

Safeguarding of in-
formation, etc.

SEC. 4A. The President, in his discretion, may appoint an advisory board to cooperate with the Secretaries of War and of the Navy in the conduct of these tests, to undertake an independent study of the tests and to submit its observations, findings, conclusions, and recommendations to the Secretaries of War and of the Navy. This advisory board shall be composed of—

Advisory board.

(a) five civilians, one of whom shall be designated as chairman of the advisory board;

(b) three naval officers, at least one of whom shall be a naval aviator; and

(c) three Army officers, at least one of whom shall be an Army aviator.

SEC. 5. Such provisions of this joint resolution as relate to the employment of vessels of the Navy as targets shall terminate two years after the date of its enactment into law.

Termination of des-
ignated provisions.

Approved June 25, 1946.

[CHAPTER 488]

AN ACT

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the Boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania.

June 25, 1946

[H. R. 5357]

[Public Law 443]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Monongahela River, at a point suitable to the interests of navigation, between the Boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Bridge.
Monongahela
River.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 25, 1946.

[CHAPTER 489]

AN ACT

To modify the time limitations governing the award of certain military and naval decorations for acts performed during the present war.

June 26, 1946

[S. 1523]

[Public Law 444]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations prescribed by the Act of July 9, 1918 (40 Stat. 845, 871), and the Act of August 7, 1942 (56 Stat. 743, 744), with respect to the time within which the Medal of Honor, Distinguished Service Cross, Navy

Issuance of Medal
of Honor, etc.
10 U. S. C. § 1401 et
seq.; Supp. V, § 1412;
34 U. S. C., Supp. V,
§§ 354-364.

Nonapplication of limitations.

Cross, Distinguished Service Medal, Silver Star Medal, Navy and Marine Corps Medal, and devices in lieu thereof, may be issued and the time within which statements or reports suggesting or recommending such awards may be made shall not apply to any case in which (1) the act or service justifying the award was performed during the period commencing December 7, 1941, and ending with the date of the termination of hostilities in the present war and (2) the recommendation for official recognition of such act or service was initiated not later than six months after the latter date. The term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is earlier.

Approved June 26, 1946.

[CHAPTER 490]

AN ACT

To revive and reenact and amend the Act entitled "An Act authorizing the county of Gallatin, State of Illinois, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the city of Shawneetown, Gallatin County, Illinois, to a point opposite thereto in the county of Union, State of Kentucky", approved July 18, 1939.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved July 18, 1939 (heretofore extended by an Act of Congress approved July 2, 1940), authorizing the county of Gallatin, in the State of Illinois, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at or near Shawneetown, Gallatin County, Illinois, is hereby revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

SEC. 2. Section 2 of such Act of July 18, 1939, as revived and reenacted, is amended to read as follows:

"SEC. 2. There is hereby conferred upon the county of Gallatin, in the State of Illinois, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State."

SEC. 3. Section 3 of such Act, as revived and reenacted, is amended by inserting the following sentence at the end thereof: "No toll or other charge shall be levied against any employee, civil or military, or any vehicle or conveyance of the United States Government for the use of such bridge in the performance of official duties."

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

Approved June 26, 1946.

June 26, 1946
[H. R. 5444]
[Public Law 445]

Bridge.
Ohio River.
53 Stat. 1058; 54
Stat. 727.

Time limitation.

53 Stat. 1059.

Acquisition of lands.

Restriction.

[CHAPTER 491]

AN ACT

June 26, 1946
[H. R. 5376]
[Public Law 448]

To authorize the Secretary of Agriculture to extend and renew to Chicago, Milwaukee, Saint Paul and Pacific Railroad Company for the term of ten years a lease to Henry A. Scandrett, Walter J. Cummings, and George I. Haight, trustees of Chicago, Milwaukee, Saint Paul and Pacific Railroad Company, of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the Act of Congress approved June 25, 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized, in his discretion, to extend and renew to Chicago, Milwaukee, Saint Paul and Pacific Railroad Company for a term of ten years that certain lease to Henry A. Scandrett, Walter J. Cummings, and George I. Haight, trustees of Chicago, Milwaukee, Saint Paul and Pacific Railroad Company, bearing date June 27, 1936, of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, containing an approximate area of two hundred and forty-one and sixty-seven one-hundredths acres, and also a strip of land for a right-of-way to said tract, executed by the Secretary of Agriculture under the authority of the Act of Congress approved June 25, 1936, upon the general terms and conditions now contained in said lease but with specific provision that lessee shall pay annually a royalty of 1 cent per cubic yard on all material removed from said tract and shall in addition remove from the tract and deliver in a stock pile annually, free of charge, such quantity of sand and gravel suitable for use upon the walks and roads of the experiment station as would be required by the Government officials in charge of the station, not to exceed one hundred car loads per annum; said renewal and extension to inure to the benefit of Chicago, Milwaukee, Saint Paul and Pacific Railroad Company (successor to said Henry A. Scandrett, Walter J. Cummings, and George I. Haight, trustees of Chicago, Milwaukee, Saint Paul and Pacific Railroad Company).

Chicago, Milwaukee, Saint Paul and Pacific Railroad Company.
Lease.

49 Stat. 1922.
Terms and conditions.

Approved June 26, 1946.

[CHAPTER 493]

AN ACT

June 26, 1946
[S. 1288]
[Public Law 447]

To authorize the course of instruction at the United States Military Academy to be given to not exceeding twenty persons at a time from the American Republics, other than the United States.

U. S. Military Academy.
Instruction for persons from other American republics.

Pay, allowances, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to permit, upon designation of the President of the United States, not exceeding twenty persons at a time from the American Republics (other than the United States) to receive instruction at the United States Military Academy at West Point, New York. Not more than three persons from any one of such republics shall receive instruction under authority of this Act at the same time. The persons receiving instruction under authority of this Act shall receive the same pay, allowances, and emoluments, to be paid from the same appropriations, as cadets at the United States Military Academy appointed from the United States, except that the mileage allowance payable to such persons for travel performed in proceeding to the United States Military Academy for initial admission shall not be limited to mileage for travel within the continental limits of the United States. Such persons shall, except as may be determined by the Secretary of War, be subject to

Rules governing admission, etc.

the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadets at the United States Military Academy appointed from the United States, but they shall not be entitled to appointment to any office or position in the United States Army by reason of their graduation from the United States Military Academy: *Provided*, That any persons permitted to receive instruction at the United States Military Academy under authority of this Act shall not be subject to the provisions of sections 1320 and 1321 of the Revised Statutes.

10 U. S. C. §§ 1099,
1101.
Restriction.

SEC. 2. After the date of enactment of this Act, no person shall have authority to permit citizens of the American Republics to receive instruction at the United States Military Academy under the provisions of the Act entitled "An Act to authorize the President to permit citizens of the American Republics to receive instruction at professional educational institutions and schools maintained and administered by the Government of the United States or by departments or agencies thereof", approved June 24, 1938 (52 Stat. 1034). Any person who is receiving instruction at the United States Military Academy on such date of enactment under authority of such Act of June 24, 1938, may, in the discretion of the President, be permitted to continue to receive such instruction and, if so permitted, shall thereafter be deemed to be receiving instruction under the provisions of section 1 of this Act.

20 U. S. C. § 221;
Supp. V, § 221.
Persons receiving instruction under Act of June 24, 1938.

Approved June 26, 1946.

[CHAPTER 494]

AN ACT

To fix the salary of the Solicitor of the Department of the Interior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the legal work of the Department of the Interior shall be performed under the supervision and direction of the Solicitor of the Department of the Interior, who shall be appointed by the President with the advice and consent of the Senate and who shall be paid a salary of \$10,000 per annum.

Approved June 26, 1946.

June 26, 1946
[S. 1460]
[Public Law 448]

Solicitor of the Department of the Interior.

Salary.

[CHAPTER 495]

AN ACT

To authorize additional permanent professors of the United States Military Academy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That one additional permanent professor is hereby authorized for each of the nine departments of instruction of the United States Military Academy for which one such professor is now authorized. Such professors shall have the rank, pay, allowances, retirement rights, and other benefits authorized for other permanent professors of the Academy: *Provided*, That the senior professor in each department of instruction shall be the head thereof.

SEC. 2. The positions of professor of law and professor of ordnance of the United States Military Academy hereafter shall be filled by the appointment of permanent professors, who shall have the rank, pay, allowances, retirement rights, and other benefits authorized for other permanent professors of the Academy.

SEC. 3. There is hereby authorized, as an additional permanent professor of the United States Military Academy, a dean of the

June 26, 1946
[S. 1963]
[Public Law 449]

U. S. Military Academy.
Additional permanent professors.

Head of department.

Professor of law and professor of ordnance.

Dean of Academic Board.

Academic Board, who shall have such duties as may be prescribed from time to time by the Superintendent of the Academy with the approval of the Secretary of War. Appointments to this position shall be made from among permanent professors who have served as heads of departments of instruction of the Academy. The dean of the Academic Board shall have the rank, pay, allowances, retirement rights, and other benefits authorized for permanent brigadier generals of the Army, except that the statutory retirement age shall be the same as that of other permanent professors of the Academy.

Approved June 26, 1946.

Rank, pay, etc.

[CHAPTER 496]

AN ACT

Authorizing the Secretary of the Interior to purchase improvements or pay damages for removal of improvements located on public lands of the United States in the Anderson Ranch Reservoir site, Boise reclamation project, Idaho.

June 26, 1946

[H. R. 1689]

[Public Law 450]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to purchase improvements located on public lands of the United States within the boundaries of the Anderson Ranch Reservoir, Boise reclamation project, Idaho, or to make payment for damages for the removal of improvements from the public lands of the United States within the boundaries of said reservoir. Any funds appropriated for the construction of the Anderson Ranch Reservoir, Boise reclamation project, Idaho, shall be available for such purchase or payment of damages. Payments may be made pursuant to this Act to persons, firms, or corporations who shall establish to the satisfaction of the Secretary of the Interior that they are entitled equitably to receive the same, and who sign contracts and vouchers for the same upon forms approved by the Secretary of the Interior: *Provided,* That amounts so paid shall not exceed the reasonable value, in the judgment of the Secretary of the Interior, of the improvements purchased or the actual damages (not exceeding in any event the reasonable value of the said improvements, as determined by the Secretary of the Interior) found by the Secretary of the Interior to have been sustained as a result of the removal of said improvements, as the case may be.

Anderson Ranch Reservoir, Boise reclamation project, Idaho.

Restriction.

Approved June 26, 1946.

[CHAPTER 497]

AN ACT

To authorize the Federal Works Administrator to accept and dispose of real estate devised to the United States by the late Maggie Johnson, of Polk County, Arkansas, and for other purposes.

June 26, 1946

[H. R. 2677]

[Public Law 451]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator be, and he is hereby, authorized and directed to accept on behalf of the United States the real estate devised to the United States by the late Maggie Johnson, of Polk County, Arkansas, and to deal with the same in the manner provided by the Act of August 27, 1935 (49 Stat. 885; U. S. C., title 40, sec. 304a and the following), or the Act of August 26, 1935 (49 Stat. 800; U. S. C., title 40, sec. 345b): *Provided,* That prior to disposition under authority of the aforesaid Act, the Federal Works Administrator may offer to convey to James W. Rose, of Polk County, Arkansas, such real estate at one-half the appraised value thereof and execute in the name of the United States a quitclaim deed to the property.

Federal Works Administrator. Acceptance, etc., of certain real estate.

40 U. S. C. §§ 304a-304e.

Ante, p. 257.

James W. Rose.

Approved June 26, 1946.

[CHAPTER 498]

AN ACT

To amend title II of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, to permit the making of contributions, during the fiscal year ending June 30, 1947, for the maintenance and operation of certain school facilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is amended by adding at the end thereof the following section:

"SEC. 205. In order to enable school authorities that are still overburdened with war-incurred school enrollments to meet their needs during the transition from war to peacetime conditions, the Federal Works Administrator is authorized to continue to make, during the fiscal year ending June 30, 1947, contributions for the operation and maintenance of school facilities to (a) local school agencies requiring assistance that have received during the fiscal year ending June 30, 1946, contributions under this Act for the maintenance and operation of their school facilities; and (b) local school agencies requiring assistance that may be subject to a loss of tax revenues because of the acquisition or ownership of land by the United States. Contributions under this section may be made without regard to sections 202 and 301 of this Act and to the provisions in any appropriation Act heretofore enacted appropriating funds to carry out the functions vested in the Federal Works Administrator by title II and title III of this Act which may conflict with the purpose of this section, and such contributions may be made notwithstanding the declaration by the President that any existing emergency has ceased to exist. Appropriations and existing appropriations heretofore authorized to carry out the purposes of titles II and III of this Act are hereby authorized to carry out the purposes of this section."

Approved June 26, 1946.

[CHAPTER 499]

AN ACT

To amend section 4 of the Act of August 25, 1937, so as to provide a filing procedure in cases of adoption outside the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act to regulate proceedings in adoption in the District of Columbia", approved August 25, 1937, as amended (D. C. Code, 1940 edition, sec. 16-204), is amended to read as follows:

"SEC. 4. Notice of a final decree of adoption shall be sent to the Bureau of Vital Statistics of the Health Department. This Bureau shall cause to be made a new record of the birth in the new name and with the names of the adopter and shall then cause to be sealed and filed the original birth certificate with the order of the court and such sealed package shall be opened only by order of court. If the adoption occurred outside of the District of Columbia, upon filing with the Bureau of Vital Statistics of the Health Department a certified copy of the final decree of adoption, the Bureau shall cause to be made a new record of the birth in the new name with the names of the adopters, and shall then cause to be sealed and filed the original birth certificate with the certified copy of the final decree of adoption; and

June 26, 1946
[H. R. 5796]
[Public Law 452]

Defense public works.

55 Stat. 361.
42 U. S. C., Supp. V, §§ 1531-1534.

Contributions for operation, etc., of school facilities.

55 Stat. 362, 363.
42 U. S. C., Supp. V, §§ 1532, 1541.

55 Stat. 361, 363.
42 U. S. C., Supp. V, §§ 1531-1553.
Note, p. 9.

Appropriations authorized.

June 26, 1946
[H. R. 6070]
[Public Law 453]

District of Columbia. Adoption proceedings.
50 Stat. 807.

Notice to Bureau of Vital Statistics of Health Department.

Adoption outside D. C.

such sealed package shall be opened only by order of a court of competent jurisdiction. If the birth occurred outside of the District of Columbia, the clerk of the court shall, upon petition by the adopter, furnish him with a certified copy of the final decree of adoption.”

Approved June 26, 1946.

[CHAPTER 500]

AN ACT

To provide military assistance to the Republic of the Philippines in establishing and maintaining national security and to form a basis for participation by that government in such defensive military operations as the future may require.

June 26, 1946
[H. R. 6572]
[Public Law 454]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Republic of the Philippines Military Assistance Act”.

Short title.
Post, p. 916.

SEC. 2. Notwithstanding the provisions of any other law, the President is authorized, upon application by the Republic of the Philippines, and whenever in his discretion the public interest renders such course advisable, to provide: (a) for the instruction and training of military and naval personnel of the Republic of the Philippines; (b) for the maintenance, repair, and rehabilitation of military or naval equipment in the possession of the said country; and (c) for the transfer to the said country of any arms, ammunition, and implements of war as defined in the President’s proclamation 2549 of April 9, 1942, or any superseding proclamations; any other aircraft; naval vessels except those in the category of battleships, cruisers, aircraft carriers, destroyers, and submarines; any stores, supplies, services, technical information, material, and equipment: *Provided*, That such transfer shall be consistent with military and naval requirements of the United States and with the national interest.

Instruction and training.

Equipment.
Transfer of arms, etc.

56 Stat. 1948.
22 U. S. C., Supp. V,
§ 452 note.

SEC. 3. The President is authorized to provide such assistance or transfer property or information pursuant to section 2, by sale, loan, exchange, lease, gift, or transfer for cash, credit, or other property with or without warranty and upon such other terms and conditions as he shall find proper.

Providing of assistance, etc., pursuant to section 2.

SEC. 4. As a condition precedent to the receipt of any assistance, information, or property pursuant to this Act the Government of the Republic of the Philippines shall undertake (a) that it will not, without the consent of the President of the United States, transfer title to or possession of any property transferred to it pursuant to this Act, (b) that it will not permit use of any property so received or disclosure of any plan, specification, or other information pertaining thereto or any technical information furnished, by or to anyone not an officer, employee, or agent of the Republic of the Philippines, or for any purpose other than those set forth in this Act, and (c) that the Government of the Republic of the Philippines will make provisions comparable to those customarily made by the United States for the security of any article, plan, or information received under the terms of this Act.

Conditions precedent to receipt of assistance, etc.

SEC. 5. The President of the United States is authorized, upon application from the Republic of the Philippines, and whenever in his discretion the public interest renders such a course advisable, to detail officers and enlisted men of the Army of the United States, and the United States Navy and Marine Corps to assist that Government: *Provided*, That the officers and enlisted men so detailed are authorized to accept from the Republic of the Philippines offices and such compensation and emoluments thereunto appertaining as may be first approved by the Secretary of War, or by the Secretary of the Navy, as the case may be: *Provided further*, That such compensation may be

Detail of officers and enlisted men of armed forces of the U. S.

Compensation, etc., from Republic of the Philippines.

Pay and allowances,
etc., from U. S.

Additional compen-
sation.

Appropriations au-
thorized.
Post, p. 916.

Limitations.

Rules and regula-
tions.

Transfer of prop-
erty.

Effective date.

accepted by the United States Government for remittance to the individual if in the opinion of the Secretary of War, or of the Secretary of the Navy, as the case may be, such a course appears desirable: *Provided further*, That while so detailed such officers and enlisted men shall receive, in addition to the compensation and emoluments allowed them by that Government, the pay and allowances thereto entitled in the Army of the United States, or the United States Navy, and Marine Corps, and shall be allowed the same credit for longevity, retirement, and for all other purposes that they would receive if they were serving with the forces of the United States: *And provided further*, That in addition to or in the absence of such compensation from that Government, the officers and enlisted men so detailed shall receive such additional compensation as may be determined by the Secretary of War, or the Secretary of the Navy, as the case may be, and approved by the President.

SEC. 6. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act: *Provided*, That articles or services furnished pursuant to the provisions of this Act shall be within the limits of appropriations made specifically for that purpose or to the extent of availability of items which are surplus to the needs of the United States Government.

SEC. 7. The President may from time to time promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred upon him by this Act through such department, agency, or officer as he shall direct: *Provided*, That no property shall be transferred by such department, agency, or officer pursuant to this Act except after consultation with the Secretary of State, and the Secretaries of War and Navy as their respective interests may appear.

SEC. 8. The provisions of this Act become effective on the 4th day of July 1946 and continue in effect for a period of five years.

Approved June 26, 1946.

[CHAPTER 501]

AN ACT

To decrease the amount of obligations, issued under the Second Liberty Bond Act, which may be outstanding at any one time.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 21 of the Second Liberty Bond Act, as amended, is hereby amended to read as follows:

"SEC. 21. The face amount of obligations issued under authority of this Act, and the face amount of obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), shall not exceed in the aggregate \$275,000,000,000 outstanding at any one time. The current redemption value of any obligation issued on a discount basis which is redeemable prior to maturity at the option of the holder thereof shall be considered, for the purposes of this section, to be the face amount of such obligation."

SEC. 2. This Act may be cited as the "Public Debt Act of 1946".

Approved June 26, 1946.

June 26, 1946
[H. R. 6699]
[Public Law 455]

Public Debt Act of
1946.
49 Stat. 21.
31 U. S. C. § 757b;
Supp. V, § 757b.

Short title.

[CHAPTER 502]

AN ACT

To amend the Act entitled "An Act for the creation of an American Battle Monuments Commission to erect suitable memorials commemorating the services of the American soldier in Europe, and for other purposes", approved March 4, 1923, as amended, in order to extend the Commission's authority to all areas in which our armed forces have operated during World War II, and for other purposes.

June 26, 1946
[H. R. 6393]
[Public Law 456]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 4, 1923, as amended, entitled "An Act for the creation of an American Battle Monuments Commission to erect suitable memorials commemorating the services of the American soldier in Europe, and for other purposes", is hereby amended to read as follows:

American Battle
Monuments Commis-
sion.
42 Stat. 1509.
36 U. S. C. §§ 121,
123-132, 138.

"That the Commission, known as the American Battle Monuments Commission (hereinafter referred to as the Commission), shall consist of not more than eleven members who shall be appointed by the President, who shall also appoint one officer of the Regular Army to serve as its secretary. The members and secretary shall serve at the pleasure of the President who shall fill any vacancies that from time to time occur. Notwithstanding any other provision of law, commissioned officers of the armed forces of the United States may be appointed members of the Commission.

Composition.

"The members of the Commission shall serve without compensation except that their actual expenses in connection with the work of the Commission may be paid from any funds appropriated for the purposes of this Act, or acquired by other means hereinafter authorized.

Compensation and
expenses.

"Upon the request of the Commission, the heads of the Federal departments or agencies are authorized to designate such personnel of their respective departments or agencies, or of the Army, Navy, or Marine Corps, as the case may be, as may be necessary to assist in carrying out the purposes of this Act, and the Commission is authorized to employ such further personnel as may be necessary to carry out the purposes of this Act, within the limits of any appropriation or appropriations made for such purposes.

Personnel.

"SEC. 2. That the Commission shall prepare plans and estimates for the erection of suitable memorials to mark and commemorate the services of the American armed forces and shall erect and maintain memorials in the United States and at such places outside the United States where the American armed forces have served or shall hereafter serve as the Commission shall determine. The Commission shall also erect and maintain works of architecture and art in such American cemeteries located outside of the United States, its Territories and possessions, as the Secretary of War shall declare to be permanent cemeteries.

Memorials.

Works of architec-
ture and art.

"The Commission shall control as to materials and design, provide regulations for, and supervise the erection of, all memorial monuments and buildings in American cemeteries located outside of the United States and its Territories and possessions.

Materials and de-
sign, regulations, etc.

"The Commission shall control as to materials and design and provide regulations for the erection of all memorial monuments and buildings commemorating the services of the American armed forces erected in any foreign country or political division thereof which may authorize the Commission to perform such functions, or upon federally owned or controlled property in the United States or in its Territories and possessions, except national cemeteries.

"SEC. 3. That before any design or material for memorials is accepted by the Commission, the same shall be approved by the National Commission of Fine Arts.

Approval of Na-
tional Commission of
Fine Arts.

Cooperation with citizens, States, etc.

"SEC. 4. That the Commission is authorized to cooperate with American citizens, States, municipalities, or associations desiring to erect war memorials outside the continental limits of the United States in such manner as may be determined by the Commission: *Provided*, That no assistance in erecting any such memorial shall be given by any administrative agency of the United States unless the plan has been approved in accordance with the provisions of this Act.

Location of memorials.

"SEC. 5. That the Commission shall advise the Secretary of War of the location and date of completion of each memorial erected by it.

Arrangements with countries concerned.

"SEC. 6. That the President is requested to make the necessary arrangements with the proper authorities of the countries concerned to enable the Commission to carry out the purposes of this Act.

Receipt of funds from States, etc.

"SEC. 7. That the Commission is authorized to receive funds from any State, municipal, or private source for the purpose of this Act, and such funds shall be deposited by the Commission with the Treasurer of the United States and shall be kept by him in separate accounts and shall be disbursed upon vouchers approved by the Chairman of the Commission.

Preparation of models and designs.

"SEC. 8. That authority is hereby given for the preparation of models and designs and the fabrication of memorials, and the materials for such memorials, at arsenals or navy yards, or by other governmental agencies, if the Commission shall so determine.

Captured war materials.

"Authority is hereby given for the use of captured war materials, not otherwise disposed of by congressional action, in the fabrication of memorials constructed under the provisions of this Act.

Sale of replicas.

"SEC. 9. That the Commission is authorized to furnish replicas of any memorial, or any part thereof, to States, municipalities, or interested private persons or associations at actual cost, and to apply any proceeds from such sales to the purposes of this Act.

Financial statements.

"SEC. 10. That the Commission shall transmit to the President of the United States annually on the 1st of July a statement of all its financial and other transactions during the preceding fiscal year.

Records and archives.

"SEC. 11. That the records and archives of the Commission shall, upon the termination of its duties, be deposited with the National Archives.

Transfer of administrative functions.

"SEC. 12. That the President may by Executive order transfer to the Commission, with respect to any national cemeteries located outside of the United States and its Territories and possessions, the same functions of administration which were transferred to the Commission with respect to national cemeteries located in Europe by Executive Order 6614, dated February 26, 1934.

5 U. S. C. § 132 note.

Appropriations authorized.
Post, p. 610.

"SEC. 13. That such sum or sums as Congress may hereafter appropriate for the purposes of this Act are hereby authorized to be appropriated.

Authority of Commission.

"SEC. 14. That within the limits of any appropriation or appropriations made for such purposes, the Commission is authorized (1) to acquire land or interest in land in foreign countries for carrying out the purposes of this Act or of any Executive order conferring functions upon the Commission without submission to the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (34 U. S. C. 520; 40 U. S. C. 255); (2) to maintain, repair, and operate motor-propelled passenger-carrying vehicles and other property, which may be furnished to the Commission by other departments of the Government; (3) to establish offices in the District of Columbia and elsewhere in or outside of the United States; (4) to rent office and garage space in foreign countries which may be paid for in advance; (5) to procure printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American

activities, battlefields, memorials, and cemeteries with respect to which it may exercise any functions.

“Notwithstanding the requirements of existing laws or regulations, under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for work, supplies, materials, and equipment outside of the United States and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel.

“The Commission may under such terms and conditions and in such manner as it may deem proper dispose of any land or interest in land in foreign countries which has been or may hereafter be acquired by the Commission in connection with its work: *Provided*, That this subsection shall not be effective until the expiration of the Surplus Property Act of 1944.

“The Commission may delegate to its Chairman, secretary, or officials in charge of any of its offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.”

Approved June 26, 1946.

58 Stat. 765.
50 U. S. C., Supp. V, app. §§ 1611-1646.
Ante, pp. 168, 169; *post*, pp. 599, 754, 886.
Delegation of authority.

[CHAPTER 503]

AN ACT

To amend the District of Columbia Alley Dwelling Act, approved June 12, 1934, as amended.

June 26, 1946
[S. 2218]
[Public Law 457]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 (b) of the Act known as the “District of Columbia Alley Dwelling Act”, approved June 12, 1934, as amended, be further amended to read as follows:

48 Stat. 932.
D. C. Code § 5-106 (b); Supp. V, § 5-106 (b).
Post, p. 801.

“(b) On and after July 1, 1947, it shall be unlawful to use or occupy any alley building or structure as a dwelling in the District of Columbia.”

SEC. 2. That section 6 of such Act, as amended, be further amended by striking “1946” and inserting in lieu thereof “1947”.

48 Stat. 933.
D. C. Code § 5-108; Supp. V, § 5-108.
Post, p. 801.

Approved June 26, 1946.

[CHAPTER 505]

AN ACT

To govern the effective dates of ratings and awards under the Veterans' Administration revised Schedule for Rating Disabilities, 1945, and for other purposes.

June 27, 1946
[H. R. 5149]
[Public Law 458]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the first day of April 1946, all initial ratings in claims for disability compensation or pension and awards based thereon under Public Law 2, Seventy-third Congress, March 20, 1933, and the Veterans Regulations issued pursuant thereto, as amended, shall be determined under the Veterans' Administration revised Schedule for Rating Disabilities, 1945, whether the claim covers a period before or after that date. In any case in which the revised schedule authorizes an increase in the rating previously made by a rating board of original jurisdiction under the Schedule for Rating Disabilities, 1933, such increased rating and award based thereon will be effective as of the first day of April 1946.

Veterans.
Disability claims.

48 Stat. 8.
38 U. S. C. §§ 701-724 and note; Supp. V, § 701 *et seq.*

Revised Schedule for Rating Disabilities, 1945.

SEC. 2. Nothing in the revised Schedule for Rating Disabilities, 1945, shall be construed as requiring any reduction or discontinuance of compensation in cases rated and awarded under the Schedule of Disability Ratings, 1925, or as requiring denial of entitlement to any statutory award or rating, but on and after the first day of April 1946, except as to statutory awards and ratings provided under the World War Veterans' Act, 1924, as amended, as restored with limitations by the Act of March 28, 1934, Public Law 141, Seventy-third Congress, as amended, awards in all cases shall be based upon the degree of disability determined in accordance with the revised schedule, 1945.

Basis of awards.

43 Stat. 607; 48 Stat. 509.
38 U. S. C. § 421; Supp. V, § 434 et seq. Post, pp. 526, 739.

SEC. 3. The Administrator of Veterans' Affairs shall from time to time readjust the Schedule for Rating Disabilities, 1945, in accordance with experience.

Approved June 27, 1946.

[CHAPTER 506]

AN ACT

June 27, 1946
[S. 1834]
[Public Law 459]

Granting the consent of Congress to the State of Iowa or the Iowa State Highway Commission to construct, maintain, and operate a free highway bridge across the Des Moines River at or near Farmington, Iowa.

Bridge.
Des Moines River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Iowa or Iowa State Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Des Moines River, at a point suitable to the interests of navigation, at or near Farmington, Iowa, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 27, 1946.

[CHAPTER 507]

AN ACT

June 27, 1946
[H. R. 6265]
[Public Law 460]

To create a Department of Corrections in the District of Columbia.

Department of Corrections, D. C.
Director.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created in and for the District of Columbia a Department of Corrections to be in charge of a Director who shall be appointed by the Commissioners of the District of Columbia.

Duties.

SEC. 2. Said Department of Corrections under the general direction and supervision of the Commissioners of the District of Columbia shall have charge of the management and regulation of the Workhouse at Occoquan in the State of Virginia, the Reformatory at Lorton in the State of Virginia, and the Washington Asylum and Jail, and be responsible for the safekeeping, care, protection, instruction, and discipline of all persons committed to such institutions. The Department of Corrections with the approval of the Commissioners shall have power to promulgate rules and regulations for the government of such institutions and to establish and conduct industries, farms, and other activities, to classify the inmates, and to provide for their proper treatment, care, rehabilitation, and reformation.

Rules and regulations.

SEC. 3. With respect to the said institutions, the Commissioners of the District of Columbia shall succeed to all the powers and authority, and to all the duties and obligations vested in or imposed by law upon the Board of Public Welfare of the District of Columbia. Where powers are vested in or duties are imposed by existing law upon the Director of Public Welfare of the District of Columbia with respect to said institutions, such powers and duties are transferred to and shall be exercised by the Director of the Department of Corrections. The officers and employees and all plant and equipment, official records, furniture, and supplies of the said institutions are hereby transferred to the Department of Corrections.

Transfer of powers, duties, etc.

SEC. 4. All rules and regulations promulgated by the Board of Public Welfare with respect to said institutions shall continue in force and effect until amended or repealed by the Department of Corrections with the approval of the Commissioners.

Rules and regulations.

SEC. 5. No contract for services or supplies made by the Board pursuant to authority granted to it by law shall be invalidated by this enactment and the unexpended balances of all appropriations heretofore or hereafter made for the Board with respect to said institutions shall become available for use by the Department of Corrections under the direction of the Commissioners.

Contracts for services or supplies.

SEC. 6. The cost of the care and custody of persons confined in the said institutions charged with or convicted of offenses under any law of the United States not applicable exclusively to the District of Columbia shall be charged against the department or agency of the United States primarily responsible for the care and custody of such persons in quarterly accounts to be rendered by the Disbursing Officer of the District of Columbia. The amount to be charged for such care and custody shall be ascertained by multiplying the average daily number of such persons so confined during the quarter by the per capita cost for the same quarter for all prisoners in the institution where confined, excluding expenses of construction or extraordinary repair of buildings. The sum so derived shall be credited to the current appropriation for the maintenance and operation of such institutions.

Cost of care and custody of persons confined to institutions.

Approved June 27, 1946.

[CHAPTER 508]

AN ACT

Authorizing the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge or a free bridge across the Wabash River near Mount Vernon, Indiana.

June 27, 1946

[H. R. 5606]

[Public Law 461]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Indiana State Toll Bridge Commission be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, near Mount Vernon, Indiana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Bridge.
Wabash River.

SEC. 2. There is hereby conferred upon the Indiana State Toll Bridge Commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance,

34 Stat. 84.
33 U. S. C. §§ 491-498.

Acquisition of lands.

and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Rates of toll.

SEC. 3. The Indiana State Toll Bridge Commission is hereby authorized either to operate said bridge free of tolls or to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

34 Stat. 84.
33 U. S. C. §§ 491-498.
Sinking fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls.

Record of costs, etc.

An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 27, 1946.

[CHAPTER 509]

AN ACT

June 27, 1946
[H. R. 5736]
[Public Law 462]

Authorizing the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge or a free bridge across the Ohio River at or near Mauckport, Indiana.

Bridge.
Ohio River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Indiana State Toll Bridge Commission be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at or near Mauckport, Indiana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-498.
Acquisition of lands.

SEC. 2. There is hereby conferred upon the Indiana State Toll Bridge Commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The Indiana State Toll Bridge Commission is hereby authorized either to operate said bridge free of tolls or to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 27, 1946.

[CHAPTER 510]

AN ACT

To revive and reenact the Act entitled "An Act granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River, at or near Leneudes Ferry, South Carolina".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved August 18, 1941, granting the consent of Congress to the State Highway Department of South Carolina to construct, maintain, and operate a bridge and approaches thereto across the Santee River at or near Leneudes Ferry be, and is hereby, revived and reenacted: *Provided,* That the Act shall be null and void unless the actual construction of the bridge herein referred to is completed within three years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 27, 1946.

[CHAPTER 512]

AN ACT

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1 of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended, is amended by inserting after paragraph (5) the following new paragraph:

"(5a) 'Circuit' shall mean 'judicial circuit' and shall include the District of Columbia, and 'senior circuit judge' shall include the Chief Justice of the United States Court of Appeals for the District of Columbia;"

Rates of toll.

34 Stat. 84.
33 U. S. C. §§ 491-498.
Sinking fund, etc.

Record of cost, etc.

June 27, 1946
[H. R. 5748]
[Public Law 463]

Bridge.
Santee River.
55 Stat. 635.

Time limitation.

June 28, 1946
[H. R. 4160]
[Public Law 464]

Bankruptcy Act of
1898, amendments.
30 Stat. 544.
11 U. S. C. § 1.
Post, p. 331.

"Circuit."
"Senior circuit
judge."

(b) Such section 1 is further amended by inserting after paragraph (7) the following new paragraph:

"Conference."

28 U. S. C. § 218.

"(7a) 'Conference' shall mean the conference of senior circuit judges provided for by section 2 of the Act of September 14, 1922 (42 Stat. 838);"

(c) Such section 1 is further amended by inserting after paragraph (8) the following new paragraph:

"Council."

53 Stat. 1224.

28 U. S. C. § 448.

"(8a) 'Council' shall mean the judicial council of the circuit provided for by section 306 of the United States Judicial Code;"

(d) Such section 1 is further amended by inserting after paragraph (14) the following new paragraph:

"Director."

53 Stat. 1223.

28 U. S. C. §§ 444-450.

"(14a) 'Director' shall mean the Director of the Administrative Office of the United States Courts appointed pursuant to chapter XV of the United States Judicial Code;"

SEC. 2. Section 34 of such Act, as amended, is amended to read as follows:

30 Stat. 555.
11 U. S. C. § 62.

Referees.

"SEC. 34. APPOINTMENT, REAPPOINTMENT, AND REMOVAL OF REFEREES.—

"a. APPOINTMENT.—The judges of the several courts of bankruptcy shall appoint referees. Where there is more than one judge of a court of bankruptcy, or where the territory to be served by a referee includes territory in more than one judicial district, the appointment, whether an original appointment or a reappointment, shall be by the concurrence of a majority of all the judges of such court or of the courts of bankruptcy of such judicial districts, and where there is no such concurrence, then by the senior judge. Except as otherwise provided in section 37 of this Act, each appointment and reappointment shall be for a term of six years.

Post, pp. 325, 331.

"b. REMOVAL.—Removal of a referee during the term for which he is appointed shall be only for incompetency, misconduct, or neglect of duty: *Provided, however,* That, in the case of a part-time referee, an additional cause for removal shall be that his services are not needed. Any cause for removal in respect of any referee coming to the knowledge of the Director shall be reported by him to the judge or judges of the judicial district or districts in which such referee serves, and a copy of such report shall at the same time be transmitted to the council and to the referee. Such judge or judges may, upon receipt of such report, or upon their own motion, remove the referee for any one or more of the above mentioned causes; where there is more than one judge, such removal shall be by a concurrence of a majority of the judges, and where there is no such concurrence, then by the council. Before any order of removal shall be entered, except in the case of a part-time referee where the cause for removal is that his services are not needed, a full specification of the charges shall be furnished to the referee, and he shall be accorded by the removing judge or judges an opportunity to be heard on the charges.

Part-time referees.

SEC. 3. Section 35 of such Act, as amended, is amended to read as follows:

30 Stat. 555.
11 U. S. C. § 63.

"SEC. 35. QUALIFICATIONS OF REFEREES.—Individuals shall not be eligible to appointment as referees unless they are (1) competent to perform the duties of a referee in bankruptcy; (2) not holding any office of profit or emolument under the laws of the United States or of any State or subdivision thereof other than conciliation commissioner or special master under this Act: *Provided, however,* That part-time referees may be commissioners of deeds, United States commissioners, justices of the peace, masters in chancery, notaries public, or either conciliation commissioners or supervising conciliation commissioners but not both; (3) at the time when originally appointed not relatives of any of the judges of the courts of bankruptcy or of the justices or judges of the appellate courts of the districts wherein they may be

Part-time referees.

appointed; (4) resident and have their offices within the judicial district of the court or one of the courts of bankruptcy under which they are to hold appointment: *Provided, however,* That where a referee shall be temporarily transferred or permanently appointed to another judicial district, residence or office in such other district shall not be requisite for eligibility; and (5) members in good standing at the bar of the district court of the United States in which they are first appointed or, if appointed to serve in territory within more than one judicial district, at the bar of one of such district courts: *Provided, however,* That the requirement of membership at such bar shall not apply to referees holding office on the date when this amendatory Act takes effect."

Transfer or appointment to another district.

SEC. 4. Section 37 of such Act, as amended, is amended to read as follows:

30 Stat. 555,
11 U. S. C. § 65.
Post, p. 331.

"SEC. 37. NUMBER AND TERRITORIES OF REFEREES.—a. The Director shall recommend to the district judges, the councils and the conference the number of referees to hold appointment and the territory which each shall serve, after he has made a careful study of conditions throughout the country as a whole, and of local conditions, including the estimated amount of funds available for salaries, the areas and the populations to be served, the transportation and communication facilities, the previous types and amount of business under this Act in such areas and where such business is centered, the existing personnel, and any other material factors. The territory of a referee may, if it is deemed advisable, lie within more than one judicial district, but shall be within one circuit: *Provided, however,* That the jurisdiction of a referee in any matter referred to him shall not be restricted to the territory to be served by him but shall, unless otherwise provided in this Act, be coextensive with the territorial jurisdiction of the court or courts of bankruptcy whose judges participated in appointing him.

Jurisdiction of referee.

"b. (1) The Director shall, within one year immediately following the date of the enactment of this amendatory Act, make the initial surveys required by subdivision a of this section, and required for subdivisions a and c of section 40, paragraph (2) of section 633, and paragraph (3) of section 659 of this Act. Thereafter, the Director shall, from time to time, make such surveys, general or local, as the conference shall deem expedient. In the course of such surveys, the Director shall give consideration to suggestions from any interested parties, including district judges, referees, bar associations, trade associations, and the like. The surveys shall be made with a view toward creating and maintaining a system of full-time referees. However, should the Director find, as a result of any such surveys, any area in which the employment of a full-time referee would not be feasible because of the small amount of business under this Act and the extent of the territory to be served, he shall also report separately thereon, with a statement of all the pertinent facts and data and his recommendations and the reasons therefor. Upon the completion of the initial surveys, the Director shall report to the district judges, the councils and the conference concerning the number of referees, their respective territories, the amounts of their respective salaries, and the schedules of additional fees to be charged in asset, arrangement and wage-earner cases. The district judges shall advise their respective councils, and the councils shall advise the conference, in respect thereto, stating their recommendations and their reasons therefor. The conference shall determine, in the light of the recommendations of the Director and of the councils, the number of referees, full-time and part-time, to be appointed, the respective territories which they shall serve, including the regular place of office and the places at which courts shall be held, their respective salaries, and schedules of graduated additional

Surveys.

Post, pp. 326, 327,
331.

Referees.
Number to be appointed, etc.

fees to be charged in asset, arrangement and wage-earner cases, and such determinations shall become effective sixty days after they are promulgated by the conference.

"(2) The Director shall upon such promulgation divide by lot the total number of referees first to be appointed as equally as possible into three classes. The initial terms of the referees in the first class shall expire at the end of the second year, in the second class at the end of the fourth year, and in the third class at the end of the sixth year.

"(3) Thereupon the Director shall report in writing to the judge or judges of the several courts of bankruptcy the number of referees to be appointed by them in each of the three classes above specified, the respective territories which such referees shall serve, and the respective salaries to be paid to them. The judge or judges shall thereupon appoint, pursuant to subdivision a of section 34 of this Act such referees in each of the specified classes for terms commencing sixty days after such promulgation of the determinations of the conference, and shall select them as far as practicable from the referees then in office within their respective judicial districts.

"c. Except as otherwise provided in this Act, the conference may, from time to time, in the light of the recommendations of the councils, made after advising with the district judges of their respective circuits, and of the Director, change the number of referees and the extent of the respective territories to be served by them, as the expeditious transaction of the business of the several courts of bankruptcy may require."

SEC. 5. Subdivision b of section 39 of such Act, as amended, is amended to read as follows:

"b. Referees shall not (1) act in cases in which they are directly or indirectly interested; or (2) purchase, directly or indirectly, any property of an estate in any proceeding under this Act. Active full-time referees shall not exercise the profession or employment of counsel or attorney, or be engaged in the practice of law. Active part-time referees, and referees receiving benefits under paragraph (1) of subdivision d of section 40 of this Act, shall not practice as counsel or attorney in any proceeding under this Act."

SEC. 6. Section 40 of such Act, as amended, is amended to read as follows:

"SEC. 40. COMPENSATION OF REFEREES; REFEREES' SALARY AND EXPENSE FUNDS; RETIREMENT OF REFEREES. a. Referees shall receive as full compensation for their services salaries to be fixed by the conference, in the light of the recommendations of the councils, made after advising with the district judges of their respective circuits, and of the Director, at rates not more than \$10,000 per annum for full-time referees, and not more than \$5,000 per annum for part-time referees. In fixing the amount of salary to be paid to a referee, consideration shall be given to the average number and the types of, and the average amount of gross assets realized from, cases closed and pending in the territory which the referee is to serve, during the last preceding period of ten years, and to such other factors as may be material. Disbursement of such salaries shall be made monthly by or pursuant to the order of the Director.

"b. The conference, in the light of the recommendations of the councils, made after advising with the district judges of their respective circuits, and of the Director, may increase or decrease any salary, within the limits prescribed in subdivision a of this section, if there has been a material increase or decrease in the volume of business or other change in the factors which may be considered material in fixing salaries: *Provided, however,* That during the tenure of any full-time referee his salary shall not be reduced below that at which

Classes of referees.

Terms.

Director's report to judges.

Appointment of referees.
Ante, p. 324.

30 Stat. 556.
11 U. S. C. § 67 (b).

Restrictions on actions of referees.

Post, p. 323.

30 Stat. 556.
11 U. S. C. § 68.

Post, p. 412.

Salary increases or decreases.

Limitations.

he was originally appointed under this amendatory Act, and during any term of any such referee his salary shall not be reduced below the salary fixed for him at the beginning of that term: *And provided further*, That no salary fixed under the provisions of this section for a full-time referee shall be changed more often than once in any two years or in an amount of less than \$250.

“c. (1) Except as otherwise provided in this Act, there shall be deposited with the clerk, at the time the petition is filed in each case, and at the time an ancillary proceeding is instituted, (a) \$17 for each estate for the referees’ salary fund, and (b) \$15 for each estate for the referees’ expense fund, as hereinbelow established: *Provided, however*, That in cases of voluntary bankruptcy such fees, as well as the filing fees of the clerk and trustee, may be paid in installments, if so authorized by General Order of the Supreme Court of the United States.

“(2) Additional fees for the referees’ salary fund and for the referees’ expense fund shall be charged, in accordance with the schedules fixed by the conference (a) against each estate wholly or partially liquidated in a bankruptcy proceeding, and be computed upon the net proceeds realized; (b) against each case in an arrangement confirmed under chapter XI of this Act, and be computed upon the amount to be paid to the unsecured creditors upon confirmation of the arrangement and thereafter, pursuant to the terms of the arrangement, and, where under the arrangement any part of the consideration to be distributed is other than money, upon the amount of the fair value of such consideration; and (c) against each case in a wage-earner plan confirmed under chapter XIII of this Act, and be computed upon the payments actually made by or for a debtor under the plan. Such schedules of fees may be revised by the Director, with the approval of the conference, not more than once during each calendar year, so that the total amount of fees, allowances and charges collected and to be collected from all sources for the referees’ salary fund and for the referees’ expense fund will, as near as may be, equal for each fund, respectively, the total amount of salaries paid and to be paid to referees in active service, and the total amount of their expenses: *Provided, however*, That such schedules of fees shall not be so revised for any year that the total collections estimated by the Director for such year shall exceed by more than 10 per centum the total collections in the preceding year. The Director, with the approval of the conference, may make, and from time to time amend, rules and regulations prescribing methods for determining net proceeds realized in asset cases, fair values of considerations, other than money, distributable in arrangement cases, and payments actually made by or for a debtor under the plan in wage-earner cases; prescribing the procedure for collection by the clerk of fees and allowances for the referees’ salary fund and the referees’ expense fund; and providing for the effective administration of the provisions of this paragraph (2).

“(3) Charges for the expense of special services relating to or in connection with proceedings before referees shall be made and collected by the referees in accordance with regulations to be prescribed by the Director, with the approval of the conference, and the proceeds shall be paid by the referees to the clerk for transmission to the Treasury of the United States for deposit in the referees’ expense fund.

“(4) A referee’s salary fund and a referee’s expense fund shall be established in the Treasury of the United States, and the amounts of the various fees and allowances collected by the clerks for the services of referees, and for their expenses, including the fees, allowances and charges for their services and expenses as conciliation commissioners and as special masters under this Act, shall be covered into the Treasury of the United States for the account of such salary fund

Deposit require-
ments.

Installments.

Additional fees.

52 Stat. 905.
11 U. S. C. §§ 701-
799.

52 Stat. 930.
11 U. S. C. §§ 1001-
1036.
Post, p. 331.

Restriction.

Rules and regula-
tions.

Special services.

Establishment of
salary and expense
funds in U. S. Treas-
ury.

and expense fund. The salaries of the referees in active service shall be paid out of annual appropriations from such salary fund, and the expenses of the referees, including the salaries of their clerical assistants, shall be paid out of annual appropriations from such expense fund, by the United States. Any deficiencies of such salary fund or expense fund shall be paid out of any funds in the Treasury of the United States not otherwise appropriated, and appropriations to pay such deficiencies are hereby authorized: *Provided, however,* That there shall be covered into miscellaneous receipts of the Treasury of the United States in any subsequent year so much of the surplus, if any, arising in the salary fund or expense fund respectively as may be necessary to reimburse the Treasury of the United States for payments made on account of such respective funds in any prior year.

Surplus.

Ante, p. 326.

"(5) As of the day preceding the date when the referees, as provided by paragraph (2) of subdivision b of section 37 of this Act, are to take office, an allocation shall be made by the judge or judges of the several courts of bankruptcy of all filing and other fees, commissions, and allowances, and of all expense funds, due the then existing referees for services rendered and expenses incurred in the cases pending before them, whether as referee, conciliation commissioner, or special master under this Act. The balances of such filing and other fees, commissions, and allowances and the expense surpluses shall be covered into the Treasury of the United States by the referees and the clerks, to be deposited to the credit of the respective salary and expense funds. All cases pending before outgoing referees shall be rereferred, and no additional filing fees shall be required, but additional salary and expense charges may be assessed in such cases in such amounts as the judge or judges of the several courts of bankruptcy may deem equitable, taking into consideration the schedules of additional fees fixed by the Director and the payments previously made therein.

Retirement of referees, etc.

46 Stat. 470.
5 U. S. C. § 693;
Supp. V, § 693.
Post, pp. 659, 850.

"d. (1) All referees in bankruptcy and employees in the offices of such referees shall be deemed to be officers and employees in the judicial branch of the United States Government within the meaning of section 3 of the Civil Service Retirement Act of May 29, 1930, as amended.

"(2) Any referee who has retired or been retired under the provisions of paragraph (1) of this subdivision d may, if called upon by a judge of a court of bankruptcy, perform, without compensation, such duties of a referee, conciliation commissioner or special master under this Act, within the jurisdiction of such court, as such referee may be able and willing to undertake: *Provided, however,* That when so acting, compensation for his services shall be allowed and paid or deposited and his expenses shall be allowed and paid, as in the case of an active referee."

30 Stat. 557.
11 U. S. C. § 71.

SEC. 7. Section 43 of such Act, as amended, is amended to read as follows:

"SEC. 43. a. VACANCIES; REFEREE'S ABSENCE OR DISABILITY.—Whenever the office of a referee is vacant, or its occupant is absent or disqualified to act, the clerk of the district court in which the territory or any part of the territory served by such referee is located shall immediately notify the Director of such fact.

New appointments.

"b. Whenever the office of a referee is vacant, the Director shall recommend to the district judges, the councils and the conference whether a new appointment should be made, and no such appointment shall be made until authorized by the conference.

When judge, etc., may act as referee.

"c. Whenever the office of a referee is vacant or its occupant is temporarily absent or disqualified to act, or whenever the expeditious transaction of the business of the court or courts of bankruptcy may require, the judge, or any one of the judges, may act, or another referee

holding appointment under such court or courts of bankruptcy may be designated by the judge, or by a concurrence of a majority of the judges where there is more than one judge, and where there is no such concurrence, then by the council, to act; or the council may designate another referee from within the same circuit to act, or the council may order that pending cases be rereferred and future cases referred to one or more referees within the same circuit; or the conference may temporarily assign a referee from another circuit to act."

SEC. 8. (a) Clause (2) of section 51 of such Act, as amended, is amended to read as follows:

Duties of clerks.
30 Stat. 558.
11 U. S. C. § 79(2).

Ante, p. 327.

"(2) collect the fees of the clerk and trustee and the fees for the referees' salary fund and referees' expense fund provided in paragraph (1) of subdivision c of section 40 of this Act in each case instituted before filing the petition, except where installment payments may be authorized pursuant to section 40 of this Act, and collect the various other fees, allowances and charges for the services of referees and for their expenses, including their services and expenses as conciliation commissioners and as special masters under this Act;"

(b) Clause (5) of such section is amended to read as follows:

52 Stat. 864.
11 U. S. C. § 79(5).

"(5) transmit to the Treasury of the United States all fees, allowances and charges collected for the referees' salary fund and the referees' expense fund, and transmit to the trustee, within ten days after a case has been closed, the fee collected for him at the time of the filing of the petition."

SEC. 8a. Subdivision a of section 52 of such Act, as amended, is amended to read as follows:

30 Stat. 559.
11 U. S. C. § 80(a).

"SEC. 52a. Clerks shall charge and collect for their services to each estate, whether in a court of primary or ancillary jurisdiction, a filing fee of \$8. The clerk may collect this amount in installments when such installment payments have been authorized by General Order of the Supreme Court of the United States."

SEC. 9. Section 53 of such Act, as amended, is amended to read as follows:

30 Stat. 559.
11 U. S. C. § 81.

"SEC. 53. STATISTICS.—The Director annually shall lay before Congress statistical tables which will accurately reflect the business transacted by the several bankruptcy courts, a statement of the amounts received and disbursed for the referees' salary fund and referees' expense fund, and all other pertinent data."

SEC. 10. Section 54 of such Act, as amended, is hereby repealed.

Repeal.
30 Stat. 559.
11 U. S. C. § 82.
30 Stat. 562.
11 U. S. C. § 102(a).

SEC. 11. (a) Subdivision a of section 62 of such Act, as amended, is amended to read as follows:

"SEC. 62. EXPENSES OF ADMINISTERING ESTATES; UNAUTHORIZED SHARING OF FEES; WITHHOLDING ALLOWANCES.—a. (1) The actual and necessary costs and expenses incurred by officers, other than referees, in the administration of estates shall, except where other provisions are made for their payment, be reported in detail under oath, and examined and approved or disapproved by the court. If approved, they shall be paid or allowed out of the estates in which they were incurred.

"(2) The actual and necessary office and other expenses of referees shall be allowed when authorized and approved by the Director, including compensation of clerical, stenographic and other assistants of referees at rates to be fixed by the Director, taking into consideration the rates for comparable services prevailing in the respective offices of the clerks of the several district courts, and the costs of establishing and maintaining their offices with equipment and supplies adequate for their efficient and economical operation, including mechanical equipment and devices and law libraries. Such expenses may be

Office, etc., expenses;
compensation of assist-
ants.

allowed when authorized by a judge of the judicial district or districts in which a referee serves in cases of emergency where it is not feasible to secure prior authorization of the Director. The Director, with the approval of the conference, may prescribe such rules and regulations as may be necessary for the purpose of carrying out the provisions of this paragraph (2).

Employment of assistants; removal.

“(3) When, in the opinion of the Director, the public interest requires it, he may, on the recommendation of a referee, which recommendation shall state facts showing the necessity for the same, allow the referee to employ necessary clerical, stenographic, and other assistants. The referee may at his pleasure remove any assistant in his employ. If the office of a referee shall become vacant, the employment of his assistants shall not thereupon be terminated: *Provided, however,* That during such vacancy the Director may terminate the employment of any assistant, if, in his opinion, the services of such assistant are no longer needed.

Use of penalty envelopes.

“(4) Referees and special masters under this Act shall be entitled to transmit in the mails, free of postage, under cover of a penalty envelope, all matters which relate exclusively to the business of the courts, including notices in proceedings under this Act.”

52 Stat. 872.

11 U. S. C. § 102 (b).

Travel allowance, referees.

(b) Subdivision b of such section is amended to read as follows:

“b. (1) When authorized and approved by the Director, the actual expenses of travel, and the actual expenses for lodging and subsistence not to exceed \$7 per day, shall be allowed a referee while absent from his regular place of office on official business.

Travel allowance, assistants.

“(2) When authorized and approved by the Director, the assistants of referees shall be entitled to the same travel allowances as are provided for employees of the executive branch of the United States Government under the standardized Government travel regulations issued by the President, while absent from their regular place of employment on official business.

Supra; ante, p. 329.

“(3) Payment of the expenses allowed or per diem granted under subdivision b and paragraph (2) of subdivision a of this section 62 shall be by or pursuant to the order of the Director.”

52 Stat. 874.

11 U. S. C. § 104 (a)

(1).

SEC. 12. Clause numbered (1) of subdivision a of section 64 of such Act, as amended, is amended to read as follows:

“(1) the actual and necessary costs and expenses of preserving the estate subsequent to filing the petition; the fees for the referees' salary fund and for the referees' expense fund; the filing fees paid by creditors in involuntary cases; where property of the bankrupt, transferred or concealed by him either before or after the filing of the petition, shall have been recovered for the benefit of the estate of the bankrupt by the efforts and at the cost and expense of one or more creditors, the reasonable costs and expenses of such recovery; the costs and expenses of administration, including the trustee's expenses in opposing the bankrupt's discharge, the fees and mileage payable to witnesses as now or hereafter provided by the laws of the United States, and one reasonable attorney's fee, for the professional services actually rendered, irrespective of the number of attorneys employed, to the petitioning creditors in involuntary cases and to the bankrupt in voluntary and involuntary cases, as the court may allow;”

32 Stat. 800.

11 U. S. C. § 112.

SEC. 13. Section 72 of such Act, as amended, is amended to read as follows:

“SEC. 72. LIMITATION OF COMPENSATION OF OFFICERS OF COURT.—No receiver, marshal, or trustee shall in any form or guise receive, nor shall the court allow him, any other or further compensation for his services as required by this Act, than that expressly authorized and prescribed in this Act.

"No referee shall receive any compensation for his services under this Act other than his salary; and allowances made to a referee for compensation or expense while acting as a conciliation commissioner under section 75, or as a referee or special master under any chapter or section of this Act, shall be paid to the clerk, and by him transmitted to the Treasury of the United States for deposit in the referees' salary fund and referees' expense fund, respectively."

47 Stat. 1470.
11 U. S. C. § 203;
Supp. V, § 203.
Ante, p. 230.

SEC. 14. Section 117 of such Act, as amended, is amended to read as follows:

52 Stat. 885.
11 U. S. C. § 517.

"SEC. 117. The judge may, at any stage of a proceeding under this chapter, refer the proceeding to a referee in bankruptcy to hear and determine any and all matters not reserved to the judge by the provisions of this chapter, or to a referee as special master, to hear and report generally or upon specified matters. Only under special circumstances shall references be made to a special master who is not a referee. The appointment of a receiver in a proceeding under this chapter shall be by the judge."

SEC. 15. Paragraph numbered (3) of section 624 of such Act, as amended, is amended to read as follows:

52 Stat. 932.
11 U. S. C. § 1024 (3).

52 Stat. 931.
11 U. S. C. § 1022.

Ante, pp. 326, 329.

"(3) where a petition is filed under section 622 of this Act, by payment to the clerk of \$15 to be distributed, \$10 to the Treasury of the United States for deposit in the referees' salary fund and \$5 to the clerk, in lieu of the fees of \$17 and \$8 as prescribed in sections 40 and 52 of this Act: *Provided, however*, That such fees may be paid in installments, if so authorized by General Order of the Supreme Court of the United States."

SEC. 16. Paragraph numbered (2) of section 633 of such Act, as amended, is amended to read as follows:

52 Stat. 932.
11 U. S. C. § 1033 (2).

Ante, p. 327.

"(2) the debtor shall submit his plan, and deposit with the clerk, for payment into the referees' expense fund a fee, not to exceed \$15, to be graduated and charged in the manner outlined in paragraph (2) of subdivision c of section 40 of this Act: *Provided, however*, That such fee may be paid in installments, if so authorized by General Order of the Supreme Court of the United States"

SEC. 17. Paragraphs numbered (1) and (3), respectively, of section 659 of such Act, as amended, are amended to read as follows:

52 Stat. 935.
11 U. S. C. § 1059
(1), (3).
Supra.

"(1) the costs of the referee as specified in paragraph (2) of section 633;"

"(3) an additional fee for the referees' salary fund, to be graduated and charged in the manner outlined in paragraph (2) of subdivision c of section 40 of this Act, and to be computed upon the amount of the payments actually made by or for a debtor under the plan; and commissions to the trustee of 5 per centum to be computed upon and payable out of the payments actually made by or for a debtor under the plan;"

Ante, p. 327.

SEC. 18. Sections 1 and 10 of this amendatory Act and so much of section 4 of this amendatory Act as amends subdivision b of section 37 of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended, shall be effective upon approval of this amendatory Act. All other provisions of this amendatory Act shall become effective sixty days after promulgation of the determinations of the conference, as provided in the said subdivision b of section 37, as amended by this amendatory Act: *Provided, however*, That the references contained in paragraph (1) of subdivision b of section 37 as amended by this amendatory Act to "subdivision a of this section, and required for subdivisions a and c of section 40, paragraph (2) of section 633, and paragraph (3) of section 659 of this Act" are intended to refer to

Effective dates.
Ante, pp. 323, 329,
325.

Ante, p. 325.

Ante, pp. 326, 327.
Supra.

Ante, pp. 326, 331,
325.

Repeal.

Release of penalty,
etc.

Separability clause.

those subdivisions and paragraphs as they will be amended when sections 6, 16, and 17 of this amendatory Act become effective, and section 4 of this amendatory Act becomes fully effective.

SEC. 19. a. All Acts or parts of Acts inconsistent with any provisions of this amendatory Act are hereby repealed.

b. Nothing herein contained shall have the effect to release or extinguish any penalty, forfeiture, or liability incurred under any Act or Acts of which this Act is amendatory.

c. If any provision of this amendatory Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this amendatory Act which can be given effect without the invalid provision or application, and to this end the provisions of this amendatory Act are declared to be severable.

d. Section and subdivision headings shall not be taken to govern or limit the scope of the sections or subdivisions to which they relate.

Approved June 28, 1946.

[CHAPTER 513]

AN ACT

To provide for the conveyance to the State of Alabama for use as a public park of the military reservation known as Fort Morgan.

June 28, 1946
[H. R. 4433]
[Public Law 466]

Alabama.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to condition hereinafter specified, the Secretary of the Navy is authorized and directed to donate and convey to the State of Alabama all the right, title, and interest of the United States in and to the military reservation known as Fort Morgan, situated in Baldwin County, Alabama, containing four hundred and eight and ninety-two one-hundredths acres, more or less, and shown on map numbered 6559-110, entitled "Fort Morgan, Alabama, Reservation Map", dated June 1914, revised to February 7, 1936, on file in the office of the Quartermaster General, Washington, District of Columbia (A. G. 600.93 (2-18-36)). The conveyance executed by the Secretary of the Navy shall contain the express condition that if the State of Alabama shall at any time cease to use such property as a public park for public recreation, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States. The said conveyance shall also contain the further express condition that at any time during any future national emergency the Navy or War Department may reoccupy the property, such occupancy to be without cost to the United States.

Condition.

Approved June 28, 1946.

[CHAPTER 514]

AN ACT

To amend the Act approved July 3, 1943, entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army".

June 28, 1946
[H. R. 6454]
[Public Law 466]

Settlement of dam-
age claims.

59 Stat. 225.
31 U. S. C., Supp.
V, § 223b.
Foot., p. 847.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of July 3, 1943 (57 Stat. 372; 31 U.S.C. 223b), as amended by the Act of May 29, 1945 (Public Law 67, Seventy-ninth Congress), be, and it is hereby, further amended by striking out the figures and words "\$500, or in time of war not in excess of" as they appear in the first sentence thereof, and by striking out the figures and words "\$500,

or in time of war \$1,000," as they appear in the last sentence of said section and inserting in lieu thereof "\$1,000".

SEC. 2. The provisions of section 1 of this Act shall be applicable to section 1 of the Act of December 28, 1945 (Public Law 277, Seventy-ninth Congress).

Approved June 28, 1946.

59 Stat. 662,
31 U. S. C., Supp.
V, § 223d.
Post, p. 847.

[CHAPTER 515]

AN ACT

For the relief of the Indians of the Fort Berthold Reservation in North Dakota.

June 28, 1946
[H. R. 1095]

[Public Law 467]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$400,000 in full and final settlement of all claims and demands of the Indians of the Fort Berthold Indian Reservation in North Dakota, composed of the Arickarees, Gros Ventres, and Mandans, which claims are based upon stipulations of an unratified treaty dated July 27, 1866 (Kappler's Laws and Treaties, vol. 2, p. 1052): *Provided*, That the amount when appropriated shall be deposited in the Treasury of the United States to the credit of the Indians of the Fort Berthold Reservation and shall draw interest in accordance with existing laws: *Provided further*, That not to exceed 5 per centum of the amount herein authorized may be used by the Secretary of the Interior for payment of fees and expenses of attorneys employed under contract approved in accordance with existing law.

Indians.
Settlement of
claims.
Appropriation au-
thorized.
Post, p. 359.

Deposit of appro-
priated amount.

Attorneys' fees and
expenses.

Approved June 28, 1946.

[CHAPTER 516]

AN ACT

To provide for adjustments in connection with the Crow irrigation project, Crow Indian Reservation, Montana.

June 28, 1946
[H. R. 4983]

[Public Law 468]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) notwithstanding any other provisions of law, the aggregate charge for all expenditures which have been made for construction of the Crow irrigation project, Crow Indian Reservation, Montana, exclusive of the Willow Creek storage works, against all non-Indian-owned lands under the Crow irrigation project is hereby fixed at \$45,000, which charge shall be the sole charge against these lands. The charge thus fixed shall cover all such expenditures, whatever their source, chargeable against such lands and includes expenditures from reimbursable and gratuity appropriations from the Treasury of the United States, and from moneys of the Crow Tribe whether or not the expenditures of such tribal moneys were specifically approved by the Indians in council.

Crow irrigation proj-
ect.
Aggregate charge
against non-Indian-
owned lands.

(2) All non-Indian-owned lands under this project shall bear their pro rata share, computed on a per-acre basis, of the total charge fixed by this section, except that against the pro rata share chargeable to any particular tract there first shall be credited payments which have been already made on that tract to meet charges for reimbursable expenditures arising from the construction of such irrigation project. No credit in excess of such pro rata share, computed on a per-acre basis, shall be allowed. No refunds shall be made of amounts paid on any tract in excess of such pro rata share, computed on a per-acre basis. The first lien of the United States shall continue on each non-Indian-owned tract for repayment of the pro rata share, computed

Pro rata share
chargeable to non-
Indian-owned lands.

“Tract.”

Lands declared temporarily nonirrigable.

on a per-acre basis, against such tract less any credit allowable under this subsection. The word “tract” as used in this Act shall mean a forty-acre legal subdivision or fraction thereof.

(3) Where the Secretary of the Interior finds that certain non-Indian-owned lands subject to the pro rata share of the costs dealt with in section 1, as well as Indian-owned lands within the irrigation project, cannot be put to immediate productive use due to a need of proper drainage facilities; need of clearing and leveling; need of additional project construction work; present unfavorable soil conditions which can be corrected at an economic cost, he shall declare such lands temporarily nonirrigable until such time as he shall determine such lands can be put to productive use, and no irrigation project charges shall be assessed against such lands during such periods. Upon application of the landowners the Secretary of the Interior is authorized to eliminate from the project five hundred and four and nine-tenths acres of land located in sections 21, 27, and 28 of township 5 south, range 26 east, and in section 10 of township 1 north, range 33 east, described in the district engineer’s report of November 29, 1945, to the Commissioner of Indian Affairs on the conditions of the Crow Indian irrigation project.

Reimbursement for cost of survey.

(4) The cost of the necessary survey to determine the irrigable acreage of the project, made by the land designation committee, whose report was approved by the Secretary of the Interior in 1944, shall be reimbursed in a sum not to exceed \$5,000 by the owners of project lands in Indian and non-Indian ownership. Such costs shall be reimbursed by the project landowners over a period not to exceed three years. During this period each year the per-acre annual operation and maintenance charge shall be increased in amount sufficient to insure the per acre repayment of this cost.

Cancellation of prior obligations.

(5) All obligations arising out of contracts heretofore entered into with the United States for the payment to the United States of construction charges in connection with this project are hereby canceled, and all lands heretofore covered by such contracts shall be subject to the provisions of subsections (1), (2), (3), and (4) of this section.

(6) The provisions of this section shall become operative only when the Secretary of the Interior shall determine that the contracts contemplated by section 3 have been entered into, and that the releases required by section 2 have been obtained.

Releases of claims.

SEC. 2. The Secretary of the Interior shall obtain releases of claims which non-Indians owning lands under the Crow irrigation project may have against the United States on account of the construction of the Crow irrigation project or the assessment or collection of construction or operation and maintenance charges in connection with the project.

Contracts with irrigation districts.

SEC. 3. The Secretary of the Interior may enter into contracts with irrigation districts acting on behalf of all non-Indians owning land under the Crow irrigation project in which the irrigation districts shall agree to pay the charge of \$45,000 fixed by subsection (1) of section 1. Such contracts shall provide for the payment of the aforesaid sum on a per-acre basis without interest over a twenty-year period in equal annual installments, credits to be given in the amounts allowable under subsection (2) of said section 1; for the payment by the districts of the proportionate share chargeable to the lands within the districts of the annual cost of operation and maintenance of the project; and for a first lien on the lands within the districts in favor of the United States for the repayment of such construction and operation and maintenance charges.

Little Big Horn River watershed; Willow Creek storage works.

SEC. 4. The Secretary of the Interior may enter into contracts with irrigation districts acting on behalf of all non-Indians owning lands

under the Crow irrigation project on the Little Big Horn River watershed in which the irrigation districts shall agree to repay to the United States the proportionate share chargeable to the non-Indian lands within the districts of the reimbursable cost of construction of the Willow Creek storage works not to exceed \$210,726. The contracts with the districts shall provide for delivery by the Secretary or his duly authorized representative to lands within the irrigation districts of the proper share of the waters stored by the Willow Creek storage works, for the repayment of such construction charges on a per-acre basis in equal annual installments over a forty-year period without interest, and for the payment on a per-acre basis of the proportionate share chargeable to the lands within the district of the cost of the annual operation and maintenance of the Willow Creek storage works. The contracts shall provide that the United States shall have no lien on the lands included within the irrigation districts for the repayment of the share of the construction cost of the Willow Creek storage works to be paid by the irrigation districts under the contracts. In the event of the failure of the districts to fulfill their obligations of contracts with the United States before entire repayment of the construction charges shall have been completed under the contract, all unpaid portions of such construction charges shall again become charges against the lands within the districts and the United States shall again have a first lien on the lands for the repayment of such charges remaining unpaid. The contracts may provide that if during any year the operation of the Willow Creek storage works is so affected in any way, except by lack of adequate precipitation, that no delivery of storage waters can be made to lands within the irrigation districts, the payments by the districts of construction charges shall be suspended, and that upon resumption of operation the payment of annual construction charges shall also be resumed until the total charges fixed by the contracts shall have been paid. If the irrigation districts at any time shall fail to pay the construction or operation and maintenance charges as provided in the contracts, the Secretary of the Interior shall not deliver any stored waters from the Willow Creek storage works to lands within the districts until the districts shall have complied with the provisions of the contracts.

Until such time as the irrigation district or districts shall execute a contract as herein provided for, the lands within said district or districts shall not be liable for either the construction or operation and maintenance charges of the Willow Creek storage works, nor shall such lands be entitled to any benefits from said storage works, either by the direct use of the stored water or by substituted water, except as authorized by section 8 of this Act.

SEC. 5. The Secretary of the Interior may enter into contracts with non-Indians owning lands on the Little Big Horn River watershed under private ditches which have been constructed prior to the date of approval of this Act, in which, on the same terms and conditions as are contained in the contracts entered into pursuant to section 4, such owners shall agree to the repayment of their proper proportionate share of the reimbursable cost of construction and the cost of operation and maintenance of the Willow Creek storage works, and the Secretary shall agree to deliver water to their ditches. The covenants of each such contract shall run with the land, and the contract shall provide for a first lien in favor of the United States for the repayment of such construction and operation and maintenance charges. Each owner shall be privileged to pay in full at any time his pro rata share of the construction cost. The Secretary shall not enter into any contract pursuant to this section after five years have elapsed from the date of approval of this Act. The Secretary shall also

Little Big Horn
River watershed, pri-
vate ditches.

designate the Indian lands under private ditches to receive benefits provided for herein. The Indian lands thus designated shall be subject to provisions and conditions of the Act of July 1, 1932 (47 Stat. 564-565).

25 U. S. C. § 386a.

Contract require-
ments.

SEC. 6. The contracts entered into between the Secretary of the Interior and an irrigation district or districts, or with non-Indians owning land under private ditches, in pursuance to sections 4 and 5, shall provide that the owners of the lands included in such contracts shall agree to pay annually to the United States for a period of five years beginning November 15 next following the date of approval of this Act, \$1 per acre for each irrigable acre covered by such contract or contracts, and shall further agree at the end of such five-year period to pay thereafter their proportionate share of the total reimbursable cost of the construction of the Willow Creek storage works in the sum of \$210,726. The Secretary of the Interior shall allow full credit to each landowner for all construction cost repayments applicable to the Willow Creek storage works, made to the United States during such five-year period, and on behalf of all payments made pursuant to the temporary public notice of the Secretary of the Interior issued March 1, 1944.

Availability of
stored water.

SEC. 7. Water stored in the Willow Creek storage works shall be made available by the Secretary of the Interior only to the following lands on the Little Big Horn River watershed irrigable under irrigation works which have been constructed prior to the date of approval of this Act; Indian-owned lands; non-Indian-owned lands within the irrigation districts referred to in section 4; those non-Indian-owned lands covered by contracts entered into pursuant to section 5, subject, however, to the authority of the Secretary to dispose of the water as provided for in section 8 hereof.

Disposal of uncon-
tracted water; basis.

SEC. 8. Pending the execution of contracts with a district or districts, and thereafter, the Secretary of the Interior may, in lieu of disposing of the stored water as prescribed in sections 4, 5, and 6 of this Act, dispose of any uncontracted part of the stored water during any year on an acre-foot basis upon such terms and conditions as he shall determine. The Secretary is authorized to fix annual charges to cover the costs of operating and maintaining the storage works and the distribution of the stored water.

Further construc-
tion work.

SEC. 9. No further construction work on the Crow Indian Reservation shall be undertaken by the United States without the prior consent of (1) the Crow Tribe, (2) the irrigation district or districts affected, and (3) the Congress of the United States, and without the prior execution of repayment contracts by the non-Indian water users or irrigation district or districts, obligating the non-Indian lands for the payment of their share of such construction costs. The consent of the Crow Tribe shall be obtained by a majority vote of the general council of the tribe expressed at a duly convened meeting: *Provided, however,* That such consents shall not be necessary to construct laterals necessary to irrigate the lands within the Crow Indian irrigation project as now determined and classified as irrigable by the land designation committee report, as approved by the Secretary of the Interior in 1944.

Construction of lat-
erals.

Operation and
maintenance assess-
ments.
Ante, p. 334.

SEC. 10. Pursuant to the findings of the report referred to in section 1 (3) the sum of \$676,891.83 of operation and maintenance assessments against Indian- and non-Indian-owned lands of the project on the water users' ledger is hereby canceled, and the Secretary of the Interior is authorized and directed (1) to credit not to exceed \$28,000 on future operation and maintenance assessments against certain lands described in the report; (2) to make refunds not to exceed \$3,000 from Crow

project operation and maintenance collections on deposit in the Treasury to cover overpayments made to the project by landowners as provided for in the report; (3) to make refunds not to exceed \$40,000 from Crow project operation and maintenance collections to heirs of certain Crow allottees on account of moneys withheld from their estates by the United States and used for the payment of delinquent operation and maintenance assessments; (4) to reform in accordance with the adjustments made by the provisions of this Act any deferment contracts heretofore executed in accordance with the provisions of section 1 of the Act of June 22, 1936 (49 Stat. 1803).

SEC. 11. All claims of every description, all costs, charges, and unpaid assessments against lands in Indian ownership under the Crow irrigation project system, arising out of the expenditure of Treasury and tribal moneys for the construction, operation, and maintenance of the Crow irrigation project system, including the Willow Creek storage works, to and including expenditures for the fiscal year 1945, except the proportionate share of the amount authorized in section 1 (4) of this Act, are hereby canceled, and the obligations of the Indians and their lands to repay any part or all of said claims or sums are hereby dissolved: *Provided*, That the Crow Tribe of Indians, by appropriate action of their tribal council, releases the United States and all lands of the irrigation project from any and all claims said tribe may have arising out of the expenditure of tribal moneys by the United States for the construction, operation, and maintenance of said project.

SEC. 12. All costs and charges against lands in non-Indian ownership under the Crow Indian irrigation project system arising out of the expenditure of Treasury and tribal moneys for the construction, operation, and maintenance of the said project systems except (1) \$210,726, which is the proportionate part of the cost of the Willow Creek storage works chargeable to non-Indian lands; (2) \$45,000 as provided for in section 1 (1) of this Act; (3) the proportionate share of the non-Indian landowners in the \$5,000 expenditure provided for in section 1 (4) hereof; and (4) all unpaid operation and maintenance assessments remaining on the water users' ledgers of the Crow project after the adjustments have been made, as recommended in the district engineer's report of November 29, 1945, referred to in section 1 (3) of this Act, which assessments when collected shall be deposited in the Treasury of the United States for the operation and maintenance of the project, are hereby canceled, and the obligations of non-Indians and their lands to repay to the United States or the Crow Tribe any part or all of said sums so canceled are hereby dissolved: *Provided, however*, That this cancellation of reimbursable costs and charges shall not serve to change the present lien status except as provided in section 4 hereof.

SEC. 13. The cancellation of the reimbursable status of all project construction, operation, and maintenance costs and expenditures as herein provided shall be reported in the reimbursable accounts rendered to the Comptroller General of the United States, pursuant to the provisions of the Act of April 4, 1910 (36 Stat. 270), as deductions from the total indebtedness of the project without regard to fiscal years or appropriations from which expenditures were made.

SEC. 14. This Act, so far as non-Indian lands are involved, shall cease to be effective when two years have elapsed from the date of its approval unless prior to that time the contracts contemplated in section 3 have been executed and the releases required by section 2 have been obtained: *Provided*, That this limitation shall not apply to the cancellations, adjustments, and application of credits to be entered on the operation and maintenance water users' ledgers not

25 U. S. C. § 389.

Claims, etc., against Indian-owned lands.

Ante, p. 334.

Claims against U. S.

Cancellation of reimbursable costs and charges.

Ante, p. 333.*Ante*, p. 334.*Ante*, p. 334.

Restriction.

Ante, p. 334.

Report of cancellation.

25 U. S. C. §§ 145, 333-335.
Post, p. 367.

Time limitation.

Ante, p. 334.

Nonapplicability.

exceeding \$60,300 pursuant to the findings of the report of conditions on the Crow Indian irrigation project herein referred to, which entries shall be made upon approval of this Act.

Authority of Secretary of the Interior.

SEC. 15. The Secretary of the Interior is authorized to prescribe regulations and to perform all acts required for the effectuation of the purposes of this Act.

SEC. 16. All provisions of Acts inconsistent with this Act are hereby superseded to the extent of such inconsistency.

Approved June 28, 1946.

[CHAPTER 517]

AN ACT

June 28, 1946
[H. R. 5674]
[Public Law 469]

To amend the laws authorizing the performance of necessary protection work between the Yuma project and Boulder Dam by the Bureau of Reclamation.

Yuma project and Boulder Dam. Protection work between.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved January 21, 1927 (44 Stat. 1010, 1021), amended by the Act entitled "An Act to authorize defraying cost of necessary work between the Yuma project and Boulder Dam", approved July 1, 1940 (54 Stat. 708), is hereby further amended to read as follows:

Colorado River, controlling of floods, etc. Appropriation authorized. Post, pp. 369, 619.

"That for the purpose of controlling the floods, improving navigation, and regulating the flow of the Colorado River, there is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, for the fiscal year ending June 30, 1928, and annually thereafter, such sums as may be necessary, to be spent by the Bureau of Reclamation under the direction of the Secretary of the Interior, to defray the cost of (a) operating and maintaining the Colorado River front work and levee system in Arizona, Nevada, and California; (b) constructing, improving, extending, operating, and maintaining protection and drainage works and systems along the Colorado River; (c) controlling said river, and improving, modifying, straightening, and rectifying the channel thereof; and (d) conducting investigations and studies in connection therewith: *Provided*, That the expenditure of moneys for any of the foregoing purposes shall not be deemed a recognition of any obligation or liability whatsoever on the part of the United States: *Provided further*, That, within the discretion of the Secretary of the Interior, local communities to be benefited by works constructed pursuant to this Act may be required to provide, without cost to the United States, necessary rights-of-way and maintenance of the completed works and assurance, satisfactory to him, of payment of valid claims arising out of damage caused to persons or property by reason of the construction, operation, or maintenance of any such works: *Provided further*, That any moneys received by the United States as reimbursement in accordance with contracts heretofore entered into under the authority of the Act of December 21, 1928 (45 Stat. 1057), as amended, and ratified by the Act of August 30, 1935 (49 Stat. 1028, 1039), for expenditures made under the authority of this paragraph, shall be covered into the Treasury as miscellaneous receipts. In connection with operations conducted under this paragraph, the Secretary of the Interior shall have the same authority with respect to (a) the acquisition, exchange and disposition of lands, interests in lands, water rights and other property, and the relocation thereof; (b) the utilization of lands owned or acquired by the United States; (c) construction and supply contracts; (d) the performance of necessary

Condition.

Rights-of-way, maintenance of works, etc.

Reimbursements.

43 U. S. C. §§ 617-617t. Ante, p. 36.

Authority of Secretary of the Interior.

or proper acts; and (e) the making of necessary or proper rules and regulations, which he has in connection with projects under the Federal reclamation laws, Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto. Nothing contained in this paragraph shall be deemed to amend, repeal, or otherwise affect the provisions contained in the First Deficiency Appropriation Act, 1944, under the caption 'Department of the Interior, Bureau of Reclamation—Colorado River front work and levee system' (58 Stat. 150, 157)."

Approved June 28, 1946.

[CHAPTER 519]

AN ACT

To amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942 (Public Law Numbered 411, Seventy-seventh Congress), is amended to read as follows:

"SEC. 10. In the case of those who before the enactment of this Act shall have been retired on annuity under the provisions of the Act of May 22, 1920, as amended, or the Act of May 29, 1930, as amended, the annuity shall be recomputed and paid in accordance with the provisions of section 4 of this Act."

SEC. 2. Nothing herein contained shall be construed so as to reduce the annuity of any annuitant, nor shall any increase in annuity accrue under this Act to any annuitant for any period prior to the effective date of this Act.

SEC. 3. This Act shall become effective on the first day of the second calendar month following the month in which this Act is enacted.

Approved June 29, 1946.

[CHAPTER 520]

AN ACT

To facilitate the admission into the United States of the alien fiancées or fiancés of members of the armed forces of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on or before July 1, 1947, the alien fiancée or fiancé of a citizen of the United States who is serving in, or who has been honorably discharged from, the armed forces of the United States during World War II may be admitted into the United States with a passport visa as a nonimmigrant temporary visitor for a period of three months (unless in exceptional circumstances such period is extended by the Attorney General) under the provisions of subdivision 2 of section 3 of the Immigration Act approved May 26, 1924, as amended (43 Stat. 154; 8 U. S. C. 203) : *Provided, That—*

(a) the alien is not subject to exclusion from the United States under the immigration laws;

(b) the nonpreference portion of the quota to which the alien would be chargeable is exhausted at the time the alien applies for a visa;

(c) the administrative authorities find that the alien is coming to the United States with a bona fide intention of being married to a citizen of the United States who is serving in, or who has been

43 U. S. C. § 372
et seq.

June 29, 1946
[S. 896]
[Public Law 470]

56 Stat. 17.
5 U. S. C., Supp. V,
§ 691 note.

41 Stat. 614; 46 Stat.
468.
5 U. S. C. §§ 691-
738; Supp. V, § 691
et seq.
Post, pp. 658, 659,
705, 706, 850, 939.

Effective date.

June 29, 1946
[S. 2122]
[Public Law 471]

Alien fiancées or
fiancés.
Admission into U. S.

8 U. S. C., Supp. V,
§ 203(2).
Conditions.

honorably discharged from, the armed forces of the United States during World War II; and

(d) the administrative authorities find that the parties to the proposed marriage are able and intend to contract a valid marriage within the period for which the alien is admitted.

Deportation of alien.

SEC. 2. In the event the marriage does not occur within the period for which the alien was admitted, the alien shall be required to depart from the United States and upon failure to do so shall be deported at any time after entry in accordance with the provisions of sections 19 and 20 of the Immigration Act of February 5, 1917, as amended (39 Stat. 889-890; 54 Stat. 671-673; 56 Stat. 1044; 8 U. S. C. 155; 39 Stat. 890-891; 57 Stat. 511; 8 U. S. C. 156).

57 Stat. 553.
8 U. S. C., Supp. V,
§§ 155, 156.

Authority of Secretary of State.

SEC. 3. The Secretary of State shall have authority to prescribe regulations for the administration of the provisions of this Act which relate to the performance of functions by diplomatic or consular officers of the United States and he shall include in such regulations a requirement that the parties to a proposed marriage shall furnish satisfactory evidence to the American consular officer concerned, including sworn statements corroborated by other appropriate evidence showing that the parties have entered into a valid agreement to marry and are legally able and actually willing to conclude a valid marriage in the United States within a period of three months after the alien's arrival, or within such period as may be extended by the Attorney General.

Authority of Attorney General.

SEC. 4. The Attorney General shall have authority to prescribe regulations for the administration by the Immigration and Naturalization Service of the provisions of this Act in connection with the arrival of the aliens concerned at ports of entry in the United States, and he shall include in such regulations a requirement that the prospective American citizen spouse of an alien covered by the provisions of this Act shall furnish to the Commissioner of Immigration and Naturalization a suitable bond, which shall be in an amount sufficient to cover the cost of the deportation of the alien concerned, and which shall be forfeited to the United States if and when the alien becomes deportable, or shall be cancelled by the Commissioner upon receipt of satisfactory evidence that a valid marriage has been concluded, or that the alien has left the United States without expense to the said United States.

Period of World War II.

SEC. 5. For the purposes of this Act the period of World War II shall be considered as having started on September 1, 1939, and to have ended upon the formal conclusion thereof by a treaty of peace, or by the passage of a joint resolution of Congress, or by a proclamation by the President declaring an end to hostilities.

Approved June 29, 1946.

[CHAPTER 521]

AN ACT

To extend for the period of one year the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to regulate rents in the District of Columbia, and for other purposes", approved December 2, 1941, as amended, is further amended by striking out in section 1 (b) thereof the figure "1946" and inserting in lieu thereof "1947".

Approved June 29, 1946.

June 29, 1946
[S. 2219]

[Public Law 472]

55 Stat. 788.
D. C. Code, Supp.
V, § 45-1601 (b).

[CHAPTER 522]

AN ACT

To extend the Selective Training and Service Act of 1940, as amended, and for other purposes.

June 29, 1946

[H. R. 6064]

[Public Law 473]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the provisions of the Selective Training and Service Act of 1940, as amended, are hereby expressly reenacted, except those provisions which are hereinafter amended or repealed.

SEC. 2. (a) So much of the first sentence of section 3 (a) of the Selective Training and Service Act of 1940, as amended, as precedes the first proviso is hereby amended to read as follows:

“SEC. 3. (a) Except as otherwise provided in this Act, every male citizen of the United States, and every other male person residing in the United States, who is between the ages of nineteen and forty-five, at the time fixed for his registration, or who attains the age of nineteen after having been required to register pursuant to section 2 of this Act, shall be liable for training and service in the land or naval forces of the United States:”

(b) The fourth proviso of the second sentence of section 3 (a) of the Selective Training and Service Act of 1940, as amended, is amended to read as follows: “*Provided further,* That on July 1, 1946, the number of men in active training or service in the Army shall not exceed one million five hundred and fifty thousand, and that this number shall be reduced consistently month by month so that the Army's strength shall not exceed one million and seventy thousand on July 1, 1947: *And provided further,* That on July 1, 1947, the number of men in active training or service in the Navy shall not exceed five hundred and fifty-eight thousand and in the Marine Corps one hundred and eight thousand: *And provided further,* That the monthly requisitions on the President under this Act by the Secretary of War and the Secretary of the Navy shall not exceed the number of men required after consideration of the actual number of voluntary enlistments during the three months preceding that month in which the requisition is made. For the purposes of the fourth and fifth provisos of the preceding sentence, no man shall be deemed to be in active training or service or to be part of the strength of the Army, Navy, or Marine Corps, if—

“(1) he is on terminal leave;

“(2) he is a member of the detachment of patients who are to be discharged or relieved from active duty without being returned to an active duty status; or

“(3) he is being processed, following completion of his period of service, for discharge or relief from active duty.”

SEC. 3. Section 3 (b) of such Act, as amended, is hereby amended to read as follows:

“(b) Each man inducted on and after October 1, 1946, under the provisions of subsection (a) shall serve for a period of training and service of eighteen consecutive months (excluding time served while pursuing a course of instruction in a university, college, or other similar institution of learning), unless sooner discharged. Each man inducted prior to October 1, 1946, under the provisions of subsection (a) who shall have completed a period of training and service under this Act of eighteen months or more (excluding time served while pursuing a course of instruction in a university, college, or other similar institution of learning) shall, upon his request, on and after such date, be relieved from his period of training and service

54 Stat. 885.
50 U. S. C. app.
§§ 301-318; Supp. V,
§ 302 *et seq.*

Ante, p. 181.
54 Stat. 885.
50 U. S. C., Supp.
V, app. § 303 (a).
Ante, p. 181.

Persons liable for
training and service.

54 Stat. 885.
50 U. S. C., Supp. V,
app. § 302.

Reduction of
Army's strength.

Maximum number
of men in Navy and
Marine Corps.

Monthly requisitions.

54 Stat. 886.
50 U. S. C. app.
§ 303(b).

Period of training
and service.

Supra.

under this Act. Notwithstanding the foregoing provisions, whenever, after January 1, 1946, the Congress declares that the national interest is imperiled, such periods of training and service may be extended by the President to such time as may be necessary in the interest of national defense."

SEC. 4. Section 3 (e) of such Act, as amended, is hereby repealed.

Repeal.
54 Stat. 886.
50 U. S. C. app.
§ 303 (e).
54 Stat. 888.
50 U. S. C., Supp.
V, app. § 305 (e)(1).
Deferment.

SEC. 5. (a) Section 5 (e) (1) of such Act, as amended, is hereby amended by inserting after the first sentence thereof the following new sentence: "No person shall be deferred for employment in industry except upon the basis of his then status in an industry essential to the national health, safety, or interest."

Ante, p. 181.

(b) Section 5 (e) (3) of such Act, as amended, is hereby amended to read as follows:

Induction of persons
with dependent chil-
dren.

"(3) After May 14, 1946, no individual who has a child or children dependent upon him for support, or with whom he maintains a bona fide family relationship in their home, shall be inducted without his consent for training and service under this Act. As used in this paragraph, the term 'child' includes a child legally adopted, a step-child, a foster child, and a person who is supported in good faith by the individual in a relationship similar to that of a parent and child but such term does not include any person eighteen years of age or over unless such person is physically or mentally handicapped."

Supra.

(c) Section 5 (e) of such Act, as amended, is hereby amended by adding at the end thereof the following new paragraphs:

Release of persons
with dependent chil-
dren.
Ante, p. 341.

"(4) Any man inducted under the provisions of section 3 (a) of this Act who has a child or children, as hereinabove defined, dependent upon him for support, or with whom he maintains a bona fide family relationship in their home, shall, upon his request after August 1, 1946, be relieved from his period of training and service under this Act.

Induction of persons
with previous service.

"(5) No individual shall be inducted without his consent for training and service under this Act, if he has served on active duty in the land or naval forces of the United States outside the continental limits of the United States or in Alaska; or if he has served on active duty in the land or naval forces of the United States for a period of at least six months after September 16, 1940 (excluding the time that any such individual so served while pursuing a course of instruction in a university, college, or other similar institution of learning). The provisions of this paragraph shall cease to be effective during any period after January 1, 1946, when the Congress or the President shall declare that the national interest is imperiled."

57 Stat. 597.
50 U. S. C., Supp.
V, app. § 305 (m).

SEC. 6. Section 5 (m) of such Act, as amended, is amended to read as follows:

Manner of induc-
tion.

"(m) No individuals shall be called for induction, ordered to report to induction stations, or be inducted because of their occupations, or by occupational groups, or by groups in any plant or institutions, except pursuant to a requisition by the land or naval forces for persons in needed medical professional and specialists categories."

54 Stat. 897.
50 U. S. C., Supp.
V, app. § 316 (b).

SEC. 7. Section 16 (b) of such Act, as amended, is amended to read as follows:

Ante, p. 181.
54 Stat. 885, 890, 897.
50 U. S. C. app.
§§ 303(a)-(d), 308,
316(b); Supp. V, §§
303(a), (c), 308, 316(b).
Ante, pp. 181, 341.

"(b) The provisions of the third sentence of section 3 (a) of this Act shall become inoperative and cease to apply at 12 o'clock post-meridian on July 1, 1947. All of the other provisions of this Act, except the provisions of sections 3 (b), 3 (c), 3 (d), 8, and 16 (b), and the fourth and fifth provisos of the second sentence of section 3 (a), shall become inoperative and cease to apply at 12 o'clock post-meridian on March 31, 1947, or on such earlier date as may be specified in a concurrent resolution of the two Houses of Congress for that purpose, except as to offenses committed prior to such date.

One day prior to the date of the termination of the Selective Training and Service Act of 1940, as amended, as herein or hereafter specified, all remaining functions and responsibilities of the Personnel Division established under the authority of section 8 (g) of such Act, and all records and balances of appropriations which have been utilized or are available for use in the administration of such functions of the Personnel Division of the Selective Service System, shall be transferred to such agency of the Federal Government as the Congress may designate, or, if none is so designated, to such agency of the Federal Government as the President may designate.”

Approved June 29, 1946.

54 Stat. 885.
50 U. S. C. app.
§§ 301-318; Supp. V,
§ 302 *et seq.*
Ante, p. 181.
54 Stat. 891.
50 U. S. C. app.
§ 308 (g).

[CHAPTER 523]

AN ACT

To amend the Pay Readjustment Act of 1942, as amended, so as to provide an increase in pay for personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

June 29, 1946
[H. R. 6084]
[Public Law 474]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first paragraph of section 9 of the Pay Readjustment Act of 1942, as amended, is hereby amended to read as follows:

56 Stat. 363.
37 U. S. C., Supp.
V, § 109.

“The monthly base pay of enlisted men of the Army, Navy, Marine Corps, and Coast Guard shall be as follows: Enlisted men of the first grade, \$165; enlisted men of the second grade, \$135; enlisted men of the third grade, \$115; enlisted men of the fourth grade, \$100; enlisted men of the fifth grade, \$90; enlisted men of the sixth grade, \$80; and enlisted men of the seventh grade, \$75. Chief petty officers under acting appointment shall be included in the first grade at a monthly base pay of \$150.”

Monthly base pay.
Enlisted men.

(b) The third paragraph of section 9 of the Pay Readjustment Act of 1942, as amended, is hereby amended to read as follows:

Acting chief petty
officers.

“Every enlisted man paid under the provisions of this section shall receive an increase of 5 per centum of the base pay of his grade for each three years of service up to thirty years. Such service shall be active Federal service in any of the services mentioned in the title of this Act or reserve components thereof; service in the active National Guard of the several States, Territories, and the District of Columbia; and service in the Enlisted Reserve Corps of the Army, the Officers’ Reserve Corps of the Army, the Naval Reserve, the Marine Corps Reserve, and the Coast Guard Reserve: *Provided*, That retired enlisted men heretofore or hereafter retired with credit for thirty years’ service in the Army, Navy, or Marine Corps and who served beyond the continental limits of the United States between 1898 and 1912, such service having been computed under previous laws as double time toward retirement, shall be entitled to receive the maximum retired pay now provided for the grade in which retired.”

Longevity increase.

Retired enlisted
men.

(c) Section 11 of the Act of March 4, 1925 (43 Stat. 1274; 34 U. S. C. 701), is hereby amended to read as follows:

“SEC. 11. That the band of the United States Marine Corps shall consist of one leader whose pay and allowances shall be those of a captain in the Marine Corps; one second leader whose pay shall be \$230 per month and who shall have the allowances of a sergeant major; ten principal musicians whose pay shall be \$180 per month; twenty-five first-class musicians whose pay shall be \$150 per month; twenty second-class musicians whose pay shall be \$120 per month; and ten third-class musicians whose pay shall be \$102 per month; such musicians of the band to have the allowances of a sergeant: *Provided*, That the second leader and musicians of the band shall

Marine Band.

Longevity increase.

receive the same increases for length of service and the same enlistment allowance or gratuity for reenlisting as is now or may hereafter be provided for other enlisted men of the Marine Corps: *Provided further*, That in the event of promotion of the second leader, or a musician of the band, to leader of the band, all service as such second leader, or as such musician of the band, or both, shall be counted in computing longevity increase in pay: *And provided further*, That hereafter during concert tours approved by the President, members of the Marine Band shall suffer no loss of allowances."

Promotion to leader of band.

Concert tours.

Retired members of Marine Band.

(d) Retired members of the band of the United States Marine Corps and former members of the band of the United States Marine Corps heretofore transferred to the Fleet Marine Corps Reserve shall have their retired pay and retainer pay computed as now authorized by law on the basis of the pay provided in section 11 of the Act of March 4, 1925, as amended by subsection (c) of this Act, which pay shall include increases for all active duty performed since retirement or transfer to the Fleet Marine Corps Reserve in the computation of their longevity pay: *Provided*, That nothing contained in this Act shall operate to reduce the present pay of any former member of the band of the United States Marine Corps now on the retired list or drawing retainer pay.

Restriction.

56 Stat. 362,
37 U. S. C., Supp.
V, § 108.

SEC. 2. (a) The second and third paragraphs of section 8 of the Pay Readjustment Act of 1942, as amended, are hereby amended to read as follows:

Army Mine Planter Service.
First mates and assistant engineers.

"First mates and assistant engineers of the Army Mine Planter Service shall receive base pay at the rate of \$2,340 per annum and shall be entitled to the money allowances for subsistence and for rental of quarters as established by sections 5 and 6 of this Act for officers receiving the pay of the first period.

56 Stat. 361,
37 U. S. C., Supp.
V, §§ 105, 106.

Chief warrant officers, etc.

"Chief warrant officers of the Army except masters and chief engineers in the Army Mine Planter Service, and commissioned warrant officers with less than ten years of commissioned service, of the Navy, Marine Corps, and Coast Guard, shall receive base pay at the rate of \$2,520 per annum and shall be entitled to the money allowances for subsistence and for rental of quarters as established by sections 5 and 6 of this Act for officers receiving the pay for the second period: *Provided*, That a commissioned warrant officer or chief warrant officer promoted from the grade of warrant officer or warrant officer (junior grade) shall suffer no reduction of pay by reason of such promotion: *Provided further*, That nothing herein contained shall be held to affect the authority of the Secretary of War to designate permanent or temporary chief warrant officers of the Army to receive the base pay and allowances of the third and fourth pay periods as provided in section 3 of the Act approved August 21, 1941 (Public Law 230, Seventy-seventh Congress)."

Supra.

Promotions.

Pay and allowances.

(b) The seventh paragraph of section 8 of the Pay Readjustment Act of 1942, as amended, is hereby amended to read as follows:

55 Stat. 652,
10 U. S. C., Supp.
V, § 591a.

56 Stat. 363,
37 U. S. C., Supp.
V, § 108.

Pay and allowances.
Maximum.

"When the total pay and allowances authorized by this section for any person shall exceed the rate of \$550 per month, the amount of the allowances to which such person is entitled shall be reduced by the amount above \$550."

56 Stat. 362,
37 U. S. C., Supp.
V, § 107.

Brigadier general,
etc.

SEC. 3. The first paragraph of section 7 of the Pay Readjustment Act of 1942, as amended, is hereby amended to read as follows:

"The annual base pay of a brigadier general of the Army or the Marine Corps, rear admiral (lower half) of the Navy, the Coast Guard, or the Coast and Geodetic Survey, the Assistant Commandant of the Coast Guard, the Engineer in Chief of the Coast Guard, commodore of the Navy, an Assistant Director of the Coast and Geodetic Survey, and an assistant to the Surgeon General of the Public Health

Service, shall be \$6,600; and the annual base pay of a major general of the Army or the Marine Corps and of a rear admiral (upper half) of the Navy, the Coast Guard, or the Coast and Geodetic Survey, or the Surgeon General of the Public Health Service shall be \$8,800. Every such officer shall be entitled to the money allowances for subsistence and for rental of quarters authorized in sections 5 and 6 of this Act for officers receiving the pay of the sixth period."

SEC. 4. The second paragraph of section 1 of the Pay Readjustment Act of 1942, as amended, is hereby amended to read as follows: "The first period, \$2,160; the second period, \$2,400; the third period, \$2,760; the fourth period, \$3,300; the fifth period, \$3,850; and the sixth period, \$4,400."

SEC. 5. The increases in pay resulting from the amendments made by this Act to the Pay Readjustment Act of 1942, as amended, shall be applicable to the active duty, retired, retirement, or retainer pay of all persons whose pay is governed by, or by reference to, those sections of the Pay Readjustment Act of 1942, as amended, which are amended by this Act.

SEC. 6. Hereafter the retired or retirement pay of any person whose name is borne on the emergency officers' retired list of the Army, Navy, Marine Corps, or Coast Guard of the United States and who is entitled to receive retired or retirement pay shall, in lieu of being computed upon the basis of the pay to which he was entitled at the time of his discharge from his commissioned service, be computed upon the basis of the rate provided in the Pay Readjustment Act of 1942, as amended by this Act, for an officer of corresponding grade who is credited with the same number of years of service for longevity purposes as the number with which such person is credited.

SEC. 7. The increases in pay provided by this Act shall become effective on the first day of the first calendar month following its enactment, and no increase in pay for any period prior thereto shall accrue by reason of the enactment of this Act.

Approved June 29, 1946.

56 Stat. 361.
37 U. S. C., Supp.
V, §§ 105, 106.

56 Stat. 359.
37 U. S. C., Supp.
V, § 101.

Base pay for periods.

Applicability of pay increases.

56 Stat. 359.
37 U. S. C., Supp.
V, §§ 101-120.
Post, pp. 858-860, 868.

Emergency officers' retired list.

Supra:

Effective date.

[CHAPTER 526]

AN ACT

To amend the Second War Powers Act, 1942, as amended.

June 29, 1946

[H. R. 5716]

[Public Law 475]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title XV, section 1501, of the Second War Powers Act, 1942, approved March 27, 1942, as amended, is amended to read as follows:

"SEC. 1501. Titles I, II, IV, V, VII, and XIV of this Act, and the amendments to existing law made by any such title, shall remain in force only until March 31, 1947, or until such earlier time as the two Houses of Congress by concurrent resolution, or the President may designate, and title III of this Act, and the amendments to existing law made by such title, shall remain in force only until March 31, 1947 (except that for purposes of allocations of building materials, and facilities related to the utilization of building materials, such title III, and the amendments to existing law made by such title, shall remain in force until June 30, 1947), or until such earlier time as the two Houses of Congress by concurrent resolution, or the President, may designate, and after such amendments cease to be in force any provision of law amended thereby shall be in full force and effect as though this Act had not been enacted; but no court proceedings brought under any such title shall abate by reason of the termination hereunder of such title."

56 Stat. 187.
50 U. S. C., Supp.
V, app. § 645.

Time limit.
56 Stat. 176, 177,
180, 181, 186.
50 U. S. C., Supp.
V, app. §§ 631-632a,
634, 635, 637, 644-644b.

56 Stat. 177.
50 U. S. C., Supp.
V, app. § 633.
Post, p. 868.

Repeal.
56 Stat. 183.
50 U. S. C., Supp.
V, app. §§ 641-641f.
Ante, p. 345.

Maximum prices,
etc.
56 Stat. 23, 765.
50 U. S. C., Supp.
V, app. §§ 901-946,
961-971.
Ante, pp. 57, 214;
post, p. 664 *et seq.*
55 Stat. 788.
D. C. Code, Supp.
V, §§ 45-1601 to 45-
1611.
Ante, p. 340.

Title XI of the Second War Powers Act, 1942, as amended, is hereby repealed as of June 30, 1946.

SEC. 2. Title XV of such Act, as amended, is amended by inserting at the end thereof a new section as follows:

"SEC. 1503. Nothing contained in this Act or any other Federal Act (except the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, or the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended), shall be construed to authorize the establishment by any officer or agency of the Government of maximum prices for any commodity or maximum rents for any housing accommodations."

Approved June 29, 1946.

[CHAPTER 527]

AN ACT

To incorporate the Civil Air Patrol.

July 1, 1946
[H. R. 5744]

[Public Law 476]

Civil Air Patrol,
incorporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-named persons, to wit: Harold F. Wood, of Alabama; J. M. Morris, of Arizona; Rex P. Hayes, of Arkansas; Bertrand Rhine, of California; J. A. Smethills, of Colorado; W. T. Gilbert, of Connecticut; William J. Simpson, of Delaware; Zack T. Mosley, of Florida; J. L. Dobbins, of Georgia; Leverett Davis, of Idaho; Gordon A. DaCosta, of Illinois; Walker W. Winslow, of Indiana; Don C. Johnston, of Iowa; J. Howard Wilcox, of Kansas; W. S. Rinehart, of Kentucky; Richard G. Jones, of Louisiana; Guy P. Gannett, of Maine; Edward R. Fenimore, of Maryland; John Shennett, of Massachusetts; Ray R. Baker, of Michigan; Clayton N. Wulff, of Minnesota; J. R. Dowd, of Mississippi; L. W. Greene, of Missouri; Roy W. Milligan, of Montana; Rudy C. Mueller, of Nebraska; Eugene H. Howell, of Nevada; John F. Brown, of New Hampshire; Frank D. Carvin, of New Jersey; Lewis W. Graham, of New Mexico; Stuart C. Welch, of New York; Frank E. Dawson, of North Carolina; Irven A. Myhra, of North Dakota; George A. Stone, of Ohio; W. H. Shockey, of Oklahoma; G. Robert Dodson, of Oregon; Phillip F. Neuweiler, of Pennsylvania; Norris W. Rakestraw, of Rhode Island; Dexter C. Martin, of South Carolina; James R. Barnett, of South Dakota; W. C. Whelen, of Tennessee; D. Harold Byrd, of Texas; Joseph D. Bergin, of Utah; William V. Mason, of Vermont; Allan C. Perkinson, of Virginia; E. R. Schiller, of Washington; Hubert H. Stark, of West Virginia; John F. Stratton, of Wisconsin; and Albert W. Dickinson, Junior, of Wyoming, and their associates and successors, are hereby incorporated and declared to be a body corporate by the name of the Civil Air Patrol (hereinafter referred to as the "corporation").

Objects and pur-
poses.

SEC. 2. The objects and purposes of the corporation shall be—

(a) To provide an organization to encourage and aid American citizens in the contribution of their efforts, services, and resources in the development of aviation and in the maintenance of air supremacy, and to encourage and develop by example the voluntary contribution of private citizens to the public welfare;

(b) To provide aviation education and training especially to its senior and cadet members; to encourage and foster civil aviation in local communities and to provide an organization of private citizens with adequate facilities to assist in meeting local and national emergencies.

Eligibility for mem-
bership.

Original members.

SEC. 3. Eligibility for membership in the corporation and the rights and privileges of members shall be determined according to the constitution and bylaws of the corporation: *Provided*, That the original members shall consist of the present Civil Air Patrol

membership, numbering more than one hundred thousand senior and cadet members.

SEC. 4. (a) The corporation shall have no power to issue capital stock or engage in business for pecuniary profit or gain, its objects and purposes being solely of a benevolent character and not for the pecuniary profit or gain of its members.

Pecuniary profit or gain.

(b) The persons named in section 1, their associates, and successors are hereby authorized to complete the organization of the corporation by the selection of officers, the adoption of a constitution and bylaws, the promulgation of rules or regulations that may be necessary for the accomplishment of the purposes of this corporation, and the doing of such other acts as may be necessary for such purposes.

Officers, constitution, etc.

SEC. 5. The corporation shall have perpetual succession and power—

Powers.

(a) To sue and be sued;

(b) To acquire, hold, mortgage, and dispose of such real and personal property as may be necessary for its corporate purposes;

(c) To accept gifts, legacies, and devises which will further the corporate purposes;

(d) To adopt and alter a corporate seal;

(e) To adopt and alter a constitution, bylaws, rules and regulations, not inconsistent with law;

(f) To establish and maintain offices for the conduct of the affairs of the corporation in the District of Columbia and in the several States and Territories of the United States;

(g) To do any and all acts and things necessary and proper to carry into effect the objects and purposes of the corporation.

SEC. 6. The corporation shall have the sole and exclusive right to the name "Civil Air Patrol" and to have and to use, in carrying out its purposes, all insignia, copyrights, emblems and badges, descriptive or designating marks, and words or phrases now or heretofore used by the Civil Air Patrol in carrying out its program: *Provided, however,* That no powers or privileges herein granted shall interfere or conflict with established or vested rights.

"Civil Air Patrol."

SEC. 7. The corporation shall make and transmit to Congress each year a report of its proceedings and activities for the preceding calendar year.

Report to Congress.

SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 1, 1946.

[CHAPTER 528]

AN ACT

To authorize the charging of tolls for the passage or transit of Government traffic over the San Francisco-Oakland Bay Bridge.

July 1, 1946

[H. R. 3565]

[Public Law 477]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That tolls may be charged for the passage or transit over the San Francisco-Oakland Bay Bridge of Government traffic, of military, naval, or civilian personnel and their dependents, and of civilian employees of the Army and Navy traveling on Government business, but such tolls shall not be in excess of the tolls charged for the passage or transit of other like traffic over such bridge: *Provided, however,* That subject to the provisions of section 2, military, Coast Guard, and naval personnel, and civilian employees of the Army and Navy and Coast Guard and personnel and employees of the Coast and Geodetic Survey, when such personnel or employees are engaged in the performance of official duties requiring the use of such bridge, together with the conveyances

San Francisco-Oakland Bay Bridge. Tolls for Government traffic.

Bridge free of toll Conditions.

being used by them in the performance of such duties, shall have the use of such bridge free of toll: *Provided further*, That subject to the provisions of section 2, military, Coast Guard, and naval personnel, civilian employees of the Army and Navy and Coast Guard and personnel and employees of the Coast and Geodetic Survey, and their dependents, when such personnel, employees, or dependents are resident or employed on Yerba Buena Island or Treasure Island, or on any vessel berthed at any point on said islands, together with the conveyances being used by them, when proceeding to or from said islands, shall have the use of such bridge free of toll.

Authorization for use of bridge free of toll.

SEC. 2. (a) The use of the San Francisco-Oakland Bay Bridge free of toll, provided for in section 1, shall be granted upon the presentation and surrender at the toll lanes of an authorization certifying that the traffic or person in question is entitled to such right. Such authorization shall be issued and signed by any officer or official designated for such purpose in accordance with regulations which shall be prescribed by the Secretary of the Department having control of the personnel exempted by section 1 hereof. The names and signatures of officers so designated shall be furnished to the California Toll Bridge Authority and thereafter authorizations signed by them shall be accepted by such authority as prima facie evidence of the facts stated therein.

(b) Notwithstanding the provisions of subsection (a), such right to use the San Francisco-Oakland Bay Bridge free of toll may be established by any other device or means which may be acceptable to the California Toll Bridge Authority; and the Secretary of the appropriate Department and the California Toll Bridge Authority may enter into any appropriate agreements to secure the effective, convenient, and just exercise of such right.

Unlawful authorization.

SEC. 3. Whoever secures or attempts to secure the exemption from toll provided for in this Act or an authorization referred to in section 2, knowing that he is not entitled thereto, and whoever signs or issues any such authorization certifying to such right of exemption, knowing that such right does not exist, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than \$100 or by imprisonment for not more than ten days, or by both such fine and imprisonment.

Penalty.

Effective date.

SEC. 4. The provisions of this Act shall take effect thirty days after the date of its enactment.

Approved July 1, 1946.

[CHAPTER 529]

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1947, namely:

OFFICE OF THE SECRETARY

SALARIES

Salaries: For the Secretary of the Interior (hereafter in this Act referred to as the Secretary), and other personal services in the District of Columbia and elsewhere, \$1,298,337: *Provided*, That no part of the appropriation made available to the office of the Secretary by

July 1, 1946
[H. R. 6335]
[Public Law 478]

Interior Department Appropriation Act, 1947.
Post, pp. 694, 618, 619.

Radio broadcasts respecting legislation.

this section shall be used for the broadcast of radio programs designed for or calculated to influence the passage or defeat of any legislation pending before the Congress.

WAR AGENCY LIQUIDATION

War Agency Liquidation: For all expenses necessary for liquidating the War Relocation Authority program provided for in Executive Order 9102 and in the President's message of June 12, 1944, to Congress (House Document 656, Seventy-eighth Congress), including personal services in the District of Columbia; travel expenses; printing and binding, \$150,000.

3 CFR, Cum. Supp., p. 1123.

OFFICE OF SOLICITOR

Ante, p. 312.

For personal services in the District of Columbia and in the field, \$263,885.

DIVISION OF TERRITORIES AND ISLAND POSSESSIONS

For personal services in the District of Columbia, \$156,526.

OIL AND GAS DIVISION

Oil and Gas Division: For all expenses necessary for coordinating and unifying policies and administration of Federal activities relative to oil, gas, and synthetic fuels, including cooperation with the petroleum industry and State authorities in the production, processing, and utilization of petroleum and petroleum products, natural gas, and synthetic fuels and the compilation of technical reports thereon, for administering and enforcing the provisions of the Act of February 22, 1935, as amended (15 U. S. C., ch. 15A); and for the liquidation of the Petroleum Administration for War; including personal services in the District of Columbia and elsewhere; not to exceed \$10,000 for employment of a director without regard to the civil-service and classification laws; travel expenses; contract stenographic reporting services; printing and binding; and the purchase (not to exceed five), maintenance, operation, and repair of passenger automobiles; \$400,000.

49 Stat. 30.
15 U. S. C. §§ 715-715f; Supp. V, § 715f.

DIVISION OF GEOGRAPHY

Salaries and expenses: For all necessary expenses of the Division of Geography, in performing the duties imposed upon the Secretary by Executive Order 6680, dated April 17, 1934, relating to uniform usage in regard to geographic nomenclature and orthography throughout the Federal Government, including personal services in the District of Columbia, stationery and office supplies, and printing and binding, \$12,956.

3 CFR, p. 293.

SOIL AND MOISTURE CONSERVATION OPERATIONS

For all necessary expenses of administering and carrying out directly and in cooperation with other agencies a soil and moisture conservation program on lands under the jurisdiction of the Department of the Interior in accordance with the provisions of the Act of April 27, 1935 (16 U. S. C. 590a-590f), and Reorganization Plan Numbered IV, including \$98,700 for departmental personal services including such services in the District of Columbia; traveling expenses; printing and binding; furniture, furnishings, office equipment and supplies; purchase (not to exceed six), operation, maintenance, and repair of motor-propelled and horse-drawn passenger-carrying vehicles, hire, maintenance, and operation of aircraft,

49 Stat. 163.
16 U. S. C., Supp. V, § 590a et seq.

54 Stat. 1235.
5 U. S. C. § 133t note.

Warehouse maintenance, etc.

\$1,509,830: *Provided*, That this appropriation shall be available for meeting expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Department of the Interior.

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

Investigations by legislative branch.

Ante, p. 306.

Awards.

58 Stat. 360.
5 U. S. C., Supp. V, § 500.
Additional sums for stationery supplies.

For the contingent expenses of the office of the Secretary and the bureaus and offices of the Department (except as otherwise provided), including teletype rentals and service; streetcar fares not exceeding \$300; traveling expenses, including not exceeding \$5,000 for inspections and investigations by the legislative branch as well as attendance at meetings or conventions concerned with the work of the Department, and any request from appropriate authority in such branch in connection therewith shall be immediately complied with by administrative authority in the Department; not exceeding \$500 for the payment of damages caused to private property by Department motor vehicles; purchase (not to exceed two, including one at not to exceed \$2,500), maintenance, repair, and operation of four passenger automobiles; hire of aircraft; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the Department, its bureaus and offices; expense of translations, and not exceeding \$1,000 for contract stenographic reporting services; not exceeding \$700 for newspapers; \$12,500, exclusively for payment of awards pursuant to the Act of June 26, 1944 (5 U. S. C. 500); printing and binding; \$250,760; and, in addition thereto, sums transferred from other appropriations to this for stationery supplies as follows: General Land Office, \$5,000; Geological Survey, \$15,000; National Park Service, \$7,500; Bureau of Reclamation, \$8,400, any unexpended portion of which shall revert and be credited to the reclamation fund; Bureau of Mines, \$9,000; Grazing Service, \$4,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of the Interior, as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$205,000.

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

COMMISSION OF FINE ARTS

36 Stat. 371

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U. S. C. 104), including personal services in the District of Columbia, printing and binding and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, \$10,000.

BONNEVILLE POWER ADMINISTRATION

Construction, operation, and maintenance, Bonneville power transmission system: To enable the Bonneville Power Administrator to carry out the duties imposed upon him pursuant to law, including the construction of transmission lines, substations, and appurtenant facilities; operation and maintenance of the Bonneville transmission system; marketing of electric power and energy; printing and binding; purchase (not to exceed thirty-four in the fiscal year 1947), hire, maintenance, repair, and operation of passenger automobiles; purchase (not to exceed two in the fiscal year 1947), hire, maintenance, repair, and operation of aircraft; \$12,470,000, to be available until expended, of which amount not to

exceed \$4,000,000 shall be available in the fiscal year 1947 for operation and maintenance of the Bonneville transmission system, marketing of electric power and energy, and administrative expenses connected therewith, including \$24,750 for personal services in the District of Columbia.

Transmission system.

UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

The appropriations contained in the Interior Department Appropriation Act, 1946, for the United States High Commissioner to the Philippine Islands are hereby continued available during the fiscal year 1947 for the maintenance of the office as provided therein until the President shall have proclaimed the independence of the Philippines, as provided by the Act of Congress of March 24, 1934, as amended (48 U. S. C., 1232), and for the necessary expenses of liquidation of the office and payment of outstanding obligations: *Provided*, That from the funds herein made available an amount not to exceed \$10,000 shall be available for expenditure in the discretion of the High Commissioner or any representative who may be designated by the President to liquidate the affairs of the office of the High Commissioner for maintenance of his household and such other purposes as he may deem proper.

59 Stat. 318.

48 Stat. 456.
48 U. S. C. §§ 1232-1247; Supp. V, § 1232 et seq.
Ante, p. 168.

GRAZING SERVICE

Salaries and expenses: For carrying out the provisions of the Act of June 28, 1934, as amended (43 U. S. C. 8A), including examination and classification of lands with respect to grazing or agricultural utility, preparation of land classification maps and reports, fire prevention and the suppression or emergency prevention of fires on or threatening lands under the jurisdiction of the Grazing Service, contract stenographic reporting services, traveling and other necessary expenses, personal services in the District of Columbia, purchase (not to exceed five), operation, and maintenance of motor-propelled passenger-carrying vehicles, and printing and binding, \$514,500; for payment of a salary of \$5 per diem while actually employed and for the payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockmen, \$35,500; in all, \$550,000: *Provided*, That this appropriation shall be available for expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Grazing Service, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed, to the appropriation for "Salaries and expenses, Grazing Service", current at the time additional supplies, materials, or equipment are procured, from the appropriations chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That \$125,000 of this appropriation shall be available only for the payment to employees for accumulated or accrued annual leave due upon their separation from Government service.

48 Stat. 1269.
43 U. S. C. §§ 315-315c-1.

Advisory committees of local stockmen.

Warehouse maintenance, etc.

Reimbursement.

Payment for leave.

Fire fighting: For fighting fires on or threatening lands under Grazing Service administration, \$40,000, which amount shall also be available for meeting obligations of the preceding fiscal year.

Range improvements: For construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934, as amended (43 U. S. C. 8A), and not including contributions under section 9 of the Act of June 28, 1934, \$205,000: *Provided*, That

48 Stat. 1273.
43 U. S. C. §§ 315d, 315j, 315h.
Limitation.

expenditures hereunder shall not exceed 25 per centum of all moneys received from grazing districts under the provisions of said Act of June 28, 1934, as amended, during the fiscal years 1946 and 1947.

Leasing of grazing lands: For leasing State, county, or privately owned lands in accordance with the provisions of the Act of June 23, 1938 (52 Stat. 1033), \$7,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Act.

Aircraft.

Appropriations herein made for the Grazing Service for "Salaries and expenses", "Range improvements", and "Fire fighting", shall be available for the hire, maintenance, and operation of aircraft.

GENERAL LAND OFFICE

Salaries and expenses: For personal services in the District of Columbia, including one clerk who shall be authorized by the President to sign land patents and for all necessary expenses not otherwise provided for in the administration of the public-land laws under the supervision of the Commissioner of the General Land Office, including travel expenses, printing and binding, advertising, production of maps and official plats of survey, and for hearings or other proceedings, \$1,000,000.

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary, \$550,000, including purchase (not to exceed three), operation and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation, fund, or special deposit.

Expenditures for surveys.

Salaries and expenses, branch of field examination: For salaries and expenses of field examinations, classification of lands, and investigations required in the administration and execution of the public land laws, and the protection of the public lands and their resources from trespass, including purchase of eighteen and operation and maintenance of passenger-carrying automobiles, \$392,600.

Salaries and expenses of district land offices: For all necessary expenses incident to the operation and maintenance of district land offices and the disposal, supervision, and management of the public lands, including operation and maintenance of motor-propelled passenger-carrying vehicles, \$287,126: *Provided*, That no expenses chargeable to the Government shall be incurred by registers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office.

Payments to States.

Payments to States of 5 per centum of proceeds from sales of public lands: For payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, \$2,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.
Post, p. 895.

48 U. S. C. §§ 315m-1
to 315 m-4.

Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon: For carrying out the provisions of title I of the Act of August 28, 1937 (50 Stat. 874), including fire protection and patrol, through cooperative agreements with Federal, State, and county agencies, or otherwise, and including travel and other necessary expenses; and including purchase (not to exceed two), operation and maintenance of motor-propelled passenger-carrying vehicles, \$365,000: *Provided*, That such expenditures shall be reimbursed from the 25 per centum referred to in section c, title II, of the Act approved August 28, 1937, of the special fund designated the "Oregon and California Land Grant Fund" and section 4 of the Act approved May 24, 1939, of the special fund designated the "Coos Bay Wagon Road Grant Fund".

Reimbursement.

50 Stat. 876.

53 Stat. 764.

Range improvements on public lands outside of grazing districts (receipt limitation): For construction, purchase, and maintenance of range improvements on the public lands subject to grazing leases under the provisions of section 15 and pursuant to the provisions of section 10 of the Act of June 28, 1934, as amended (43 U. S. C. 8A), including operation and maintenance of motor-propelled passenger-carrying vehicles; \$50,000: *Provided*, That expenditures hereunder shall not exceed 25 per centum of all moneys received under the provisions of section 15 of said Act during the fiscal years 1946 and 1947.

48 Stat. 1275, 1273.
43 U. S. C. §§ 315m,
315i.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (30 U. S. C. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), \$3,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

42 Stat. 1448.
30 U. S. C. §§ 230-
236.

41 Stat. 450.

48 Stat. 1227.
31 U. S. C. § 725c.
Post, p. 895.

Protection and management of the timber resources of the public domain: For expenses necessary for the administration, management, and protection, including prevention and suppression of fires, of timber and other growth on the public domain in the United States, including Alaska, pursuant to the Acts of September 20, 1922 (16 U. S. C. 594), and March 29, 1944 (16 U. S. C. 583), the use of airplanes by charter or otherwise, and purchase (not to exceed one), maintenance and operation of passenger automobiles, and not to exceed \$15,000 for personal services in the District of Columbia, \$454,000.

42 Stat. 857.

58 Stat. 132.
16 U. S. C., Supp.
V, §§ 583-583i.

Surveys and investigations in Alaska: For expenses necessary for land classification and forest and range surveys and inventories in Alaska, \$75,000, to be immediately available.

BUREAU OF INDIAN AFFAIRS

Salaries and expenses, Bureau of Indian Affairs: For expenses necessary for the general administration of the Bureau of Indian Affairs, including departmental personal services in the District of Columbia and elsewhere; rental of office equipment and the purchase of necessary supplies therefor; purchase of office furniture and equipment in addition to that which may be purchased from the appropriation for contingent expenses of the Department; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals; \$1,064,337.

Salaries and expenses, district offices: For necessary expenses of district offices for the administration and supervision of Indian Service activities, including printing and binding, \$950,000.

Salaries and expenses, reservation administration: For necessary expenses of reservation administration, including the maintenance of law and order among Indians, and pay of employees authorized by continuing or permanent treaty provisions, \$3,137,300.

Alaska native service: For expenses necessary to provide for the support, rehabilitation, education, conservation of health, development of resources, and relief of destitution of the natives of Alaska; the repair, rental, and equipment of school, hospital, and other buildings; the purchase or erection of range cabins; the hire, repair, equipment, maintenance, and operation of vessels; and for the administration of the Alaska native service; \$3,429,008, to be immediately available, and to remain available until June 30, 1948.

Purchase and transportation of Indian supplies: For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, \$760,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Maintenance of buildings: For all expenses necessary to maintain buildings in the Indian Service, including the lease, purchase, construction (not to exceed \$1,500 for any one building), repair and improvement of buildings; the installation, repair, and improvement of heating, lighting, power, sewerage, and water systems, \$815,000.

Education of Indians: For the support and education of Indian pupils in boarding and day schools and for other educational purposes, including educational facilities authorized by treaty provisions; tuition, care, and other expenses of Indian pupils attending public and private schools; support and education of deaf, dumb, blind, mentally deficient, or physically handicapped; the tuition (which may be paid in advance) and other assistance of Indian pupils attending vocational or higher educational institutions under such regulations as the Secretary may prescribe; printing and binding (including illustrations); the support of an arts and crafts building at Anadarko, Oklahoma, and Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona; \$10,000,000, and in addition thereto the unexpended balance of \$25,000 for cooperation with the State of Oklahoma for the construction and equipment of an Indian arts and crafts building at Anadarko, Oklahoma, contained in the Interior Department Appropriation Act, 1946, is continued available for the same purpose during the fiscal year 1947: *Provided*, That formal contract shall not be required for payment (which may be made from the date of admission) of tuition and care of Indian pupils.

59 Stat. 331.

Contracts.

Conservation of health: For expenses necessary for the conservation of health among Indians, transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of travel expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and printing and binding; \$6,130,570.

Welfare of Indians: For welfare services, including general support, relief of needy Indians, boarding home care of Indian children,

institutional care of delinquent children, and payment of per diem, in lieu of subsistence, and other expenses of Indians participating in folk festivals, \$488,910: *Provided*, That formal contract shall not be required for payment (which may be made from the date of service) for the care of Indians.

Management, Indian forest and range resources: For the management and protection of forest, range, and wildlife resources on Indian reservations and allotments other than the Menominee Indian Reservation, Wisconsin, including the payment of reasonable rewards for information leading to the arrest and conviction of any person or persons setting forest or range fires, or taking or destroying timber, in violation of law on Indian lands; and the establishment of cooperative sustained yield forest units pursuant to the Act of March 29, 1944 (16 U. S. C. 583); \$704,728: *Provided*, That the United States shall be reimbursed for expenditures made from this appropriation for expenses incident to the sale of timber to the extent prescribed in regulations promulgated by the Secretary pursuant to the Act of March 1, 1933 (25 U. S. C. 413).

58 Stat. 132.
16 U. S. C., Supp.
V, §§ 583-583l.

47 Stat. 1417.

Suppressing forest and range fires: For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, \$12,000: *Provided*, That not to exceed \$50,000 of appropriations herein made for the Indian Service shall be available upon the approval of the Secretary for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Agriculture and stock raising: For the development of agriculture and stock raising among the Indians, including agricultural experiments and demonstrations and maintenance of a supply of suitable plants or seed for issue to Indians; the operation and maintenance of a sheep breeding station on the Navajo Reservation; the expenses of Indian fairs, including premiums for exhibits; the control and eradication of fever ticks among livestock of Indians under the jurisdiction of the Seminole Agency, Florida; and the development, repair, maintenance, and operation of domestic and stock water facilities, \$902,168.

Navajo Reservation, sheep breeding station.

Revolving fund for loans: To increase the revolving loan fund for making loans to individual Indians, Indian associations, and Indian chartered corporations in accordance with sections 10 and 11, of the Act of June 18, 1934 (25 U. S. C. 470 and 471) and the Acts of June 26, 1936 (25 U. S. C. 506), May 1, 1936 (25 U. S. C. 473a), and July 12, 1943 (57 Stat. 459), \$925,000, and the authorization of \$750,000 for loans from said revolving fund to individual Indians and Indian organizations otherwise ineligible to participate therein is hereby increased to \$962,500.

48 Stat. 986.

49 Stat. 1967, 1250.

Suppressing contagious diseases among livestock: The appropriation "Suppressing contagious diseases of livestock on Indian reservations" contained in the Third Supplemental National Defense Appropriation Act, 1942, is hereby continued available until June 30, 1947, for the same purposes, and for suppressing contagious diseases among livestock of Indians under the jurisdiction of the Pima Agency, Arizona.

Reappropriation.

55 Stat. 826.

Acquisition of lands for Indian tribes: For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (25 U. S. C. 465), \$350,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, Colorado, Montana, New Mexico, Utah, Washington, and Wyoming outside

48 Stat. 985.

Restrictions.

of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada and Oregon either inside or outside the boundaries of existing Indian reservations: *Provided further*, That the Secretary of the Interior, with the consent in writing of the tribal council representing the Indians of the Kiowa, Comanche, and Apache Reservation, is hereby authorized and directed to sell to the city of Lawton, Oklahoma, for public uses, upon such terms and conditions as he may prescribe, such portions of the school and agency lands as are no longer needed for administrative purposes, located in section 30, of township 2 north, range 11 west, of the Indian meridian, and which formed a part of the original Kiowa, Comanche, and Apache Reservation: *And provided further*, That out of the proceeds of any such sale, the sum of \$1.25 per acre shall be credited to the general fund of the United States Treasury and the balance shall be deposited in the United States Treasury to the credit of the tribal fund of the Indians of the said Kiowa, Comanche, and Apache Reservation.

Redemption of restricted Indian property subject to taxation: The unexpended balance of the appropriation of \$25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (25 U. S. C. 412a), is hereby continued available for the same purposes until expended.

Development of Indian arts and crafts: For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (25 U. S. C., ch. 7A), including expenses of exhibits, not to exceed \$2,500 for printing and binding, and other necessary expenses, \$30,000, of which not to exceed \$12,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding \$6,500 per annum.

Irrigation and drainage: For the maintenance, operation, repair, and improvement of irrigation and power systems for Indian reservations and allotments; payment of operation and maintenance assessments on Indian lands and within non-Indian irrigation districts; payment of reclamation charges; purchase of water and water rights; including the purchase or rental of equipment, tools and appliances; drainage and protection of irrigable lands from damage by floods or loss of water rights; and for all other necessary expenses, \$1,624,000, of which \$294,815 shall be reimbursable in accordance with existing law, and \$1,267,078 nonreimbursable but from which latter amount expenditures for any one project or system shall not exceed the aggregate receipts for such project or system covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934: *Provided*, That of the latter sum not to exceed \$20,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm.

The unexpended balance of the appropriation contained in the Interior Department Appropriation Act, 1946, for settlement of claims to water rights in the Gila River, Arizona, is hereby continued available for the same purposes until June 30, 1947.

Construction, and so forth, irrigation systems: For the construction, rehabilitation, and improvement of irrigation systems on Indian

Nevada and Oregon.

Sale of lands.

Disposition of proceeds of sale.

50 Stat. 573.

49 Stat. 1542.

49 Stat. 891.
25 U. S. C. §§ 305-305e.

Salary limitation.

48 Stat. 1227.
31 U. S. C. § 725c.
Post, p. 895.

Gila River, Ariz.
59 Stat. 330.

reservations; the purchase or rental of equipment, tools, and appliances; the acquisition of rights-of-way; the development of domestic and stock water and water for subsistence gardens; the purchase of water rights, ditches, and lands needed for irrigation purposes; drainage and protection of irrigable lands from damage by floods or loss of water rights; preparation of raw reservation lands for irrigation farming, expenditures for which shall be repayable on a per-acre basis by the lands benefited; as follows:

Arizona: Colorado River, \$350,000; Navajo, Arizona and New Mexico, \$47,500; Papago, \$19,000; Salt River, \$28,500;

California: Mission, \$9,500; Sacramento, \$14,250;

Colorado: Southern Ute, \$14,250.

Montana: Fort Belknap, \$5,938; Fort Peck, \$42,750;

Nevada: Carson, \$14,725; Pyramid Lake, \$23,750; Western Shoshone, \$26,125;

New Mexico: United Pueblos, \$14,250;

Oregon: Warm Springs, \$9,500;

Wyoming: Wind River, \$19,000;

Miscellaneous garden tracts, \$47,500;

For surveys and investigations, \$237,500;

In all, \$924,038, reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Commissioner of Indian Affairs, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 10 per centum.

Interchange of appropriations.

Construction, and so forth, buildings and utilities: For the construction, repair, or rehabilitation of Indian Service buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way; purchase of furniture, furnishings, and equipment; private architectural and engineering services, as follows:

Alaska: Schools, hospitals, and quarters, \$1,359,700;

Carson, Nevada: Improvements to utilities, \$15,000;

Cheyenne and Arapaho, Oklahoma: School dormitory, \$10,000; improvements to utilities, \$30,000;

Colville, Washington: Remodeling employees quarters, \$7,500;

Crow, Montana: Improvements to utilities, \$9,000;

Crow Creek, South Dakota: Quarters, \$7,000; improvements to utilities, \$7,000;

Fort Apache, Arizona: For the purpose of cooperating with McNary school district, Apache County, Arizona, for the construction and improvement of public-school buildings, for which the Indian Service may furnish plans, \$25,000: *Provided*, That the expenditure of any money so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the school district on the same terms as other children of said school district: *Provided further*, That the amount expended on this project shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, by the acceptance of Indian pupils in this school without cost to the United States; and, in computing the amount of recoupment of the project, interest at 3 per centum per annum shall be included on unrecouped balances: *Provided further*, That with the consent of the Tribal Council of the White Mountain Apache Tribe of the Fort Apache Indian Reservation, Arizona, the Secretary may set aside tribal land at McNary, Arizona, as a school reserve so long as such land is needed for school purposes.

Condition.

Recoupment.

School reserve.

Fort Belknap, Montana: Improvements to utilities, \$51,500;

Hoopa Valley, California: Improvements to utilities, \$30,000;

Kayenta, Arizona: Repair, improvement, and equipment of hospital building, \$30,000;

Kiowa, Oklahoma: Schools, dormitories, and utilities, \$118,000;

Klamath, Oregon: Improvements to utilities, \$20,000;

Menominee, Wisconsin: Improvements to utilities, \$46,000;

Mescalero, New Mexico: Improvements to utilities, \$16,000; quarters, \$8,500;

Navajo, Arizona and New Mexico: Quarters, \$100,000; improvements to utilities, \$2,500; Shiprock dormitories and utilities, \$318,600; Toadlena School expansion, \$500,000;

Sells, Arizona: Quarters, \$30,000;

Shawnee Sanatorium, Oklahoma: Improvements to utilities, \$18,000;

Truxton Canyon, Arizona: School, \$8,000;

Uintah and Ouray, Utah: Quarters, \$22,500; improvements to utilities, \$12,000;

Umatilla, Oregon: Improvements to utilities, \$5,000;

Wahpeton School, North Dakota: Improvements to utilities, \$17,000;

Wind River, Wyoming: Improvements to utilities, \$93,000;

Winnebago, Nebraska: Improvements to utilities, \$7,000;

For surveys and plans and administrative expenses, including personal services in the District of Columbia, printing and binding, and purchase of periodicals and books of reference, \$100,000;

In all, \$3,023,800, to remain available until completion of the projects: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

Transfer of authorization.

Roads, Indian reservations: For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a) and the Act of December 20, 1944 (Public Law 521), \$3,700,000, to remain available until expended, of which amount not to exceed \$9,000 may be expended for departmental personal services.

45 Stat. 750.

58 Stat. 838.

Highway, Gallup-Shiprock, Navajo Reservation: For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, \$20,000, reimbursable, as authorized by the Act of May 28, 1941 (55 Stat. 207).

Senecas, N. Y.

Fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), \$6,000.

Six Nations, N. Y.

7 Stat. 46.

Fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), \$4,500.

Choctaws, Okla.

7 Stat. 99.

11 Stat. 614.

7 Stat. 213.

Fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), \$3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$320; in all, \$10,520.

7 Stat. 212, 236.

7 Stat. 235.

Fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), \$30,000.

Pawnees, Okla.
11 Stat. 729; 27 Stat. 644.

Payment to Indians of Sioux Reservation: For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, \$150,000.

Payment of interest on Indian trust funds: For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, \$1,114,000.

For full and final settlement of all claims and demands of the Indians of the Fort Berthold Indian Reservation in North Dakota in accordance with the provisions of H. R. 1095, Seventy-ninth Congress, \$400,000: *Provided*, That not to exceed 5 per centum of the amount herein appropriated may be used for payment of fees and expenses of attorneys employed under contract approved in accordance with existing law.

Fort Berthold Indian Reservation, N. Dak.
Ante, p. 333.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Administration of Indian tribal affairs (tribal funds): For expenses of administering the affairs and property of Indian tribes, including pay and travel expenses, \$278,170, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed \$50,000 for any one tribe.

Travel expenses.

Administration of tribal affairs, Blackfeet Indians, Montana (tribal funds): For general support of Indians and administration of Indian property of the Blackfeet Indians, Montana, including the purchase of land, title to which shall be taken in the name of the United States in trust for the Blackfeet Indians, \$100,000, payable from funds held by the United States in trust for the Blackfeet Tribe of Indians.

Blackfeet Indians, Mont.

Administration of tribal affairs, Seneca Nation of New York (tribal funds): For salary of a clerk and expenses incident to administering the leasing work of the Seneca Nation of New York, payable from funds deposited into the United States Treasury pursuant to the Act of February 28, 1901 (31 Stat. 819), \$2,500.

Seneca Nation, N. Y.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, \$118,000, of which not to exceed \$4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary, and for relief, including cash grants.

Klamath Agency, Oreg.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Menominee Agency, Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, \$129,500, including \$30,000 for relief of Indians in need of assistance, including cash grants; scholarships (not to exceed \$1,000); and \$5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed \$10,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs.

Menominee Agency, Wis.

Osage Agency,
Okla.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency and of necessary employees, and pay of tribal officers, including the employment of a tribal attorney at the rate of \$4,500 per annum to be appointed with the approval of the Osage Tribal Council under a contract to be entered into between said tribal attorney and the Osage Tribal Council, which contract shall be approved by the Secretary of the Interior; not to exceed \$1,500 for the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, travel expenses, printing, telegraphing and telephoning, and repair and operation of automobiles, \$200,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated \$7,500 is hereby made available for travel and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed \$6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Travel, etc., expenses.

Flathead Indian Res-
ervation, Mont.

Development of Hot Springs enterprise, Confederated Salish and Kootenai Tribes, Montana (tribal funds): For all expenses necessary for the development of a health resort on the Flathead Indian Reservation at Hot Springs, Montana, including the construction of buildings, and the payment of private architectural and engineering fees, \$350,000, to remain available until expended, payable from funds held by the United States in trust for the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

Five Civilized
Tribes, Okla.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of \$3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at \$1,200 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed \$2,500 each, except that \$1,000 additional may be expended for the purchase of one passenger automobile for the use of the chief of the Choctaw Nation.

Expense limitation.

Purchase of auto-
mobile.

Monument at grave of late Governor Douglas Johnston, Chickasaw Nation (tribal funds): For the purchase and erection of a monument at the grave of the late Governor Douglas Johnston, \$750, payable from funds on deposit to the credit of the Chickasaw Tribe of Oklahoma.

Expenses of tribal councils or committees thereof (tribal funds): For travel and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed \$6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, except

that the Shoshone and Arapahoe Tribes of Wyoming may not exceed \$8 per diem and when in the District of Columbia or Chicago, Illinois, \$10 per diem as heretofore provided, \$25,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia or Chicago, Illinois, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

Restriction.

Relief of needy Indians (tribal funds): For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, \$75,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

41 U. S. C. § 5.
Post, p. 809.
18 U. S. C. §§ 744a-744h.

Compensation and expenses of attorneys (tribal funds): For compensation and expenses of attorneys employed by various tribes of Indians under contracts to be approved by the Secretary of the Interior, \$22,980, payable from funds on deposit in the United States Treasury to the credit of the particular Indian tribe concerned.

Indians of California.

That there is hereby appropriated out of funds in the Treasury of the United States to the credit of the Indians of California, the sum of \$10,000, to remain available until expended, to be used to pay attorneys for the said Indians for services or expenses incurred under and in accordance with any contract of employment which may be approved by the Secretary of the Interior.

Purchase and lease of lands (tribal funds): For the purchase of land and improvements on land; lease of lands and water rights; and necessary expenses incident thereto, \$304,000, payable from funds held in trust for the particular tribe concerned, to remain available until expended: *Provided*, That title to any lands or improvements so purchased shall be taken in the name of the United States in trust for the tribe for which purchased: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada and Oregon either inside or outside the boundaries of existing Indian reservations.

Restriction.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, \$326,375, payable from tribal funds as follows: Northern Idaho, Idaho, \$50,000; Kiowa Agency (Apache, Kiowa, and Comanche Indians) for loans to veterans at not to exceed \$2,500 each upon approval of the tribal council, \$50,000; Flandreau, South Dakota, \$1,375; Yakima, Washington, \$100,000; Colorado River, Arizona, \$12,000; Hoopa Valley, California, \$3,000; Colville, Washington, \$50,000; Menominee, Wisconsin, \$60,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1946 are hereby continued available during the fiscal year 1947 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other

Funds continued available.

59 Stat. 326.

Educational loans.

Availability of funds.
Tribal enterprises.
Regulations.
48 Stat. 986.
Advances.

institutions, and advances so made shall be reimbursed in not to exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1947 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Pima cropping operations (tribal funds): For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed \$200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Suppressing forest and range fires (tribal funds): For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, \$25,000, payable from funds held by the United States in trust for the respective tribes interested.

Support of Indian schools (tribal funds): For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf, dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than \$410,000: *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of such tuition and care of Indian pupils.

44 Stat. 560.
Contracts.

Alaska.
Transfer of Sitka
naval base, etc.

The Secretary of the Navy and the Secretary of War are hereby authorized to transfer to the Secretary of the Interior for the use of the Bureau of Indian Affairs, without compensation therefor, the entire Sitka naval base on Japonski Island and the entire Army installations on the adjacent Charcoal and Alice Islands, located in Alaska, including the land, buildings, and utilities, with the drawings, pertaining thereto, and all materials and equipment on both installations, and in addition, the said Secretaries and the War Assets Administrator are authorized to transfer to the Department of the Interior for the use of the Bureau of Indian Affairs, without compensation therefor, any other surplus materials, supplies, and equipment needed to equip and operate these facilities for school and hospital purposes.

Vehicles, Indian Service: Not to exceed \$450,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school

pupils, and applicable appropriations may be used for the purchase of not to exceed two hundred motor-propelled passenger-carrying vehicles, and such vehicles may be used for the transportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: To meet possible emergencies not exceeding \$35,000 of the appropriations made by this Act for education of Indians, maintenance of buildings, reservation administration, the Alaska native service, and conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Appropriations herein made for reservation administration, education of Indians, and conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

The Bureau of Indian Affairs is hereby authorized to acquire by transfer without exchange of funds (for three years beginning July 1, 1946), from the War Department, the Navy Department, the Department of Agriculture, or the War Assets Administration, equipment, materials, and supplies of all kinds, with an appraised value of not to exceed \$6,300,000 from the surplus stores of these agencies, for use in the schools, hospitals, and agencies, or by any operating division of the Bureau of Indian Affairs in the United States and Alaska: *Provided*, That the authorization in this paragraph for transfer of surplus property to the Bureau of Indian Affairs shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946.

Appropriations herein made for the Indian Service shall be available for travel expenses; the purchase of ice, and the purchase of rubber boots for official use of employees.

The following appropriations herein made for the Indian Service shall be available for hire, maintenance, and operation of aircraft: "Management, Indian forests and range resources"; "Suppressing forest and range fires on Indian reservations"; "Alaska native service"; and "Salaries and expenses, reservation administration".

BUREAU OF RECLAMATION

Administrative provisions: Sums appropriated in this Act for the Bureau of Reclamation shall be available for all expenditures authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures are authorized, including personal services in the District of Columbia; disseminating useful information, photographing and making photographic prints, and completing and distributing material, including recordings; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; lithographing, engraving, printing, and binding; purchase (not to exceed five hundred and eighty-four in fiscal year 1947), maintenance, and operation of passenger vehicles; acquisition (not to exceed five in fiscal year 1947 from any disposal agency of the Government without reimbursement or transfer of funds),

Supplies, etc.

Transfer of surplus property.

Veterans' priority.

Ante, p. 168.

Travel expenses, etc.

Aircraft.

32 Stat. 388.
43 U. S. C. §§ 391,
411.
Post, p. 867.

Vehicles.

hire, maintenance, and operation of aircraft with funds provided for "General investigations" and the "Missouri River Basin", and all sums appropriated in this Act to such Bureau shall be available for such hire, maintenance, and operation to meet unforeseen emergencies due to fire, flood, or storm; contract stenographic reporting service; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary; payment of rewards, when specifically authorized by the Secretary, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and are in arrears for more than twelve months in the payment of any charges due from said lands to the United States.

The following sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (43 U. S. C. 391, 411), and therein designated "the reclamation fund", to be available immediately:

GENERAL OFFICES

Salaries and expenses (other than project offices): For expenses necessary during the fiscal year 1947, including personal services in the District of Columbia, in the administration and performance by other than project offices of Bureau of Reclamation functions, \$4,000,000, to be available for the purposes, among others, specified under the head "Operation and maintenance administration", Bureau of Reclamation, in the Department of the Interior Appropriation Act, 1945, and reimbursable as to expenditures for operation and maintenance administration to the same extent as is provided under said head: *Provided*, That in addition to the foregoing amount there shall be available for expenditure under this appropriation any sums transferred thereto for work performed or to be performed for the benefit of specific projects or undertakings for which other funds or appropriations are available: *Provided further*, That not exceeding \$150,000 of funds available for expenditure under this appropriation shall be used for salaries and expenses in connection with informational work;

GENERAL INVESTIGATIONS

General investigations: For engineering and economic investigations of proposed Federal reclamation projects and surveys, investigations, and other activities relating to reconstruction, rehabilitation, extensions, or financial adjustments of existing projects, and studies of water conservation and development plans, such investigations, surveys, and studies to be carried on by said Bureau either independently, or in cooperation with State agencies and other Federal agencies, including the Corps of Engineers, and the Federal Power Commission, \$5,000,000, to remain available until expended and which may be used to execute detailed surveys, and to prepare construction plans and

specifications: *Provided*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigations: *Provided further*, That no part of this appropriation shall be available for the preparation of any comprehensive plan or project report the estimates for which are not based upon current prices and costs;

CONSTRUCTION

Construction: For continuation of construction of the following projects in not to exceed the following amounts, all to be reimbursable under the reclamation law, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress:

Projects.

Post, p. 619.

Projects: San Luis project, Colorado, \$650,410;

Boise project, Idaho, Payette division, \$2,782,659; Anderson Ranch Dam, \$1,234,475;

Minidoka project, Idaho, \$1,000,000, of which \$100,000 shall be available for surveys and preconstruction work in connection with the North Side pumping division;

Palisades project, Idaho, \$650,410;

Sun River project, Montana, \$41,625;

Rio Grande project, New Mexico-Texas, \$360,675;

Tucumcari project, New Mexico, \$1,738,000;

Lugert-Altus project, Oklahoma, \$2,664,610;

Deschutes project, Oregon, \$1,716,837;

Owyhee project, Oregon, \$125,000;

Klamath project, Oregon-California, \$1,281,605;

Provo River project, Utah, \$1,345,040;

Post, p. 619.

Ogden River project, Utah, \$62,000;

Yakima project, Washington, Roza division, \$2,597,100;

Kendrick project, Wyoming, \$1,895,000;

Riverton project, Wyoming, \$3,520,550;

Shoshone project, Wyoming, Heart Mountain division, \$1,917,672;

Shoshone project, Wyoming, Willwood division, \$196,895;

OPERATION AND MAINTENANCE

Parker Dam power project, Arizona-California: Not to exceed \$550,000 from power and other revenues shall be available for operation and maintenance;

Yuma project, Arizona-California: For operation and maintenance, \$97,650: *Provided*, That not to exceed \$30,000 from the power revenues shall be available for the operation and maintenance of the commercial system;

Central Valley project, California: Not to exceed \$500,000 from power revenues shall be available for the operation and maintenance of the power system;

Colorado-Big Thompson project, Colorado: Not to exceed \$151,400 from power revenues shall be available for the operation and maintenance of the power system;

Boise project, Idaho: For operation and maintenance, \$142,000;

Minidoka project, Idaho: For operation and maintenance, reserved works, \$40,000: *Provided*, That not to exceed \$190,000 from the power revenues shall be available for the operation of the commercial system;

North Platte project, Nebraska-Wyoming: Not to exceed \$105,700 from the power revenues shall be available for the operation and maintenance of the commercial system; and not to exceed \$6,000 from

43 Stat. 703.

power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (43 U. S. C. 501), shall be available for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water;

Rio Grande project, New Mexico-Texas: Not to exceed \$200,000 from power revenues shall be available for the operation and maintenance of the power system;

Owyhee project, Oregon: For operation and maintenance, \$225,000;

Klamath project, Oregon-California: For operation and maintenance, \$160,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Columbia Basin project, Washington: Not to exceed \$1,090,000 from power revenues shall be available for operation, maintenance, and replacements, including operation and maintenance of camp and other facilities turned over by construction contractors, and similar facilities and the furnishing of services related thereto, and the payment to the school district or school districts serving Mason City and Coulee Dam, Washington, as reimbursement for instruction during the 1946-1947 school year in the schools operated by said district or districts of each pupil who is a dependent of any employee of the United States living in or in the vicinity of Coulee Dam, in the sum of \$25 per semester per pupil in average daily attendance at said schools, payable after the term of instruction in any semester has been completed, under regulations prescribed by the Secretary;

Yakima project, Washington: For operation and maintenance, \$275,000: *Provided*, That not to exceed \$25,000 from power revenues shall be available for operation and maintenance of the power system;

Kendrick project, Wyoming: Not to exceed \$175,000 from the power revenues shall be available for the operation and maintenance of the power system;

Riverton project, Wyoming: For operation and maintenance, \$80,000: *Provided*, That not to exceed \$49,000 from the power revenues shall be available for the operation and maintenance of the commercial system;

Shoshone project, Wyoming: For operation and maintenance, Willwood division, \$27,255: *Provided*, That not to exceed \$65,345 from the power revenues shall be available for the operation and maintenance of the commercial system;

GENERAL PROVISIONS

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1947, on any reclamation project appropriated for herein under the reclamation fund, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1947 exceed the whole amount in the reclamation fund for the fiscal year;

Utilization of power revenues: No power revenues on any project shall be distributed as profits, before or after retirement of the project debt, and nothing contained in any previous appropriation Act shall be deemed to have authorized such distribution: *Provided*, That the application of such revenues to the cost of operation, maintenance, and debt service of the irrigation system of the project, or to other

purposes in aid of such irrigation system, shall not be construed to be such a distribution;

Interchange of appropriations: Ten per centum of the foregoing amounts for operation and maintenance projects shall be available interchangeably for expenditures on the reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions, an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary;

Total, from reclamation fund, \$35,827,468.

GENERAL FUND, CONSTRUCTION

For continuation of construction of the following projects in not to exceed the following amounts to be immediately available, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress, and to be reimbursable under the reclamation law:

Gila project, Arizona, \$2,000,000, from which expenditures may be made for land leveling, construction of farm ditches on units of public lands, production of soil-building crops, and the preparation of raw public lands for irrigation farming, any such expenditures to be charged into the construction costs to be repayable by the lands benefited, and any sums received from the sale of crops or otherwise as a result of these operations to be credited to such construction costs;

Davis Dam project, Arizona-Nevada, \$7,500,000;

Central Valley project, California: Joint facilities, including storage system, Shasta Dam and Reservoir, \$1,385,365; irrigation facilities, \$6,284,020; power facilities, Shasta power plant, \$1,435,097, Keswick Dam, \$510,570, Keswick power plant, \$510,570, switchyards at Shasta and Keswick Dams, \$1,500,000, transmission lines, Shasta to Oroville, two hundred and thirty kilovolt, \$10,000, Oroville to Sacramento, two hundred and thirty kilovolt, \$1,000,000, Contra Costa Canal extension, sixty-nine kilovolt, \$50,000; in all, \$12,685,622;

Kings River project, California, \$100,000;

Colorado-Big Thompson project, Colorado, \$7,504,075;

Hungry Horse project, Montana, \$867,210;

Colorado River project, Texas, \$68,400;

Columbia Basin project, Washington: For continuation of construction and for other purposes authorized by the Columbia Basin Project Act of March 10, 1943 (57 Stat. 14), \$18,000,000;

Total, general fund, construction, \$48,725,307.

16 U. S. C., Supp.
V, §§ 835-835i.

WATER CONSERVATION AND UTILIZATION PROJECTS

For the construction of water conservation and utilization projects and small reservoirs, as authorized by the Act of August 11, 1939, as amended (16 U. S. C., 590y, 590z-1, 590z-2), \$3,340,000, to be immediately available and to remain available until expended.

53 Stat. 1418.
16 U. S. C., Supp.
V, § 590y et seq.

FORT PECK PROJECT

Fort Peck project, Montana: For construction of transmission lines, substations, and other facilities as may be required by the Bureau of Reclamation, as authorized by the Act of May 18, 1938 (16 U. S. C. 833), \$932,893, to be immediately available and to remain available until expended.

52 Stat. 403.

MISSOURI RIVER BASIN

58 Stat. 891.

Missouri River Basin (reimbursable): For the partial accomplishment of the works to be undertaken by the Secretary of the Interior, pursuant to section 9 of the Act of December 22, 1944 (Public Law 534), \$17,500,000, to remain available until expended for carrying out the initial stages (including the construction of transmission lines) and for continuing investigations on the general plan of development: *Provided*, That this appropriation shall be expended, either independently or through or in cooperation with existing Federal and State agencies.

COLORADO RIVER DAM FUND

Boulder Canyon project: For operation, maintenance, and replacements of the dam, power plant, and other facilities, of the Boulder Canyon project, and payment to the Boulder City School District as reimbursement for instruction during the 1946-1947 school year in the schools operated by said district of each pupil who is a dependent of any employee of the United States, living in or in the immediate vicinity of Boulder City, in the sum of \$45 per semester per pupil in average daily attendance at said schools, payable after the term of instruction in any semester has been completed, under regulations to be prescribed by the Secretary, \$1,251,530, payable from the Colorado River dam fund.

ADVANCES TO COLORADO RIVER DAM FUND

Boulder Canyon project: For the continuation of construction of the Boulder Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A), \$433,605, to be immediately available and to remain available until advanced to the Colorado River dam fund.

45 Stat. 1057.
43 U. S. C. §§ 617-
617t.
Ante, p. 36.

Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures including distribution and drainage systems) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A); for land leveling, construction of farm ditches on units of public lands, production of soil-building crops, and other necessary expenses in the preparation of raw public lands for irrigation farming, any such expenditures to be charged into the construction costs to be repayable by the lands benefited, and any sums received from the sale of crops or otherwise as a result of these operations to be credited to such construction costs, to be immediately available, and to remain available until advanced to the Colorado River dam fund, \$5,000,000.

Supra.

COLORADO RIVER DEVELOPMENT FUND

Colorado River development fund (expenditure account): For investigations of projects for the utilization of waters of the Colorado

River system in the four States of the upper division, as authorized by section 2 of the Boulder Canyon Project Adjustment Act, approved July 19, 1940 (54 Stat. 774), \$500,000 from the Colorado River development fund (holding account), to remain available until expended: *Provided*, That no part of this appropriation shall be available for the preparation of any comprehensive plan or project report the estimates for which are not based upon current prices and costs.

43 U. S. C. § 618a.

COLORADO RIVER FRONT WORK AND LEVEE SYSTEM

To defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California, and to defray the cost of other necessary protection works along the Colorado River between said Yuma project and Boulder Dam, as authorized by the Act of July 1, 1940 (54 Stat. 708), to be immediately available, \$100,000.

Ante, p. 338; *post*, p. 619.

For purposes of effecting settlement of war veterans on public land reclamation projects and to provide facilities for veteran employment in construction and operation of reclamation projects, the Bureau of Reclamation is hereby authorized to acquire by transfer without exchange of funds from the War Assets Administration or other Federal agency in responsible charge and such agencies are directed to transfer the lands, improvements, buildings, furnishings, and equipment acquired by the War Relocation Authority and declared surplus on the War Relocation Centers on the Heart Mountain Division of the Shoshone project, Wyoming, the Minidoka (Hunt) project, Idaho, and the Tulelake Division of the Klamath project, California; and on the former prisoner of war camp at Indianola, Nebraska: *Provided*, That said lands, improvements, buildings, furnishings, and equipment shall be made available under regulations of the Secretary of the Interior to veteran settlers and nonprofit organizations and otherwise in accordance with the provisions of Senate Report Numbered 1412, Seventy-ninth Congress, second session: *Provided further*, That the War Assets Administration is authorized and directed to transfer to the Bureau of Reclamation funds required for maintenance and protection of the transferred property pending its final disposition.

Acquisition of certain War Relocation Centers, etc.

GEOLOGICAL SURVEY

For all salaries and expenses necessary for the work of the Geological Survey, including personal services in the District of Columbia; purchase (not to exceed one hundred and sixteen), hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger vehicles and the hire, maintenance, and operation of aircraft and exchange of unserviceable passenger and freight vehicles as part payment for new freight vehicles; purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; and purchase (not to exceed \$20,000) of office furniture and equipment for use in the District of Columbia in addition to that which may be purchased from the appropriation for contingent expenses of the Department; as follows:

General expenses.

Salaries and expenses: For personal services in the District of Columbia, and other expenses, \$268,070;

Topographic surveys: For topographic surveys in the United States, Alaska, the Virgin Islands, and Puerto Rico, \$3,000,000, of which not to exceed \$475,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident

Cooperation with States, etc.

Amount available.

thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: *Provided further*, That \$400,000 of this amount shall be available only for such cooperation with States or municipalities;

Geologic surveys: For geologic surveys in the United States and chemical and physical researches relative thereto, \$2,000,000, of which not to exceed \$500,000 may be expended for personal services in the District of Columbia;

Mineral resources of Alaska: For investigation of the mineral resources of Alaska, \$200,000, to be available immediately, of which not to exceed \$65,000 may be expended for personal services in the District of Columbia;

Cooperation with States.

Gaging streams: For gaging streams and determining the water supply of the United States, its Territories and possessions, investigating underground currents and artesian wells and methods of utilizing the water resources, \$2,498,672, of which not to exceed \$10,000 may be expended for acquiring lands at gaging stations, and not to exceed \$235,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: *Provided further*, That \$1,620,000 of this amount shall be available only for such cooperation with States or municipalities: *Provided further*, That no part of the funds appropriated in this paragraph shall be used for the drilling of water wells for the purpose of supplying water for domestic use;

Limitation.

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary; and for performance of work for the Federal Power Commission, \$275,000, of which not to exceed \$69,000 may be expended for personal services in the District of Columbia;

Printing and binding, and so forth: For printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, \$110,000; for preparation of illustrations, \$32,030; and for engraving and printing geologic and topographic maps, \$300,000; in all, \$442,030;

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, travel, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, \$625,000, of which not to exceed \$75,000 may be expended for personal services in the District of Columbia;

Cooperative advance: To enable the Geological Survey to meet obligations incurred by it arising from cooperative work pending reimbursement from cooperating agencies; \$400,000, which amount shall

38 Stat. 742; 40 Stat. 297; 41 Stat. 437, 1363.
Post, p. 960.

be returned to the Treasury not later than six months after the close of the fiscal year 1947 out of reimbursements received from cooperating agencies;

During the fiscal year 1947 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations within the scope of the functions of the Geological Survey may, with the approval of the Secretary, transfer to the Geological Survey such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended: *Provided*, That not to exceed 5 per centum of any of the appropriations for the Geological Survey may be transferred to any other of such appropriations, but no appropriation shall be increased more than 5 per centum thereby. Any such transfer shall be reported to Congress in the annual Budget;

Cooperative work
on scientific, etc., in-
vestigations.
Transfer of funds.

Interchange of
amounts.

Report to Congress.

In all, salaries and expenses, Geological Survey, \$9,708,772.

BUREAU OF MINES

Salaries and expenses: For salaries and expenses necessary for the general administration of the Bureau of Mines, including \$90,000 for personal services in the District of Columbia, and \$85,000 for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, \$184,800.

Operating mine-rescue cars and stations and investigation of mine accidents: For salaries and expenses necessary for the investigation and improvement of mine-rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other investigations pertinent to the mining industry; including the construction of temporary buildings; equipment and supplies; travel expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; purchase not exceeding four, operation, maintenance and repair of motor-propelled passenger-carrying vehicles; purchase of special wearing apparel and equipment for the protection of employees while engaged in their work; and not to exceed \$80,000 for personal services in the District of Columbia, \$1,019,000, of which not to exceed \$500 may be expended for the purchase and bestowal of trophies in connection with mine-rescue and first-aid contests: *Provided*, That the transfer without compensation of four passenger automobiles to this activity from "Enforcement of Federal Explosives Act" is hereby authorized.

Vehicles.

Personal services.

Transfer of auto-
mobiles.

Coal-mine inspections and investigations: For all salaries and expenses necessary to enable the Bureau of Mines to perform the duties imposed upon it by the Act of May 7, 1941 (55 Stat. 177); including travel expenses; not to exceed \$100,000 for personal services in the District of Columbia; purchase in the District of Columbia and elsewhere of furniture and equipment, stationery and supplies; purchase (not to exceed five), operation, maintenance, and repair of motor-propelled trucks and passenger-carrying vehicles for official use and in transporting employees between their homes and temporary locations where they may be employed and purchase of special wearing apparel or equipment for the protection of employees while

30 U. S. C., Supp.
V, §§ 4f-4o.

engaged in their work; travel, and other incidental expenses of employees in attendance at meetings and conferences held for promoting safety and health in the coal-mining industry; \$1,483,000: *Provided*, That the transfer without compensation of fifty passenger automobiles to this activity from "Enforcement of Federal Explosives Act" is hereby authorized.

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and, upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia; and special wearing apparel and equipment for protection of employees while employed; and purchase (not exceeding four), maintenance and operation of passenger automobiles; \$500,000, of which not to exceed \$112,000 may be expended for personal services in the District of Columbia.

Anthracite investigations: For all expenses necessary to conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of anthracite coals; including purchase of special wearing apparel and equipment for the protection of employees while engaged in their work; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; operation, maintenance, and repair of passenger automobiles; and not to exceed \$7,000 for personal services in the District of Columbia, \$99,000.

Anthracite Research Laboratory: For the construction and equipment, in accordance with the Act of December 18, 1942 (56 Stat. 1056), of an anthracite research laboratory, including not to exceed \$25,000 for employment by contract, or otherwise at such rates of compensation as the Secretary may determine of engineers, architects, or firms or corporations thereof necessary to design and construct said laboratory; and the purchase, maintenance and operation of one passenger automobile; \$450,000.

Synthetic liquid fuels: For all expenses, without regard to section 3709, Revised Statutes, necessary to carry into effect the Act authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal, oil shales, agricultural and forestry products, and so forth, approved April 5, 1944 (30 U. S. C. 321-325), including construction and acquirement of camp and laboratory buildings and equipment, personal services in the District of Columbia (not exceeding \$115,000); not to exceed \$50,000 for temporary employment of engineers, architects, or firms or corporations thereof, by contract or otherwise, without regard to civil-service and classification laws; purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; purchase (not exceeding three), maintenance, and operation of passenger automobiles; printing and binding; and purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior", \$5,250,000, to remain available until expended: *Provided*, That these funds may be utilized to provide transportation between the proposed plants and related facilities and communities that provide adequate living accommodations of persons engaged in the operation and maintenance of these plants; and for transportation to and from

Recommendations
to Government agen-
cies.

41 U. S. C. § 5.
Post, p. 809.

58 Stat. 100.
30 U. S. C., Supp.
V, §§ 321-325.

Transportation.

schools of pupils who are dependents of such persons: *Provided further*, That pursuant to agreements approved by the Secretary, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of these plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared.

Pooling of equipment.

Mineral mining investigations: For scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, and economy in the mining, quarrying, metallurgical, and other mineral industries; including all equipment, supplies, expenses of travel, purchase (not to exceed three), operation, maintenance, and repair of motor-propelled passenger-carrying vehicles, and not to exceed \$34,000 for personal services in the District of Columbia, \$559,350: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party.

Restriction.

Investigation and development of domestic mineral deposits, except fuels: For all expenses necessary to enable the Bureau of Mines to investigate, develop, and experimentally mine, on public lands and with the consent of the owner on private lands, deposits of minerals in the United States and its possessions, including surface and sub-surface explorations, laboratory tests, the construction, maintenance, and repair of necessary camp buildings, mining structures and appurtenances, the lease of lands or buildings; purchase (not to exceed five), operation, maintenance, and repair of passenger automobiles; and not to exceed \$45,000 for personal services in the District of Columbia; \$1,700,000: *Provided*, That said Director, for the purposes of this appropriation, is authorized to accept lands, buildings, equipment, and other contributions from public or private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

Acceptance of lands, etc.

Coal investigations: For all expenses necessary to enable the Bureau of Mines to investigate known coal deposits in the United States and its possessions; purchase (not to exceed two), operation, maintenance, and repair of passenger automobiles; purchase of books of reference and periodicals; purchase of special wearing apparel and equipment for the protection of employees while engaged in their work, and other items otherwise properly chargeable to the appropriation, "Contingent expenses, Department of the Interior"; and not to exceed \$21,000 for personal services in the District of Columbia; \$350,000: *Provided*, That the Director of the Bureau of Mines is authorized to carry on such investigations in cooperation with other agencies, Federal, State, or private: *Provided further*, That the said Director is hereby authorized and directed to make suitable arrangements with owners of private property upon which exploration or development work is performed for payment by such owners of a reasonable percentage, as determined by the Secretary of the Interior, of the total value of the minerals thereafter produced from such property.

Investigations.

Payment by owner of private property.

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, and for every other expense incident thereto, including purchase, not to exceed three, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; purchase, in the District of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation

“Contingent expenses, Department of the Interior”; books of reference, periodicals and newspapers; and special wearing apparel and equipment for protection of employees while employed; \$826,750, of which not to exceed \$52,500 may be expended for personal services in the District of Columbia.

Mining experiment stations: For personal services, purchase of laboratory gloves, goggles, rubber boots, and aprons, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act of March 3, 1915 (30 U. S. C. 8), \$1,430,615, of which not to exceed \$47,500 may be expended for personal services in the District of Columbia.

38 Stat. 959.

Metallurgical research and pilot plants: For all expenses necessary to enable the Bureau of Mines to conduct laboratory, pilot plant, and demonstration plant tests to establish methods for more effectively utilizing the mineral resources in the United States and its possessions, including the lease of lands or buildings; research on and development of processes for production and utilization of metals and nonmetallic minerals; construction of buildings to house laboratories, pilot plants, and demonstration plants; operation, maintenance and repair of passenger automobiles; purchase of books, periodicals, and newspapers; and other items otherwise properly chargeable to the appropriation “Contingent expenses, Department of the Interior”; and not to exceed \$30,000 for personal services in the District of Columbia; \$1,000,000: *Provided*, That the Director of the Bureau of Mines, for the purposes of this appropriation, is authorized to accept lands, buildings, equipment, and other contributions from public or private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

Buildings and grounds, Pittsburgh, Pennsylvania: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, operation, maintenance, and repair of passenger automobiles, and all other expenses requisite for and incident thereto, including not to exceed \$36,270 for additions and improvements, \$198,000.

Economics of mineral industries: For investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; purchase of furniture and equipment; stationery and supplies; newspapers; travel expenses; operation, maintenance, and repair of motor-propelled passenger-carrying vehicles; and for all other necessary expenses not included in the foregoing, \$850,000, of which not to exceed \$727,500 may be expended for personal services in the District of Columbia.

Construction and equipment of helium plants: The unobligated balance of the funds appropriated under this head in the Interior Department Appropriation Act, 1943, as supplemented in the Second Supplemental National Defense Appropriation Act, 1943, is hereby continued available until June 30, 1947.

56 Stat. 544, 1002.

Helium utilization and research: For all expenses necessary to conduct inquiries and scientific and technologic investigations concerning resources, production, repurification, storage, and utilization of helium, independently or in cooperation with other agencies, public

or private; including purchase of one and operation, maintenance, and repair of passenger automobiles; purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; \$100,000, including not to exceed \$8,500 for personal services in the District of Columbia.

Helium production and investigations: The sums made available for the fiscal year 1947 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1, 1946, for operation and maintenance of the plants for the production of helium for military and naval purposes, including laboratory gloves, goggles, rubber boots, and aprons; maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, books of reference and periodicals; the purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior" (not exceeding \$5,000); and all other necessary expenses, and including \$40,000 for personal services in the District of Columbia in addition to which sums the Bureau of Mines may use for helium-plant operations in the fiscal year 1947 the unobligated balance of funds transferred to it for such operations, in prior years: *Provided*, That section 3709, Revised Statutes, shall not be construed to apply to this appropriation, or to the appropriation for development and operation of helium properties (special fund) in section 3 (c) of the Act of September 1, 1937 (50 U. S. C. 164): *Provided further*, That funds available for the production of helium and the development of helium properties may be utilized to provide transportation between helium plants and related facilities and communities that provide adequate living accommodations of persons engaged in the operation and maintenance of helium plants; and for transportation to and from schools of pupils who are dependents of such persons: *Provided further*, That pursuant to agreements approved by the Secretary, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of helium plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared.

During the fiscal year 1947 the head of any department or independent establishment of the Government having funds available for scientific investigations within the scope of the functions of the Bureau of Mines may, with the approval of the Secretary, transfer to the Bureau such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended.

The Federal Security Administrator may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines.

The Bureau of Mines is hereby authorized, during the fiscal year 1947, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated from funds appropriated to the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

Transfer of funds.

41 U. S. C. § 5.
Post, p. 809.

50 Stat. 886.
Transportation.

Pooling of equip-
ment.

Scientific investiga-
tions.

Detail of medical
officers.

Sale of mineral prod-
ucts.

Aircraft.

The following appropriations herein made to the Bureau of Mines shall be available for the hire, maintenance, and operation of aircraft: "Operating rescue cars and stations and investigation of accidents"; "Investigation and development of domestic mineral deposits, except fuels"; and "Metallurgical research and pilot plants".

NATIONAL PARK SERVICE

Salaries and expenses: For expenses, including personal services in the District of Columbia, necessary for the general administration of the National Park Service, including \$62,500 for printing and binding, \$711,248.

Regional offices: For salaries and expenses of regional offices necessary in the administration, protection, maintenance, and improvement of the national park system, \$659,407.

National parks: For administration, protection, maintenance, and improvement of national parks, including necessary protection of the area of federally owned land in the custody of the National Park Service known as the Ocean Strip and Queets Corridor, adjacent to Olympic National Park, Washington, \$3,290,000.

National monument, historical, and military areas: For administration, protection, maintenance, improvement, and preservation of national monuments, historical parks, memorials, historic sites, military parks, battlefields, and cemeteries, including not exceeding \$308 for right-of-way easements across privately owned railroad lands necessary for supplying water to the Statue of Liberty National Monument, and the maintenance of structures on the former Cape Hatteras Light Station Reservation within the Cape Hatteras National Seashore Recreational Area project, \$1,375,000.

Boulder Dam Recreational Area, Arizona and Nevada: For administration, protection, improvement, and maintenance of the recreational activities of the Boulder Dam Recreational Area, \$71,500.

Lake Texoma Recreational Area, Texas and Oklahoma: For administration, protection, improvement, and maintenance in cooperation with the Chief of Engineers of the War Department of areas devoted to recreational use within the Denison Dam and Reservoir projects, \$50,000.

Emergency reconstruction and fighting forest fires: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in areas under the jurisdiction of the National Park Service that are damaged or destroyed by flood, fire, storm, or other unavoidable causes, and for fighting or emergency prevention of forest fires in areas administered by the National Park Service, or fires that endanger such areas, including lands in process of condemnation for national park or monument purposes, \$30,000, together with not to exceed \$100,000 to be transferred upon the approval of the Secretary from the various appropriations for national parks and national monuments herein contained, any such diversions of appropriations to be reported to Congress in the annual Budget: *Provided*, That the allotment of these funds to the various areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary only after the obligation for the expenditure has been incurred.

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 5 per centum of the foregoing amounts shall be available interchangeably and any such diversion of funds shall be reported to Congress in the annual Budget.

Investigation and purchase of water rights: The unexpended balance of funds available for this purpose for the fiscal year 1946 is continued available for the same purpose during the fiscal year 1947.

Transfer of funds

Report to Congress.

Accounting.

Interchange of amounts.

Recreational demonstration areas: For administration, protection, operation, and maintenance of recreational demonstration areas, \$68,300.

Salaries and expenses, National Capital parks: For administration, protection, maintenance, and improvement of the Arlington Memorial Bridge, George Washington Memorial Parkway, monuments and memorials in the District of Columbia and area adjacent thereto, Lee Mansion, Battleground National Cemetery, Chopawamsic Recreational Area, Chesapeake and Ohio Canal, Federal parks in the District of Columbia, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat. 482), including the pay and allowances in accordance with the provisions of the Act of May 27, 1924 (43 Stat. 174), as amended, of the United States park police force, purchase of revolvers and ammunition, purchase, cleaning, and repair of uniforms for police, guards, and elevator conductors, and equipment, per diem employees at rates of pay approved by the Secretary not exceeding current rates for similar services in the District of Columbia, stenographic reporting service, travel expenses and carfare, newspapers (not to exceed \$100), and leather and rubber articles for the protection of public property and employees, \$675,000.

National Capital parks.

D. C. Code §§ 8-102
note, 8-106 note.
D. C. Code § 4-201
et seq.

Acquisition of the Montezuma Well property, Arizona: For the acquisition of the Montezuma Well property, Arizona, in accordance with the Act approved October 19, 1943 (57 Stat. 572), \$25,000.

Montezuma Well property, Ariz.

Roads and trails, National Park Service: For the construction, reconstruction, improvement, and maintenance of roads and trails, inclusive of approach roads and necessary bridges, as authorized by section 10a of the Act of December 20, 1944 (Public Law 521), including necessary access roads for development and use of the recreational resources of Lake Texoma recreational area, Texas and Oklahoma, and the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary; and the continued maintenance of other road sections outside of the national parks and monuments whose maintenance was specifically authorized in the Interior Department Appropriation Act, 1946, to be immediately available and to remain available until expended, and including personal services in the District of Columbia, \$6,000,000, of which \$750,000 shall be for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropriation Act, 1941 (54 Stat. 450), and \$2,400,000 shall be for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropriation Act, 1942 (55 Stat. 351): *Provided*, That hereafter no part of appropriations made for the National Park Service shall be available for road construction in Kings Canyon National Park, California, except on the floor of the canyon of the South Fork of the Kings River and the Grant Grove section of that park.

58 Stat. 842.

59 Stat. 352.

Restriction.

Parkways, National Park Service: For continuing the construction and maintenance of the Blue Ridge, Natchez Trace, George Washington Memorial, and Foothills Parkways, as authorized by section 10b of said Act of December 20, 1944, including personal services in the District of Columbia, and the construction, repair, or rehabilitation of buildings and utilities therein without regard to the Act of August 24, 1912, as amended (16 U. S. C. 451), to remain available until expended, \$11,000,000, of which \$5,000,000 shall be for the payment of obligations incurred under the contract authorizations under the head "Blue Ridge, Natchez Trace, and George Washington Memorial Parkways" in the Interior Department Appropriation Act, 1941 (54 Stat. 450), and the Interior Department Appropriation Act, 1942

58 Stat. 843.

37 Stat. 460.

(55 Stat. 351), and of which \$4,400,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State and said allotments shall be used for no other purpose: *Provided*, That the Secretary of the Interior shall make a detailed statement of expenditures from this appropriation to the Senate and House Committees on Appropriations at the beginning of the next regular session of Congress.

Report to Congress.

Physical improvements: For the construction, repair, or rehabilitation of buildings and utilities not otherwise provided for, located in areas administered by the National Park Service, without regard to the Act of August 24, 1912, as amended (16 U. S. C. 451), including not to exceed \$362,000 for the acquisition of rights-of-way and construction of a water supply line partly outside of the boundaries of Mesa Verde National Park, \$1,330,000, to remain available until expended.

37 Stat. 460.

Educational lectures, etc.

Appropriations herein made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein and vicinity; for the services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary may designate; for travel expenses of employees attending Government camps for training in forest-fire prevention and suppression and the Federal Bureau of Investigation National Police Academy, and attending Federal, State, or municipal schools for training in building fire prevention and suppression; and for necessary local transportation and subsistence in kind of persons selected for employment or as cooperators, serving without other compensation while attending fire-protection training camps.

Telephones in Government-owned residences, etc.

Appropriations herein made for the National Park Service shall be available for the installation and operation of telephones in Government-owned residences, apartments, or quarters, occupied by employees of the National Park Service.

Automobiles.

Appropriations available to the National Park Service shall be available for the purchase, not to exceed thirty-seven, maintenance and operation of passenger-carrying automobiles.

Aircraft.

Appropriations herein made under the National Park Service for "National parks" and "National monument, historical, and military areas" shall be available for the hire, maintenance, and operation of aircraft.

Transfer of surplus property.

The National Park Service is hereby authorized to acquire by transfer without exchange of funds, for three years beginning July 1, 1946, from the War Department, the Navy Department, or the War Assets Administration, equipment, materials, and supplies of all kinds, with an appraised value of not to exceed \$2,500,000 from the surplus stores of these agencies, for use in the areas administered by the National Park Service or by any office of that Service in the United States, Alaska, and Hawaii: *Provided*, That the authorization in this paragraph for transfer of surplus property to the National Park Service shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946.

Veterans' priority.

Ante, p. 168.

FISH AND WILDLIFE SERVICE

SALARIES AND EXPENSES

For salaries and expenses, including traveling expenses, necessary in conducting investigations and carrying out the work of the Service,

including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

General administrative expenses: For general administrative purposes, including personal services in the District of Columbia, \$265,000, of which sum \$35,000 shall be available for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals and the publication of bulletins which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of the bulletins to be delivered to or sent out under addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they may direct.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, including the erection of necessary buildings and other structures; propagation and distribution of food fishes and fresh-water mussels; development, recommendation, and application of means, including the construction of devices, to assure natural propagation and maximum survival of hatchery and other fishes; purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, \$1,413,350.

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, \$32,375.

Investigations respecting food fishes: For investigations and studies into the cause of the decrease of food fishes, and other aquatic and plant resources, in connection therewith, and of means of securing a maximum sustained yield from such resources; and maintenance, repair, improvement, equipment, and operation of fishery-experiment and biological stations, \$724,440.

Commercial fisheries: For collection and compilation of fishery statistics and related information; conducting investigations and studies of methods and means of capture, preservation, utilization, and distribution of fish and aquatic plants and products thereof, including investigation, study and research with respect to the utilization of packed sardines and the development of methods and procedures which should be employed in improving the quality and appearance of packed sardines; maintenance, repair, alteration, improvement, equipment, and operation of laboratories and vessels; and enforcing the applicable provisions of the Act authorizing associations of producers of aquatic products (15 U. S. C. 521); including contract stenographic reporting services, \$360,000.

Packed sardines.

48 Stat. 1213.

Fishery market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, information on the fishery industry, market supply and demand, commercial movement, location, disposition, and market prices of fishery products, \$125,000.

Alaska fisheries: For protecting the seal, sea otter, and other fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; construction, improvement, repair, and alteration of buildings and roads, and subsistence of employees while on said islands; and contract stenographic reporting service, \$819,307, of which \$100,000 shall be available immediately.

58 Stat. 102.
16 U. S. C., Supp.
V, § 631i.

Alaska fur-seal investigations: For investigations of Alaska fur seals pursuant to the Act of February 26, 1944 (16 U. S. C. 631i), \$62,500.

46 Stat. 845.
49 Stat. 1246.

Enforcement of Black Bass and Whaling Treaty Acts: For enforcement of the Act of July 2, 1930, and the Act of May 1, 1936 (16 U. S. C. 851–855, 901–915), \$20,000.

Fur-resources investigations: For investigations, experiments, and demonstrations in connection with the production and utilization of animals the pelts of which are used commercially for fur, including the repair of experiment stations, \$150,000.

45 Stat. 701.

Biological investigations: For biological investigations, including the relations, habits, geographic distribution, and migration of animals and plants, and the preparation of maps of the life zones, and including \$40,000 for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (16 U. S. C. 581d); for investigations, experiments, and demonstrations, independently or in cooperation with other agencies or individuals, in developing and applying methods for the control of damage to agricultural and horticultural crops by birds, and for investigations of the wildlife resources of the Territory of Alaska, \$300,000.

46 Stat. 1468.
7 U. S. C., Supp. V,
§ 426 note.

Pocatello, Idaho,
depot and laboratory.

49 Stat. 1913.

Control of predatory animals and injurious rodents: For investigations and demonstrations in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game, and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals as authorized by law (7 U. S. C. 426), including not to exceed \$3,000 for the purchase of printed bags, tags, and labels; and for repairs, additions, and installations in and about the grounds and buildings of the game-management supply depot and laboratory at Pocatello, Idaho, including purchase, transportation, and handling of supplies and materials for distribution from said depot to other projects, in accordance with the provisions of the Act approved June 24, 1936 (16 U. S. C. 667), \$1,000,000.

40 Stat. 755.
16 U. S. C., Supp.
V, § 704 note.

54 Stat. 250.

Protection of migratory birds: For the enforcement of the Migratory Bird Treaty Act of July 3, 1918, as amended, to carry into effect the treaty with Great Britain and the convention between the United States and the United Mexican States (16 U. S. C. 703–711); for cooperation with local authorities in the protection of migratory birds, including necessary investigations; for the enforcement of the Act for the protection of the bald eagle (16 U. S. C. 668–668d); for the enforcement of sections 241–244 of the Act approved March 4, 1909, as amended (18 U. S. C. 391–394), and for the enforcement of section 1 of the Act approved May 25, 1900 (16 U. S. C. 701), including necessary investigations, \$335,900, of which not to exceed \$10,000 may be expended in the discretion of the Secretary for the purpose of securing information concerning violations of the laws for the enforcement of which this appropriation is made available.

35 Stat. 1137.
18 U. S. C., Supp. V,
§ 391 *et seq.*
31 Stat. 187.

Securing information
of law violations.

Enforcement of Alaska game law: For the enforcement of the Act of January 13, 1925, as amended (48 U. S. C. 192–211), \$162,630, of which not to exceed \$10,000 may be expended in the discretion of the Secretary for the purpose of securing information in connection with and for the prosecution of violators of the law for the enforcement of which this appropriation is made available.

43 Stat. 739.
48 U. S. C., Supp.
V, §§ 192–211.

Ante, p. 194.

Maintenance of mammal and bird reservations: For the administration, protection, and maintenance of mammal and bird reservations and the maintenance and protection of game introduced into suitable localities on public lands, under supervision of the Fish and Wildlife Service, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines,

rockwork, bulkheads, repair of damage to public roads within reservation areas occasioned by authorized operations of the Fish and Wildlife Service, and other improvements necessary for economical administration; for the purchase, capture, and transportation of game for national reservations; and for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, \$853,000, and in addition thereto the unexpended balance for special improvements on the Wichita Mountain Wildlife Refuge for the fiscal year 1944 is continued available for the fiscal year 1947.

River basin studies: For investigations and studies to determine the effects on fish and wildlife resources of proposed developments of river basins of the United States (except the Missouri and Columbia River Basins and the Central Valley Project, California) by the U. S. Corps of Engineers and the Bureau of Reclamation, and for the preparation of reports thereon and of recommendations and plans for carrying out the purposes of the Act of March 10, 1934 (16 U. S. C. 661-666), in connection therewith, \$100,000: *Provided*, That reports of such investigations with recommendations shall be furnished to the Chief of Engineers, War Department, and/or the Bureau of Reclamation and shall be included in the reports these agencies are required to submit to the Congress.

48 Stat. 401.
Post, p. 1080.

In all, salaries and expenses, \$6,723,502.

MIGRATORY BIRD CONSERVATION FUND

For carrying into effect the provisions of section 4 of the Act of March 16, 1934, as amended (16 U. S. C. 718-718h), an amount equal to the sum received during the fiscal year 1947 from the proceeds from the sale of stamps, to be warranted monthly; and in addition thereto an amount equal to the unobligated balance on June 30, 1946, of the total of the proceeds received from the sale of stamps prior to July 1, 1946.

48 Stat. 451.
16 U. S. C. § 718d.

FEDERAL AID IN WILDLIFE RESTORATION

For carrying out the provisions of the Act of September 2, 1937, as amended (16 U. S. C. 669-669j), \$2,500,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury under the provisions of said Act.

50 Stat. 917.
16 U. S. C., Supp.
V, § 669c et seq.
Post, pp. 656, 867.

Total, Fish and Wildlife Service, \$9,223,502, and in addition thereto, funds made available under the Migratory Bird Conservation Fund, of which amounts not to exceed \$962,790 may be expended for departmental personal services, including such services in the District of Columbia. Funds available for the work of the Fish and Wildlife Service shall be available for the purchase of one hundred motor-propelled passenger-carrying vehicles and for the maintenance, repair, and operation of such vehicles; hire, maintenance, and operation of aircraft; the installation and operation of telephones in Government-owned residences, apartments, or quarters occupied by employees of the Fish and Wildlife Service; providing by purchase, construction, or otherwise, facilities incident to such public recreational uses of wildlife refuges as are not inconsistent with the primary purposes of such refuges; newspapers (not to exceed \$100), rubber boots, oilskins, first-aid outfits; plans and specifications for vessels, or for contract personal services for the preparation thereof without regard to section 3709, Revised Statutes (41 U. S. C. 5); and rations for officers and crews of vessels; and for the expenditure from appropriations available for the purchase of lands of not to exceed \$1 for each option to purchase any tract of land. Reimbursements for the cost of supplies and materials and the transportation and handling thereof issued from central warehouses authorized to be established

Post, p. 809.

Reimbursement.

49 Stat. 1913. by the Act of June 24, 1936 (16 U. S. C. 667), may be credited to the appropriation current at the time supplies and materials are allotted, assigned, or issued, or at the time such reimbursements are received. Interchange of amounts. Not to exceed 5 per centum of the foregoing amounts for expenses of the Fish and Wildlife Service shall be available interchangeably for expenditure on the objects included within the general expenses of said Service, but no more than 5 per centum shall be added to any one item or appropriation. Airplanes, etc. The Fish and Wildlife Service may acquire, for the operation and maintenance of its airplanes, engines, parts, accessory and flying equipment, not to exceed ten surplus airplanes, and not to exceed five vessels by replacement from any disposal agency of the Government without reimbursement or transfer of funds.

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

For expenses of the offices of the Governor and the Secretary, including salaries of the Governor and Secretary; clerk hire; travel expenses; printing and binding; maintenance, repair, and preservation of Governor's house and grounds; purchase of equipment; maintenance, operation, and repair of one motor-propelled passenger-carrying vehicle for the use of the Governor; stationery, lights, water, and fuel, \$54,675, to be expended under the direction of the Governor.

Legislative expenses: For salaries of members of the legislature, \$36,000; mileage of members, \$12,000; in all, \$48,000, to be expended under the direction of the Governor of Alaska.

Public schools.

For the establishment and maintenance of public schools, Territory of Alaska, \$50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.
Post, p. 895.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation and travel expenses of medical supervisor, transportation, burial, and other expenses, \$291,700: *Provided*, That authority is granted to the Secretary to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, for the care and maintenance of Alaskan insane patients during the fiscal year 1947: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary shall, as soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

Payments to Sanitarium Company, Portland, Oreg.

Return of inmates not residents of Alaska.

Construction of roads, bridges, etc.

For the construction, repair, and maintenance of roads, tramways, bridges, and trails, Territory of Alaska, \$140,000, to be available until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.
Post, p. 895.

For the construction, repair, and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of the Act approved June 30, 1932 (48 U. S. C. 321a-321c), including printing and binding, \$2,600,000, to be immediately available, of which \$79,100 shall be available for surveys and plans for new construction and \$1,360,000 for new construction; and the Secretary of War is authorized to transfer to the Secretary for the

47 Stat. 446.
48 U. S. C. §§ 321a-327.

purposes hereof and without charge therefor the buildings and equipment now in use by the Alaska Road Commission for the maintenance of the Alaska Highway.

Richardson Highway: For continuation of construction of Richardson Highway, Alaska, \$750,000, to be immediately available.

The Alaska Railroad: All amounts received by the Alaska Railroad during the fiscal year 1947 shall be available, and continue available until expended, for all expenses necessary for the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of oceangoing or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; construction (not to exceed \$200,000), maintenance and operation of lodges, camps, and transportation facilities for the accommodation of visitors to Mount McKinley National Park, including the purchase (not to exceed two busses and one station wagon), maintenance, repair, and operation of motor-propelled passenger-carrying vehicles as authorized by the Act of March 29, 1940 (16 U. S. C. 353a); stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding \$100 in value; payment of amounts due connecting lines; payment of compensation and expenses as authorized by section 42 of the Act of September 7, 1916 (5 U. S. C. 793), to be reimbursed as therein provided: *Provided*, That not to exceed \$6,200 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1947, and no one other than the general manager of said railroad, and one assistant general manager at not to exceed \$9,000 per annum, shall be paid an annual salary out of this fund of more than \$7,500: *Provided further*, That not to exceed \$12,500 of such fund shall be available for printing and binding: *Provided further*, That there are hereby transferred to the Alaska Railroad from the War Department, or any other agency of the United States Government having title thereto, twenty of any Diesel locomotives purchased and delivered to the United States Government for use on any American or foreign railroad in connection with the war, such locomotives to be selected regardless of present location by a representative of the Alaska Railroad and transferred without exchange of funds except for the cost of transportation from the point of shipment to the Territory of Alaska: *Provided further*, That in the operation of the facilities of the Alaska Railroad, the War Department or any other agency of the United States Government having title thereto is authorized to transfer regardless of present location and without charge to the Alaska Railroad, materials, roadway and bridge maintenance, and other necessary equipment, locomotives and spare parts, shop facilities and machinery, supplies, rolling stock, buildings, and docks, surplus to its needs and which may be certified by the Department of the Interior as necessary for the improvement, maintenance, or operation of the Alaska Railroad: *Provided further*, That the authorization in this paragraph for transfer of surplus property to the Alaska Railroad shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946.

Mount McKinley
National Park.

54 Stat. 80.
Damage claims.

39 Stat. 750.
5 U. S. C., Supp. V,
§ 793.
Personal services.

Printing and bind-
ing.

Transfer of Diesel
locomotives.

Transfer of surplus
property.

Aircraft.

The following appropriations herein made shall be available for the hire, maintenance, and operation of aircraft: "Salaries and expenses, Governor and Secretary, Territory of Alaska"; "Construction and maintenance of roads, bridges, and trails, Alaska"; "Reconstruction and improvement of Richardson Highway, Alaska"; and "Alaska Railroad appropriated fund".

TERRITORY OF HAWAII

For expenses of the offices of the Governor and the Secretary, including salaries of the Governor, the Secretary \$6,440, and the private secretary to the Governor \$4,383; for printing and binding; travel expenses of the Governor; and \$935 for temporary clerk hire; \$23,800, to be expended by the Governor.

Legislative expenses, Territory of Hawaii: For compensation and mileage of members of the Legislature of the Territory of Hawaii as provided by the Act of June 27, 1930, \$47,200.

46 Stat. 824.
48 U. S. C. § 599.

Post, p. 594.

GOVERNMENT OF THE VIRGIN ISLANDS

39 Stat. 1132; 49
Stat. 1813.

For salaries of the Governor and employees incident to the execution of the Acts of March 3, 1917 (48 U. S. C. 1391), and June 22, 1936 (48 U. S. C. 1405v), travel expenses, printing and binding; repair, preservation and care of Federal buildings and furniture, purchase of water, and other necessary miscellaneous expenses, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed \$4,000 for personal services, household equipment and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix, \$200,215, to be expended by and under the direction of the Governor.

Agricultural station.

For salaries and expenses of the agricultural station in the Virgin Islands, including technical personnel, clerks, and other persons; scientific investigations of plants and plant industries, and diseases of animals; demonstrations in practical farming; official traveling expenses; fixtures, apparatus, and supplies; clearing and fencing of land; and other necessary expenses; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, \$39,800, to be expended by and under the direction of the Governor.

Municipal government of Saint Croix: For defraying the deficit in the treasury of the municipal government of Saint Croix, Virgin Islands, because of the excess of current expenses over current revenues for the fiscal year 1947, \$71,200, to be paid in monthly installments.

For salaries and expenses of three municipal experts, to be appointed by the chairman of the Senate Committee on Appropriations and the chairman of the House Committee on Appropriations, to make a study of, and report to said committees on, the fiscal affairs of the municipality of Saint Croix, Virgin Islands, \$6,000.

SOUTHWESTERN POWER ADMINISTRATION

Operation and maintenance: For operation and maintenance of the southwestern power transmission system, marketing of electric power and energy, and administrative expenses connected therewith; including hire, maintenance, repair and operation of passenger automobiles, and printing and binding; \$100,000.

Construction: For construction and acquisition (not to exceed \$1,352,415 for purchase of the Ark-La line from Markham Ferry, Oklahoma, to Nimrod, Arkansas) of transmission lines, substations, and appurtenant facilities, and administrative expenses connected

therewith; purchase (not to exceed ten in the fiscal year 1947), hire, maintenance, repair, and operation of passenger automobiles; and printing and binding; \$7,500,000.

SEC. 2. Appropriations herein made for field work shall be available for the hire, with or without personal services, of boats, work animals and animal-drawn and motor-propelled vehicles and equipment.

Field work.
Ante, p. 306.

SEC. 3. Appropriations herein made shall be available for the purchase, maintenance, operation, and repair of vehicles generally known as quarter-ton or half-ton pick-up trucks and as station wagons without such vehicles being considered as passenger-carrying vehicles.

Purchase, etc., of vehicles.

SEC. 4. Notwithstanding any provision of law to the contrary, aliens may be employed during the fiscal year 1947 in the field service of the Department for periods of not more than thirty days in cases of emergency caused by fire, flood, storm, act of God, or sabotage.

Emergency employment of aliens.

SEC. 5. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, \$400; Grazing Service, \$300; Oil and Gas Division, \$100; General Land Office, \$300; Bureau of Indian Affairs, \$2,000; Bureau of Reclamation, \$5,000; Geological Survey, \$3,000; Bureau of Mines, \$4,000; National Park Service, \$2,000; Fish and Wildlife Service, \$3,500; and soil and moisture conservation operations (all bureaus), \$1,000.

Attendance at meetings.

SEC. 6. Appropriations available for expenses of travel of officers and employees of the Department shall be available for traveling expenses of new appointees from Seattle, Washington, or from any point within Alaska, to their posts of duty in Alaska, and return.

Travel.

SEC. 7. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That in cases of emergency, caused by fire, flood, storm, act of God, or sabotage, persons may be employed for periods of not more than thirty days and be paid salaries and wages without the necessity of inquiring into their membership in any organization.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Emergency employment.

Purchase of law-books; etc.

SEC. 8. Appropriations herein made shall be available for the purchase and exchange of lawbooks, books of reference, and periodicals, and for expenses incurred in completing broken sets, for use at the seat of government, and payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members: *Provided*, That expenditures for the foregoing purposes for the following bureaus and offices shall not exceed the following amounts: Office of the Secretary, \$7,000; Oil and Gas Division, \$350; Division of Geography, \$600; Grazing Service (including headquarters at Salt Lake City), \$625; General Land Office, \$1,000; Bureau of Indian Affairs (including headquarters at Chicago), \$500; Bureau of Reclamation, \$2,500; Geological Survey, \$6,000; Bureau of Mines, \$2,500; National Park Service (including headquarters at Chicago), \$2,500; and Soil and Moisture Conservation Operations (all bureaus), \$1,000.

Limitations.

Jackson Hole National Monument.

SEC. 9. No part of any appropriation contained in this Act shall be used directly or indirectly by way of wages, salaries, per diem or otherwise, for the performance of any new administrative function or the enforcement or issuance of any rule or regulation occasioned by the establishment of the Jackson Hole National Monument as described in Executive Proclamation Numbered 2578, dated March 15, 1943.

57 Stat. 731.

Delegation of power, etc.

SEC. 10. During the fiscal year 1947, the Secretary may delegate to the Under Secretary and the Assistant Secretaries the power to authorize changes in official stations of officers and employees and the payment of expenses of travel and transportation of household goods in connection with such change of official stations.

Retained employees.

SEC. 11. No funds appropriated by this Act shall be available for the payment of the compensation of any employee retained after a reduction in force, unless such employee is retained as a result of application of retention preference regulations prescribed by the Civil Service Commission.

Short title.

SEC. 12. This Act may be cited as the "Interior Department Appropriation Act, 1947".

Approved July 1, 1946.

[CHAPTER 530]

AN ACT

Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending June 30, 1947, namely:

July 1, 1946
[H. R. 6429]
[Public Law 479]

Legislative Branch Appropriation Act, 1947.

Ante, pp. 262, 263; *post*, pp. 600-603, 911, 912.

Post, p. 911.

SENATE

SALARIES AND MILEAGE OF SENATORS

Post, p. 850.

For compensation of Senators, \$960,000.

For mileage of the President of the Senate and of Senators, \$51,000.

Expense allowance.
Post, p. 850.

There shall be paid to each Senator after January 1, 1946, an expense allowance of \$2,500 per annum to assist in defraying expenses related to or resulting from the discharge of his official duties, to be paid in equal monthly installments. For making such payments through June 30, 1947, \$360,000, of which so much as is required to make such

payments for the period from January 1, 1946, to June 30, 1946, both inclusive, shall be immediately available.

For compensation of officers, clerks, messengers, and others:

OFFICE OF THE VICE PRESIDENT

Post, p. 834.

For compensation of the Vice President of the United States, \$15,000.
Salaries: For clerical assistance to the Vice President, at rates of compensation to be fixed by him, \$15,420.

CHAPLAIN

Chaplain of the Senate, \$1,680.

OFFICE OF THE SECRETARY

Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, \$8,000; Chief Clerk, who shall perform the duties of reading clerk, \$5,500 and \$2,000 additional so long as the position is held by the present incumbent; financial clerk, \$5,000 and \$2,000 additional so long as the position is held by the present incumbent; assistant financial clerk, \$4,500; Parliamentarian, \$6,500 and \$1,500 additional so long as the position is held by the present incumbent; Journal clerk, \$6,000 and \$1,000 additional so long as the position is held by the present incumbent; principal clerk, \$4,000 and \$500 additional so long as the position is held by the present incumbent; legislative clerk, \$5,500 and \$1,500 additional so long as the position is held by the present incumbent; enrolling clerk, \$4,000 and \$500 additional so long as the position is held by the present incumbent; printing clerk, \$3,540 and \$960 additional so long as the position is held by the present incumbent; chief bookkeeper, \$3,600 and \$600 additional so long as the position is held by the present incumbent; librarian, \$3,600; executive clerk, \$3,180 and \$920 additional so long as the position is held by the present incumbent; first assistant librarian, \$3,120; keeper of stationery, \$3,320; clerks—one at \$3,900, one at \$3,600 and \$500 additional so long as the position is held by the present incumbent, one at \$4,000, two at \$3,180 each, one at \$2,880 and \$540 additional so long as the position is held by the present incumbent, one at \$2,880, one at \$2,760, two at \$2,640 each, clerk in disbursing office, \$2,400, one at \$2,400 and \$300 additional so long as the position is held by the present incumbent, five at \$2,400 each, three at \$1,860 each, three at \$1,740 each; additional clerical assistance and readjustment of salaries in the disbursing office, \$4,020; two assistants in library at \$1,800 each; special officer, \$2,460; special officer, \$2,280; assistants at the press door—one at \$2,200, one at \$1,900; messenger, \$1,320; laborers—one at \$2,040, one at \$1,680, five at \$1,500 each, two at \$1,440 each, one in Secretary's office, \$1,740, one \$1,620, one \$1,320; in all, \$178,000.

Post, p. 600.

Post, p. 601.

Post, p. 601.

DOCUMENT ROOM

Salaries: Superintendent, \$3,960 and \$1,040 additional so long as the position is held by the present incumbent; first assistant, \$2,640; second assistant, \$2,040; four assistants, at \$2,040 each; skilled laborer, \$1,440; in all, \$19,280.

Post, p. 601.

COMMITTEE EMPLOYEES

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk,

\$2,580; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Appropriations—clerk, \$7,000, and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk, \$5,000 and \$1,500 additional so long as the position is held by the present incumbent; assistant clerk, \$4,800; assistant clerk, \$3,600 for the office of the ranking minority member of the Committee on Appropriations, to be appointed by him; three assistant clerks at \$3,000 each; two assistant clerks at \$2,220 each; messenger, \$1,800. To Audit and Control the Contingent Expenses of the Senate—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Banking and Currency—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerical assistance at rates of compensation to be fixed by the chairman of said committee, \$6,000. Civil Service—clerk, \$3,900; assistant clerk, \$3,180; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Claims—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Commerce—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Conference Majority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220; additional clerical assistance at rates of compensation to be fixed by the chairman of said committee, \$15,000. Conference Minority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220; additional clerical assistance at rates of compensation to be fixed by the chairman of said committee, \$15,000. District of Columbia—clerk, \$3,900; two assistant clerks at \$2,880 each; assistant clerk, \$2,220; two additional clerks at \$1,800 each; additional clerical assistance at rates of compensation to be fixed by the chairman of said committee, \$6,000. Education and Labor—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Enrolled Bills—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; assistant clerk, \$1,800; additional clerk, \$1,800. Expenditures in the Executive Departments—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Finance—clerk, \$4,200 and \$500 additional so long as the position is held by the present incumbent; special assistant to the committee, \$3,600; assistant clerk, \$2,880; assistant clerk, \$2,700; assistant clerk, \$2,400; two assistant clerks at \$2,220 each; two experts (one for the majority and one for the minority) at \$3,600 each; messenger, \$1,800. Foreign Relations—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$3,000; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800; messenger, \$1,800. Immigration—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,400; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Indian Affairs—clerk, \$3,900; assistant clerk, \$3,600 and \$1,400 additional so long as the position is held by the present incumbent; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Interoceanic Canals—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; assistant clerk, \$2,040; additional clerk, \$1,800. Interstate Commerce—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Irrigation and Reclamation—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Judiciary—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220; assistant clerk, \$1,800. Library—clerk, \$3,900; two assistant clerks at \$2,400 each; assistant clerk,

\$2,220; additional clerk, \$1,800. Manufactures—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; assistant clerk, \$2,040; additional clerk, \$1,800. Military Affairs—clerk, \$3,900; special assistant, \$3,300; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; two assistant clerks at \$1,800 each; two additional clerks at \$1,800 each. Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Patents—clerk, \$3,900; two assistant clerks at \$2,400 each; assistant clerk, \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900; assistant clerk, \$2,580; four assistant clerks at \$2,220 each. Post Offices and Post Roads—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,520; three assistant clerks at \$2,220 each; additional clerk, \$1,800. Printing—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Privileges and Elections—clerk, \$3,900; assistant clerk, \$2,400; two assistant clerks at \$2,220 each; additional clerk, \$1,800. Public Buildings and Grounds—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; assistant clerk, \$2,000; assistant clerk, \$1,800; additional clerk, \$1,800. Public Lands and Surveys—clerk, \$3,900; assistant clerk, \$1,800 and \$1,500 additional so long as the position is held by the present incumbent; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Rules—clerk, \$3,900 and \$200 toward the preparation biennially of the Senate Manual under the direction of the Committee on Rules; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Special Committee on Conservation of Wildlife Resources—clerk, \$3,900; assistant clerk, \$1,800. Territories and Insular Affairs—clerk, \$3,900; assistant clerk, \$2,580; two assistant clerks at \$2,220 each; two assistant clerks at \$2,000 each; additional clerk, \$1,800; in all, \$607,600.

CLERICAL ASSISTANCE TO SENATORS

Post, p. 601.

Clerical assistance to Senators who are not chairmen of the committees specially provided for herein, as follows: Seventy clerks at \$3,900 each; seventy assistant clerks at \$2,400 each; seventy assistant clerks at \$2,220 each; and seventy additional clerks at \$1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman; messenger, \$1,800; in all, \$724,200.

Ninety-six additional clerks at \$1,800 per annum each, one for each Senator, \$172,800.

Ninety-six additional clerks at \$1,800 per annum each, one for each Senator, \$172,800.

Thirty additional clerks at \$1,500 per annum each, one for each Senator from each State which has a population of three million or more inhabitants, \$45,000.

For three additional clerks at \$1,500 per annum each for each Senator from any State which has a population of ten million or more inhabitants, \$18,000; for two additional clerks at \$1,500 per annum each for each Senator from any State which has a population of five million or more inhabitants but less than ten million, \$30,000, in all, \$48,000: *Provided*, That such additional clerks shall be in addition to any other clerical assistance to which Senators are entitled.

For an additional amount for clerical assistance to Senators (including chairmen of standing committees) at the rate of \$5,040 per annum for each Senator, \$483,840.

For an additional amount for clerical assistance to Senators (including chairmen of standing committees) at the rate of \$2,400 per annum for each Senator, \$230,400.

Rearrangement of salary schedules, etc.

Aggregate.

Salary limitation.

Certification to disbursing office.

Senators and chairmen of standing committees may change the number of employees in their respective offices or committees, and may rearrange the schedule of basic salaries of such employees in multiples of \$5 per month: *Provided*, That such changes and rearrangements shall not increase the aggregate of the salaries provided for such offices or committees by law or Senate resolution: *Provided further*, That no salary shall be fixed under this paragraph at a rate in excess of \$5,040 per annum, and no action shall be taken to reduce any salary which is specifically fixed by law at a rate higher than \$5,040 per annum: *Provided further*, That Senators and committee chairmen, before the day on which they are to become effective, shall certify in writing such changes or rearrangements to the disbursing office of the Senate which thereafter shall pay such employees in accordance with such certifications.

Pay of clerical assistants as affected by death of Senator.
44 Stat. 1148.
2 U. S. C., Supp. V, § 92e.

Performance of duties.

Exception.

Notwithstanding the provisions of the third paragraph under the heading "Clerical assistance to Senators" of section 1 of the Legislative Appropriation Act for the fiscal year ending June 30, 1928 (2 U. S. C. 92a), in the case of the death of a Senator during his term of office, his clerical assistants on the pay roll of the Senate on the date of such death shall be continued on such pay roll at their respective salaries for a period of not to exceed sixty days: *Provided*, That any such clerical assistants continued on the pay roll shall, while so continued, perform their duties under the direction of the Secretary of the Senate, and he is hereby authorized and directed to remove from such pay roll any such clerks who are not attending to the duties for which their services are continued: *Provided further*, That this shall not apply to clerical assistants of standing committees of the Senate when their service otherwise would continue beyond such period.

In all, clerical assistance to Senators, \$1,877,040: *Provided*, That all clerks, assistant clerks, and additional clerks under this heading shall be ex officio clerks, assistant clerks, and additional clerks of any committee of which their Senator is chairman.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Salaries: Sergeant at Arms and Doorkeeper, \$8,000; two secretaries (one for the majority and one for the minority), at \$5,400 each and \$1,500 additional each so long as the respective positions are held by the present respective incumbents; two assistant secretaries (one for the majority and one for the minority), at \$4,320 each and \$980 additional each so long as the respective positions are held by the present respective incumbents; Deputy Sergeant at Arms and storekeeper, \$4,800 and \$1,500 additional so long as the position is held by the present incumbent; clerks—one, \$3,300; one, \$3,120; one, \$2,500; one, \$2,120; one, \$1,800; one to the secretary for the majority, \$2,640; one to the secretary for the minority, \$2,640; assistant doorkeeper, \$2,880; messengers—three (acting as assistant doorkeepers) at \$2,400 each; one at \$1,980; twenty-nine (including four for minority) at \$1,740 each; four at \$1,620 each; one at card door, \$2,640, and \$240 additional so long as the position is held by the present incumbent; clerk on Journal work for Congressional Record to be selected by the Official Reporters, \$3,360; cabinetmakers—chief, \$2,780; one \$2,300; one, \$2,220; finisher, \$2,300; upholsterer, \$2,220; janitor, \$2,400 and \$300 additional so long as the position is held by the present incumbent; five skilled laborers, \$1,680 each; laborer in charge of private passage, \$1,800 and \$120 additional so long as the position is held by the present incumbent; four

Post, p. 601.

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female attendants in charge of ladies' retiring rooms, at \$1,560 each; three female attendants in charge of ladies' retiring rooms, Senate Office Building, at \$1,560 each; telephone operators—chief, \$3,000; assistant chief, \$2,400; thirteen at \$1,800 each; longevity pay of operators as authorized by Public Law Numbered 2, Seventy-ninth Congress, \$1,402.50; laborer in charge of Senate toilet rooms in old library space, \$1,260; Press Gallery—superintendent, \$3,660; assistant superintendent, \$3,000; assistant superintendent, \$1,920; messengers for service to press correspondents—two at \$1,620 each, two at \$1,500 each; Radio Press Gallery—superintendent, \$3,000; two assistant superintendents at \$1,960 each; laborers—two at \$1,500 each, one at \$1,380, twenty-six at \$1,320 each, three at \$540 each; special employees—seven at \$1,000 each; twenty-one pages for the Senate Chamber, at the rate of \$5 per day each during the session, \$19,005; in all, \$287,347.50.

Capitol Police force under the Sergeant at Arms: Captain, \$3,000; two lieutenants at \$2,000 each; two special officers at \$2,000 each; four sergeants at \$1,920 each; sixty privates at \$1,800 each; in all, \$126,680.

POST OFFICE

Salaries: Postmaster, \$3,600 and \$1,400 additional so long as the position is held by the present incumbent; assistant postmaster, \$2,880; chief clerk, \$2,460; wagon master, \$2,280; assistant, \$1,740; twenty-six mail carriers at \$1,740 each; in all, \$59,600.

FOLDING ROOM

Salaries: Foreman \$2,460 and \$540 additional so long as the position is held by the present incumbent; clerks—one at \$2,400, two at \$1,740 each; folders—chief, \$2,040; thirteen at \$1,440 each; in all, \$29,640.

CONTINGENT EXPENSES OF THE SENATE

Vice President's automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, \$4,000.

Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, \$65,450.

Furniture: For services in cleaning, repairing, and varnishing furniture, \$2,000.

Furniture: For materials for furniture and repairs of same, exclusive of labor, and for the purchase of furniture, \$12,000.

Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, \$250,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Joint Committee on Internal Revenue Taxation: For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, \$50,000.

Folding documents: For folding speeches and pamphlets at a rate not exceeding \$1 per thousand, \$18,000.

For materials for folding, \$1,500.

Fuel, and so forth: For fuel, oil, cotton waste, and advertising, exclusive of labor, \$2,000.

Senate restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1942 (Public Law 709, Seventy-seventh Congress), \$45,400.

Ante, p. 262.

59 Stat. 4.
2 U. S. C., Supp. V,
§ 601.

Post, p. 911.

Post, p. 601.

Post, p. 601.

Ante, p. 262.

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Per diem and subsistence.

44 Stat. 688.
5 U. S. C. § 821;
Supp. V, § 823.

56 Stat. 750.
40 U. S. C., Supp.
V, §§ 174f-174j.

Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, \$8,760.

Miscellaneous items: For miscellaneous items, exclusive of labor, \$401,762.

Packing boxes: For packing boxes, \$3,000.

Postage stamps: For office of Secretary, \$350; office of Sergeant at Arms, \$150; in all, \$500.

Air-mail and special-delivery stamps: For air-mail and special-delivery stamps for Senators and the President of the Senate as authorized by law, \$10,249.66.

Assistance in obtaining factual data.

The Committee on Appropriations, authorized by Senate Resolution Numbered 193, agreed to October 14, 1943, to employ expert and clerical assistance for the purpose of obtaining and laying factual data and information before the committee for its consideration in the discharge of its functions, hereby is authorized to expend from the contingent fund of the Senate, during the fiscal year 1947, \$50,000 in pursuance of the purposes set forth in said resolution: *Provided*, That whenever any person has left or leaves any civilian position in any department or agency in the executive branch of the Government in order to accept employment by the Senate Committee on Appropriations, he shall be carried on the rolls of such committee and shall be solely employed by such committee, and responsible only to it; but he shall be entitled upon making application to the Civil Service Commission within thirty days after the termination of his employment by such committee (unless such employment is terminated for cause) to be restored to a position in the same or any other department or agency where an opening exists, comparable to the position which, according to the records of the department or agency which he left to accept employment by the Senate Committee on Appropriations or in the judgment of the Civil Service Commission, such person would be occupying if he had remained in the employ of such department or agency during the time he was employed by such committee; and such person shall be restored to such position with the same seniority, status, and pay as if he had remained in the employ of the department or agency which he left, during such time. This section shall not be construed to require any person to be restored to a position in any department or agency after the expiration of the time for which he was appointed to the position which he left to accept employment by such committee.

Appropriations Committee, status of certain employees.

There shall be paid from the contingent fund of the Senate, in accordance with rules and regulations prescribed by the Committee to Audit and Control the Contingent Expenses of the Senate, toll charges on not to exceed fifty strictly official long-distance telephone calls, aggregating per month for each Senator not more than two hundred and fifty minutes, to and from Washington, District of Columbia.

Long-distance telephone calls.

There shall be paid from the contingent fund of the Senate, in accordance with rules and regulations prescribed by the Committee to Audit and Control the Contingent Expenses of the Senate, toll charges on strictly official long-distance telephone calls originating and terminating outside of Washington, District of Columbia, not to exceed \$450 per year for each Senator, payable semiannually.

Telegrams.

There shall be paid from the contingent fund of the Senate charges on official Government business paid and collect telegrams when so designated in accordance with rules and regulations prescribed by the Committee to Audit and Control the Contingent Expenses of the Senate.

Stationery: For stationery for Senators and for the President of the Senate, including \$7,500 for stationery for committees and offices of the Senate, \$46,300.

Post, p. 602.

Rent: For rent of warehouse for storage of public documents, \$2,000.

The last paragraph (relating to contingent expenses of the Senate) under the caption "Senate" in Public Law Numbered 812, Seventy-sixth Congress, "An Act making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes", approved October 9, 1940, is hereby repealed.

Repeal.

54 Stat. 1031.
31 U. S. C. § 671a.

HOUSE OF REPRESENTATIVES

SALARIES, MILEAGE, AND EXPENSES OF MEMBERS

Post, p. 850.

For compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, \$4,385,000.

For mileage and expense allowance (2 U. S. C. 31a), authorized by law of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, \$1,266,000.

50 Stat. 244.
2 U. S. C., Supp. V,
§ 31a.
Post, p. 850.

For compensation of officers, clerks, messengers, and others:

OFFICE OF THE SPEAKER

Post, p. 834.

Salaries: Secretary to the Speaker, \$4,620; three clerks to the Speaker, at \$2,400 each; messenger to Speaker, \$1,680; in all, \$13,500.

THE SPEAKER'S TABLE

Salaries: Parliamentarian, \$6,000, and \$3,000 additional so long as the position is held by the present incumbent, and for preparing Digest of the Rules, \$1,000 per annum; Assistant Parliamentarian, \$4,000, and \$2,000 additional so long as the position is held by the present incumbent; messenger to Speaker's table, \$2,400; in all, \$18,400.

CHAPLAIN

Chaplain of the House of Representatives, \$1,680, and \$820 additional so long as the position is held by the present incumbent.

OFFICE OF THE CLERK

Post, pp. 602, 912.

Salaries: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, \$8,000; Journal clerk, two reading clerks, and tally clerk, at \$7,000 each; assistant reading clerk, \$5,000, to continue available, under the limitations of House Resolution Numbered 95, adopted January 18, 1945; enrolling clerk, \$4,000; disbursing clerk, \$3,960, and \$2,040 additional so long as the position is held by the present incumbent; file clerk, \$3,780; chief bill clerk, \$3,540; assistant enrolling clerk, \$3,900 and \$500 additional as assistant to the Clerk of the House of Representatives; assistant tally clerk, \$3,600, and \$1,400 additional so long as the position is held by the present incumbent; assistant to disbursing clerk, \$3,120; stationery clerk, \$2,880; librarian, \$2,760 and \$600 additional so long as the position is held by the present incumbent; assistant librarian and assistant file clerk, at \$2,520 each; assistant Journal clerk and assistant librarian, at \$2,460 each; clerks—one at \$2,460,

four at \$2,340 each; bookkeeper and assistant in disbursing office at \$2,160 each; assistant in disbursing office, at \$1,800; additional clerical assistance in disbursing office in accordance with the provisions of House Resolutions Numbered 585, 390, and 679, adopted December 16, 1942, December 20, 1943, and December 14, 1944, respectively, \$15,000; three assistants to chief bill clerk at \$2,100 each; stenographer to the Clerk, \$2,500; assistant in stationery room, \$1,740; three messengers at \$1,680 each; stenographer to Journal clerk, \$1,560; laborers—three at \$1,440 each, ten at \$1,260 each; telephone operators—assistant chief, \$2,400, twenty-three at \$1,800 each; longevity pay of operators as authorized by Public Law 2, Seventy-ninth Congress, \$2,085; operators and extra services of regular employees, when required, at the rate of not to exceed \$135 per month each, \$1,620; property custodian and superintendent of furniture and repair shop, who shall be a skilled cabinetmaker or upholsterer and experienced in the construction and purchase of furniture, \$3,960; two assistant custodians at \$3,360 each; locksmith and typewriter repairer, \$1,860; messenger and clock repairer, \$1,740; operation, maintenance, and repair of motor vehicles, \$1,200; in all, \$217,025.

Ante, p. 263.
59 Stat. 4.
2 U. S. C., Supp. V,
§ 601.

COMMITTEE EMPLOYEES

Clerks, messengers, and janitors to the following committees: Accounts—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Agriculture—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Appropriations—clerk, \$8,000; assistant clerks and other personal services at rates to be fixed by resolution of the committee and certified to the Clerk of the House of Representatives, \$62,880, thirteen clerk-stenographers at the annual rate of \$2,400 each, one for each subcommittee of the Committee on Appropriations having jurisdiction over a regular annual appropriation bill as shall be designated by the chairman of the Committee on Appropriations and to be appointed by the chairmen of the subcommittees so designated, subject to the approval of the chairman, and one for the office of the ranking minority member of the Committee on Appropriations, to be appointed by him, \$31,200. Banking and Currency—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Census—clerk, \$2,760; janitor, \$1,260. Civil Service—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Claims—clerk, \$3,300; assistant clerk, \$2,460; assistant clerk, \$1,800; janitor, \$1,260. Coinage, Weights, and Measures—clerk, \$2,760; janitor, \$1,260. Disposition of Executive Papers—clerk, \$2,760. District of Columbia—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Education—clerk, \$2,760; janitor, \$1,260. Election of President, Vice President, and Representatives in Congress—clerk, \$2,760. Elections Numbered 1—clerk, \$2,760; janitor, \$1,260. Elections Numbered 2—clerk, \$2,760; janitor, \$1,260. Elections Numbered 3—clerk, \$2,760; janitor, \$1,260. Enrolled Bills—clerk, \$2,760; janitor, \$1,260. Expenditures in the Executive Departments—clerk, \$3,300; janitor, \$1,260. Flood Control—clerk, \$2,760; janitor, \$1,260. Foreign Affairs—clerk, \$3,900, and \$600 additional so long as the position is held by the present incumbent; assistant clerk, \$2,640; assistant clerk, \$2,400; janitor, \$1,260. Immigration and Naturalization—clerk, \$3,300; assistant clerk, \$2,400; janitor, \$1,260. Indian Affairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Insular Affairs—clerk, \$2,760; janitor, \$1,260. Interstate and Foreign Commerce—clerk, \$3,900 and \$600 additional so long as the position is held by the present incumbent; additional clerk, \$2,640; assistant clerk, \$2,100; janitor, \$1,560. Irrigation and Reclamation—clerk, \$2,760; janitor, \$1,260. Invalid Pensions—clerk, \$3,300; assistant clerk, \$2,880; expert examiner, \$2,700; stenographer,

Ante, p. 263.

\$2,640; janitor, \$1,500. Judiciary—clerk, \$3,900; assistant clerk, \$2,460; assistant clerk, \$1,980; janitor, \$1,560. Labor—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Library—clerk, \$2,760; janitor, \$1,260. Merchant Marine and Fisheries—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Military Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Mines and Mining—clerk, \$2,760; janitor, \$1,260. Naval Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Patents—clerk, \$2,760; assistant clerk, \$2,100; janitor, \$1,260. Pensions—clerk, \$3,300; assistant clerk, \$2,160; janitor, \$1,260. Post Office and Post Roads—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Printing—clerk, \$2,760; janitor, \$1,560. Public Buildings and Grounds—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Public Lands—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Revision of the Laws—clerk, \$3,300; janitor, \$1,260. Rivers and Harbors—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Roads—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Rules—clerk, \$3,300; assistant clerk, \$2,100; clerk-stenographer, \$1,800; janitor, \$1,260. Territories—clerk, \$2,760; janitor, \$1,260. Un-American Activities—clerk, \$3,900; assistant clerk, \$2,640; assistant clerk, \$2,100; janitor, \$1,560. War Claims—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Ways and Means—clerk, \$4,620; assistant clerk, \$3,000; assistant clerk and stenographer, \$2,640; assistant clerk, \$2,580; clerk for minority, \$3,180; janitors—one, \$1,560; two at \$1,260 each. World War Veterans' Legislation—clerk, \$3,300; assistant clerk, \$2,460; for an additional amount for clerks of the committees pursuant to the Act of December 20, 1944 (Public, 512), \$22,880; in all, \$421,540.

58 Stat. 831.
2 U. S. C., Supp. V,
§§ 60a note, 60f, 60g.

OFFICE OF THE SERGEANT AT ARMS

Salaries: Sergeant at Arms, \$8,000; Deputy Sergeant at Arms in charge of mace, \$3,180; cashier, \$6,000; assistant cashier, \$4,000 and \$1,000 additional so long as the position is held by the present incumbent; two bookkeepers at \$3,360 each; Deputy Sergeant at Arms in charge of pairs, \$3,600; special assistant to Sergeant at Arms, \$3,000 and \$600 additional so long as the position is held by the present incumbent; pair clerk and messenger, \$2,820; stenographer, \$2,500; skilled laborer, \$1,380; hire of automobile, \$600; in all, \$43,400.

Capitol Police force under the Sergeant at Arms: Three lieutenants at \$2,000 each; one special officer, \$2,000; five sergeants at \$1,920 each; sixty-four privates at \$1,800 each; in all, \$132,800.

OFFICE OF DOORKEEPER

Salaries: Doorkeeper, \$6,000; special employee, \$3,000; superintendent of House Press Gallery, \$3,660; assistants to the superintendent of the House Press Gallery—one at \$3,000, and one at \$2,220; House Radio Press Gallery—superintendent of radio room at \$2,700; messenger at \$1,560; superintendent of the House Periodical Press Gallery, \$2,700; chief janitor, \$2,700 and \$300 additional so long as the position is held by the present incumbent; messengers—one chief messenger, \$2,240 and \$300 additional so long as the position is held by the present incumbent, sixteen messengers at \$1,740 each, fourteen on soldiers' roll at \$1,740 each; laborers—seventeen at \$1,260 each, two (cloakroom) at \$1,380 each, one (cloakroom), \$1,260, and seven (cloakroom) at \$1,140 each; three female attendants in ladies' retiring rooms at \$1,680 each, attendant for the ladies' reception room, \$1,440; superintendent of folding room, \$3,180 and \$820 additional so long as the position is held by the present incumbent; foreman of folding room, \$2,640; chief clerk to superintendent of folding room,

\$2,460; three clerks at \$2,160 each; janitor, \$1,260; laborer, \$1,260; thirty-one folders at \$1,440 each; shipping clerk, \$1,740; two drivers at \$1,380 each; two chief pages at \$1,980 each; two telephone pages at \$1,680 each; two floor managers of telephones (one for the minority) at \$3,180 each and \$600 each additional so long as the respective positions are held by the respective present incumbents; two assistant floor managers in charge of telephones (one for the minority) at \$2,100 each; fifty pages during the session, including ten pages for duty at the entrances to the Hall of the House at \$5 per day each, \$45,250; superintendent of document room (Elmer A. Lewis), \$3,960 and \$2,040 additional so long as the position is held by the present incumbent; assistant superintendent of document room, \$2,760; clerk, \$2,320; assistant clerk, \$2,160; eight assistants at \$1,860 each; janitor, \$1,440; messenger to press room (House Press Gallery), \$1,560; maintenance and repair of folding-room motortruck, \$500; in all, \$285,670.

Ante, p. 263.

SPECIAL AND MINORITY EMPLOYEES

For the minority employees authorized and named in the House Resolutions Numbered 51 and 53 of December 11, 1931, as amended: Two at \$5,000 each, one at \$3,000 and \$450 additional so long as the position is held by the present incumbent, two at \$3,000 each and \$500 each additional so long as the positions are held by the present incumbents respectively, one at \$3,600 and \$300 additional while the position is held by the present incumbent (minority pair clerk, House Resolution Numbered 313 of August 7, 1935); in all, \$24,350.

Special employees: Assistant foreman of the folding room, authorized in the resolution of September 30, 1913, \$1,980; laborer, authorized and named in the resolution of April 28, 1914, \$1,380; laborer, \$1,380; in all, \$4,740.

Successors to any of the employees provided for in the two preceding paragraphs may be named by the House of Representatives at any time.

Office of majority floor leader: Legislative clerk, \$3,110 and \$300 additional so long as the position is held by the present incumbent; assistant legislative clerk, \$3,000; clerk, \$2,530; additional clerk, \$2,000; one assistant clerk, \$1,800; stenographer, \$2,000; for official expenses of the majority leader, as authorized by House Resolution Numbered 101, Seventy-first Congress, adopted December 18, 1929, \$2,000; in all, \$16,740.

Office of minority floor leader: Clerk, \$3,180 and \$300 additional so long as the position is held by the present incumbent; legislative clerk, \$3,060; assistant clerk, \$2,100; janitor, \$1,560; in all, \$10,200. The foregoing employees to be appointed by the minority leader.

Two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, at \$1,740 each; in all, \$3,480.

Two printing clerks, one for the majority caucus room and one for the minority caucus room, to be appointed by the majority and minority leaders, respectively, at \$2,000 each; in all, \$4,000.

Technical assistant in the office of the attending physician, to be appointed by the attending physician; subject to the approval of the Speaker, \$3,600.

OFFICE OF THE POSTMASTER

Salaries: Postmaster, \$5,000; assistant postmaster, \$2,880; two registry and money-order clerks, at \$2,100 each; forty messengers (including one to superintend transportation of mails), at \$1,740 each; substitute messengers and extra services of regular employees, when

required, at the rate of not to exceed \$145 per month each, \$1,740; laborer, \$1,260; in all, \$84,680.

Motor vehicles: For the purchase, exchange, maintenance, and repair of motor vehicles for carrying the mails, \$2,200.

OFFICIAL REPORTERS OF DEBATES

Salaries: Seven official reporters of the proceedings and debates of the House, at \$7,500 each; clerk, \$4,000; assistant clerk, \$3,200; six expert transcribers, at \$2,000 each; in all, \$71,700.

OFFICIAL REPORTERS TO COMMITTEES

Salaries: Six reporters to committees, at \$7,500 each; clerk, \$3,360; six expert transcribers, at \$2,000 each; in all \$60,360: *Provided*, That any sums received from the sale of copies of transcripts of hearings of committees reported by such reporters shall be covered into the Treasury as "Miscellaneous receipts".

Transcripts of hearings.

Whenever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the one hundred and eighty-one days from January 1 to June 30, 1947, inclusive.

"During the session."

CLERK HIRE, MEMBERS AND DELEGATES

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, as authorized by law, \$4,161,000.

CONTINGENT EXPENSES OF THE HOUSE

Furniture: For furniture and materials for repairs of the same, including labor, tools, and machinery for furniture repair shops, \$100,000, of which \$50,000 shall be immediately available.

Packing boxes: For packing boxes, \$5,000: *Provided*, That no part of this appropriation shall be used to furnish a packing box to any Representative, Delegate, or Resident Commissioner for any session of Congress unless request therefor has been made not later than thirty days after the sine die adjournment of any such session.

Miscellaneous items: For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the sum of \$27,500 for payment to the Architect of the Capitol in accordance with section 208 of the Act approved October 9, 1940 (Public Act 812, Seventy-sixth Congress), and materials for folding, \$186,000, of which \$100,000 shall be immediately available: *Provided*, That no part of this appropriation shall be used to pay the salaries of three additional laborers authorized in section 2 of House Resolution Numbered 385 of the Seventy-eighth Congress adopted December 17, 1943.

54 Stat. 1086.

Restriction.

Reporting hearings: For stenographic reports of hearings of committees other than special and select committees, \$27,500.

Special and select committees: For expenses of special and select committees authorized by the House, \$400,000.

Joint Committee on Internal Revenue Taxation: For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, \$50,000.

Funeral expenses: No part of the appropriations contained in this title for the contingent expenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any

other person except the Sergeant at Arms of the House or a representative of his office, and except the widow or minor children or both of the deceased, to attend the funeral rites and burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico.

Telegraph and telephone: For telegraph and telephone service, exclusive of personal services, \$300,000.

Stationery: For stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, for the first session of the Eightieth Congress, and for stationery for the use of the committees and officers of the House (not to exceed \$6,000), \$93,600.

Attending physician's office: For medical supplies, equipment, and contingent expenses of the emergency room and for the attending physician and his assistants, including an allowance of \$1,500 to be paid to the attending physician in equal monthly installments as authorized by the Act approved June 27, 1940 (54 Stat. 629), and including an allowance of not to exceed \$30 per month each to four assistants as provided by the House resolutions adopted July 1, 1930, January 20, 1932, and November 18, 1940, \$6,985.

Postage stamps: Postmaster, \$200; Clerk, \$400; Sergeant at Arms, \$250; Doorkeeper, \$100; in all, \$950.

Air mail and special delivery stamps.

To enable the Clerk of the House to procure and furnish each Representative, Delegate, and the Resident Commissioner from Puerto Rico, United States air mail and special delivery postage stamps as authorized by law, \$32,850.

Ante, p. 263; post, p. 912.

Folding documents: For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand or for the employment of personnel at a rate not to exceed \$5.20 per day per person, \$30,000.

45 Stat. 1008.

Revision of laws: For preparation and editing of the laws as authorized by the Act approved May 29, 1928 (1 U. S. C. 59), \$8,000, to be expended under the direction of the Committee on Revision of the Laws.

Clerk's office, special assistance: For assistants in compiling lists of reports to be made to Congress by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; preparing lists of congressional nominees and statistical summary of elections; preparing and indexing questions of order printed in the Appendix to the Journal pursuant to House rule III; for recording and filing statements of political committees and candidates for election to the House of Representatives pursuant to the Federal Corrupt Practices Act, 1925 (2 U. S. C. 241-256); and for such other assistance as the Clerk of the House may deem necessary and proper in the conduct of the business of his office, \$4,500: *Provided*, That no part of this appropriation shall be used to augment the annual salary of any employee of the House of Representatives.

43 Stat. 1070.
2 U. S. C., Supp. V,
§ 251.

Restriction on use of funds.

Speakers' automobile: For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, \$4,000.

CAPITOL POLICE

General expenses: For purchasing and supplying uniforms, purchase, exchange, maintenance, and repair of motor-propelled passenger-carrying vehicles, contingent expenses, including \$25 per month for extra services performed by a member of such force for the Capitol Police Board, \$9,400.

Capitol Police Board: To enable the Capitol Police Board to provide additional protection during the present emergency for the Capitol Buildings and Grounds, including the Senate and House Office Buildings and the Capitol Power Plant, \$8,000. Such sum shall only be expended for payment for salaries and other expenses of personnel detailed from the Metropolitan Police of the District of Columbia, and the Commissioners of the District of Columbia are authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board and is authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detailed personnel shall be made to the government of the District of Columbia, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and be available for all the purposes thereof: *Provided*, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person who was a member of such police on July 1, 1940, shall have a status with respect to rank, pay, allowances, privileges and benefits which is not less than the status of such person in such police at the end of such detail.

One-half of the foregoing amounts under "Capitol Police" shall be disbursed by the Secretary of the Senate and one-half by the Clerk of the House.

JOINT COMMITTEE ON PRINTING

Salaries: Clerk, \$4,000 and \$800 additional so long as the position is held by the present incumbent; inspector under section 20 of the Act approved January 12, 1895 (44 U. S. C. 49), \$2,820; assistant clerk and stenographer, \$2,640; for expenses of compiling, preparing, and indexing the Congressional Directory, \$1,600; in all, \$11,860, one-half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

OFFICE OF LEGISLATIVE COUNSEL

Salaries and expenses: For salaries and expenses of maintenance of the Office of Legislative Counsel, as authorized by law, \$105,000, of which \$55,000 shall be disbursed by the Secretary of the Senate and \$50,000 by the Clerk of the House of Representatives.

STATEMENT OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the second session of the Seventy-ninth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, \$4,000, to be paid to the persons designated by the chairmen of such committees to do the work.

Capitol Buildings and Grounds, etc. Additional protection.

Status of detailed personnel.

Reimbursement for salaries, etc.

Details from Metropolitan Police, D. C.

55 Stat. 456.
54 Stat. 629.

Disbursement.

Post, pp. 602, 912.

28 Stat. 603.

Congressional Directory.

Post, p. 837.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol (whose compensation shall be at the rate of \$7,000 per annum), Chief Architectural and Engineering Assistant, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect, and, in case of the absence or disability of the Assistant Architect, the Chief Architectural and Engineering Assistant shall so act; \$92,840.

Travel expenses.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of \$1,500.

Cost of handling penalty mail, Architect of the Capitol: For deposit in the general fund of the Treasury for cost of penalty mail of the Architect of the Capitol as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$300.

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

CAPITOL BUILDINGS AND GROUNDS

Post, p. 603.

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special clothing for workmen; waterproof wearing apparel; personal and other services; cleaning and repairing works of art; purchase or exchange, maintenance and driving of motor-propelled passenger-carrying office vehicle; not exceeding \$300 for the purchase of technical and necessary reference books, periodicals, and city directory; not to exceed \$150 for expenses of attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol; \$415,500.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol Power Plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with section 3709 (41 U. S. C. 5) of the Revised Statutes, \$153,600.

Post, p. 809.

Legislative garage: For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, \$20,500.

Subway transportation, Capitol and Senate Office Buildings: For repairs, rebuilding, and maintenance of the subway system connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the cars, track, and electrical equipment connected therewith, \$2,000.

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services, including four female attendants in charge of ladies' retiring rooms at \$1,500 each, for the care and operation of the Senate Office Building; to be expended under the control and supervision of the Architect of the Capitol; in all, \$518,400.

House Office Buildings: For maintenance, including equipment, waterproof wearing apparel, miscellaneous items, and for all necessary services, \$563,000.

Post, p. 603.

Capitol Power Plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, and folding and storage rooms of the Senate, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office and Washington City Post Office and for light and power therefor whenever available; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the plant \$1,068,000.

Ante, p. 185.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

36 Stat. 531.
41 U. S. C., Supp.
V, § 7.
Reimbursement for
heat, etc.

The Government Printing Office and the Washington City Post Office shall reimburse the Capitol Power Plant for heat, light, and power whenever any such service is furnished during the fiscal year 1947, and the amounts so reimbursed shall be covered into the Treasury.

Hereafter, the Architect of the Capitol in expending appropriations under his control may acquire supplies, materials, equipment, furniture, and other items from Government agencies disposing of such property under the Surplus Property Act of 1944, as amended, and shall be accorded the same priority as granted other Government agencies under that Act.

Supplies from agencies
disposing of sur-
plus property.

58 Stat. 765.
50 U. S. C., Supp.
V, app. §§ 1611-1646.
Ante, pp. 168, 169;
post, pp. 599, 754, 886.

LIBRARY BUILDINGS AND GROUNDS

MECHANICAL AND STRUCTURAL MAINTENANCE

Salaries: For chief engineer and all personal services at rates of pay provided by law, \$151,600.

Salaries, Sunday opening: For extra services of employees and additional employees under the Architect of the Capitol to provide for the opening of the Library Buildings on Sundays, at rates to be fixed by such Architect, \$12,850.

General repairs, and so forth: For necessary expenditures for the Library Buildings and Grounds under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, waterproof wearing apparel, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such buildings and grounds, \$187,100.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, and the purchase of office and library equipment, apparatus, and labor-saving devices, \$65,340, to be expended under the direction of the Architect of the Capitol.

Furniture.

BOTANIC GARDEN

Salaries: For personal services (including not exceeding \$3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), \$114,000; all under the direction of the Joint Committee on the Library.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds,

and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons when required for use by employees in connection with their work; not to exceed \$25 for emergency medical supplies; disposition of waste; traveling expenses of the Director and his assistants, not to exceed \$250; streetcar fares, not exceeding \$25; not to exceed \$45 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials, and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange of motortrucks, and maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed \$100; repairs and improvements to director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library, \$20,000.

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

Distribution of
nursery stock.

No part of the appropriations contained in this Act for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

LIBRARY OF CONGRESS

Salaries, Library, proper: For the Librarian, the Librarian Emeritus, Chief Assistant Librarian, and other personal services, including special and temporary services and extra special services of regular employees (not exceeding \$5,000) at rates to be fixed by Librarian, \$2,100,000, of which \$57,000 shall be immediately available.

COPYRIGHT OFFICE

Salaries: For the Register of Copyrights, assistant register, and other personal services, \$526,925.

Post, p. 836.

LEGISLATIVE REFERENCE SERVICE

Salaries: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data servicable to Congress, and committees and Members thereof, and for printing and binding the digests of public general bills, miscellaneous printing, supplies and materials, and including not to exceed \$20,000 for employees engaged on piece work and work by the day or hour at rates to be fixed by the Librarian, \$425,000, of which \$5,700 shall be immediately available: *Provided*, That not more than \$25,000 of this sum shall be used for preparation and reproduction of copies of the Digest of General Public Bills.

Digests of public
general bills.

DISTRIBUTION OF PRINTED CARDS

Salaries and expenses: For the distribution of printed cards and other publications of the Library, including personal services, freight charges (not exceeding \$500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed \$30,000 for employees engaged in piece work and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, \$314,300.

INDEX TO STATE LEGISLATION

Salaries and expenses: To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (2 U. S. C. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed \$2,500 for special and temporary services at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incidental to the work of compilation, stationery, and incidentals, \$85,600.

44 Stat. 1066.

UNION CATALOGUES

Salaries and expenses: To continue the development and maintenance of the Union Catalogues, including personal services within and without the District of Columbia (and not to exceed \$700 for special and temporary services, including extra special services of regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, \$86,200.

MOTION-PICTURE PROJECT

To enable the Librarian of Congress to develop, record, store, and service motion pictures, including personal services, traveling expenses, rental of storage space and all other necessary expenses incidental to the development of the motion-picture program, \$100,000.

INCREASE OF THE LIBRARY OF CONGRESS

General increase of Library: For purchase of books, miscellaneous periodicals and newspapers, photo-copying supplies and photo-copying labor, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses not to exceed \$35,000, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, \$370,000, to continue available during the fiscal year 1948.

Increase of the law library: For the purchase of books and for legal periodicals for the law library, including payment for legal society publications and for freight, commissions, traveling expenses not to exceed \$2,500, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of lawbooks, and all other material for the increase of the law library, \$125,000, to continue available during the fiscal year 1948.

Books for the Supreme Court: For the purchase of books and periodicals for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, \$20,000.

BOOKS FOR ADULT BLIND

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (2 U. S. C. 135a), as amended, \$500,000, including not exceeding \$40,000 for personal services, not exceeding \$100,000 for books in raised characters, not exceeding \$400,000 for sound-reproduction records and for the maintenance and replacement of the Government-owned reproducers for sound-reproduction records for the blind and not exceeding \$1,000 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian.

46 Stat. 1487.
2 U. S. C., Supp. V,
§ 135a.
Post, p. 908.

PRINTING AND BINDING

General printing and binding: For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of Library books, and for the Library Buildings, \$381,500.

Printing the Catalogue of Title Entries of the Copyright Office: For the publication of the Catalogue of Title Entries of the Copyright Office and the decisions of the United States courts involving copyright, \$35,000.

Printing catalogue cards: For the printing of catalogue cards and of miscellaneous publications relating to the distributions of printed cards, \$447,482.

CONTINGENT EXPENSES OF THE LIBRARY

For miscellaneous and contingent expenses, stationery, office supplies, stock and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding \$500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, \$35,000.

Photoduplicating.

For personal services, paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, and for the purchase of photoduplications, \$33,200.

Penalty Mail Costs, Library of Congress: For deposit in the general fund of the Treasury for cost of penalty mail for the Library of Congress as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$12,500.

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

LIBRARY BUILDINGS

Salaries: For the superintendent and other personal services, in accordance with the Classification Act of 1923, as amended, including special and temporary services and special services of regular employees in connection with the custody, care, and maintenance of the Library Buildings in the discretion of the Librarian (not exceeding \$750) at rates to be fixed by the Librarian, \$437,760.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 et seq.
Ante, pp. 216, 219.

Incidental expenses.

For mail, delivery, including purchase, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, telephone services, rubber boots, rubber coats, and other special clothing for employees, uniforms for guards and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Buildings,

\$34,000: *Provided*, That any appropriations under the control of the Librarian of Congress may be expended without reference to section 3709 of the Revised Statutes (41 U. S. C. 5) in any case when the total amount of the purchase involved does not exceed the sum of \$100.

Minor purchases.

Post, p. 809.

LIBRARY OF CONGRESS TRUST FUND BOARD

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$500.

Not to exceed ten positions in the Library of Congress may be exempt from the provisions of section 206 of the Independent Offices Appropriation Act, 1947, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointment a person in any of the three categories specified in such section 206 who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

Citizenship requirements, exemptions.

Ante, p. 80.

GOVERNMENT PRINTING OFFICE

Post, p. 603.

WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, such pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment; fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses, including not to exceed \$3,000 for attendance at meetings or conventions when authorized by the Joint Committee on Printing; stationery, postage, and advertising; directories, technical books, newspapers, magazines, and books of reference (not exceeding \$750); adding and numbering machines, time stamps, and other machines of similar character; purchase of uniforms for guards; rubber boots, coats, and gloves; machinery (not exceeding \$300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee

Salaries, etc.

Leave with pay.

Machinery.

on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding \$1,000); for salaries and expenses of preparing the semimonthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at \$3,948, one cataloger at \$3,618, two catalogers at \$2,826 each, and one cataloger at \$2,430); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, \$24,200,000; to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations; the printing, binding, and distribution of the Federal Register in accordance with the Act approved July 26, 1935 (44 U. S. C. 301, 317) (not exceeding \$500,000); for the printing and binding of the supplements to the Code of Federal Regulations, as authorized by the Act of July 26, 1935 (44 U. S. C. 311), \$100,000; the printing and binding for use of the Government Printing Office; the printing and binding (not exceeding \$5,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate; in all to an amount not exceeding \$4,200,000: *Provided*, That not less than \$20,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than twelve months after the close of the fiscal year 1947: *Provided further*, That notwithstanding the provisions of section 73 of the Act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of \$4,200,000 shall be used for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Yearbook of Agriculture).

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

During the fiscal year 1947 any executive department or independent establishment of the Government ordering printing and binding or blank paper and supplies from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do; all sums received from sales of wastepaper, other waste material, and condemned property; and for losses or damage to Government property; shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office and be subject to requisition by the Public Printer.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

Congressional Record indexes.

Federal Register.
49 Stat. 500.
44 U. S. C. §§ 301-314; Supp. V, § 311.
Supplements to CFR.

49 Stat. 503.
44 U. S. C., Supp. V, §§ 311, 311a.

Unexpended balance.

Yearbook of Agriculture.
28 Stat. 612.

Payment for work ordered by departments, etc.

Adjustments.

Credit of payments to working capital.

Employees detailed for service in executive branch.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

Salaries: For the Superintendent of Documents, assistant superintendent and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (44 U. S. C. 40), \$1,300,000.

General expenses: For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelopes, postage, carfares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone, and telegraph service; traveling expenses (not to exceed \$200); repairs to buildings, elevators, and machinery; rental of equipment; preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, bibliographies, catalogs, and indexes; for supplying books to depository libraries; in all, \$370,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents: *Provided further*, That the Superintendent of Documents shall furnish, from the quota that was printed for sale, two complete sets of Definitive Writings of George Washington to each Senator, Representative, Delegate, and Resident Commissioner, serving during the Seventy-eighth Congress, who makes written application therefor.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

43 Stat. 658.

Books for depository libraries.

Definitive Writings of George Washington.

COST OF HANDLING PENALTY MAIL, GOVERNMENT PRINTING OFFICE

For deposit in the general fund of the Treasury for cost of penalty mail of the Government Printing Office as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$353,000.

SEC. 102. Purchases may be made from the foregoing appropriations under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

SEC. 103. In order to keep the expenditures for printing and binding for the fiscal year 1947 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

SEC. 104. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles.

SEC. 105. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for herein or whenever the rate of compensation or designation of any position appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, appropriated for or provided

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

28 Stat. 601.
44 U. S. C. § 1 *et seq.*
Post, p. 638.
36 Stat. 531.

Annual, etc., reports.
Discontinuance of printing.
Post, p. 866.

Original copies.

Private vehicles.

Rate of compensation and designation of positions.
46 Stat. 32.
2 U. S. C., Supp.
V, § 60a.

herein, shall be the permanent law with respect thereto; and the authority for any position specifically established by such Act which is not specifically appropriated for herein shall cease to exist.

Capitol Police. Standards required.

SEC. 106. No part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police who does not meet the standards to be prescribed for such appointees by the Capitol Police Board: *Provided*, That the Capitol Police Board is hereby authorized to detail police from the House Office, Senate Office, and Capitol Buildings for police duty on the Capitol Grounds.

Details for duty on Capitol Grounds.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 107. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Short title.

SEC. 108. This Act may be cited as the "Legislative Branch Appropriation Act, 1947".

Approved July 1, 1946.

[CHAPTER 531]

AN ACT

To amend the National Housing Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 (a) of the National Housing Act, as amended, is hereby amended by striking out the second and third provisos and by striking out the colon at the end of the first proviso and inserting in lieu thereof a period.

Approved July 1, 1946.

July 1, 1946
[S.2341]

[Public Law 480]

48 Stat. 1248.
12 U. S. C., Supp.
V, § 1709 (a).

[CHAPTER 532]

AN ACT

To amend sections 81, 82, and 83, and to repeal section 84 of chapter IX of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 81, 82, and 83 of chapter IX of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended (U. S. C., title 11, secs. 401, 402, and 403), are amended to read as follows:

"SEC. 81. This Act and proceedings thereunder are found and declared to be within the subject of bankruptcies and, in addition to the jurisdiction otherwise exercised, courts of bankruptcy shall exercise original jurisdiction as provided in this chapter for the composition of indebtedness of, or authorized by, any of the agencies or instrumentalities hereinafter named, payable (a) out of assessments or taxes, or both, levied against and constituting liens upon property in any of said agencies or instrumentalities, or (b) out of property acquired by foreclosure of any such assessments or taxes or both, or (c) out of income derived by such agencies or instrumentalities from any income-producing property, whether or not secured by a lien upon such property: (1) Drainage, drainage and levee, reclamation, water, irrigation, or other similar districts, commonly designated as agricultural improvement districts or local improvement districts, organized or created for the purpose of constructing, improving, maintaining, and operating certain improvements or projects devoted chiefly to the improvement of lands therein for agricultural purposes; or (2) local improvement districts, such as sewer, paving, sanitary, or other similar districts, organized or created for the purposes designated by their respective names; or (3) local improvement districts, such as road, highway, or other similar districts, organized or created for the purpose of grading, paving, or otherwise improving public streets, roads, or highways; or (4) public-school districts or public-school authorities organized or created for the purpose of constructing, maintaining, and operating public schools or public-school facilities; or (5) local improvement districts, such as port, navigation, or other similar districts, organized or created for the purpose of constructing, improving, maintaining, and operating ports and port facilities; or (6) incorporated authorities, commissions, or similar public agencies organized for the purpose of constructing, maintaining, and operating revenue-producing enterprises; or (7) any county or parish or any city, town, village, borough, township, or other municipality: *Provided, however,* That if any provision of this chapter, or the application thereof to any such agency or district or class thereof or to any circumstance, is held invalid, the remainder of the chapter, or the application of such provision to any other or different circumstances, shall not be affected by such holding.

"SEC. 82. The following terms as used in this chapter, unless a different meaning is plainly required by the context, shall be construed as follows:

"The term 'petitioner' shall include any agency or instrumentality referred to in section 81 of this chapter.

"The term 'security' shall include bonds, notes, judgments, claims, and demands, liquidated or unliquidated, and other evidences of indebtedness, either secured or unsecured, and certificates of beneficial interest in property.

July 1, 1946
[H. R. 6682]
[Public Law 481]

Bankruptcy Act of
1898, amendments.
52 Stat. 939; 50 Stat.
654.
11 U. S. C. note
prec. §§ 301-303.

Courts of bank-
ruptcy.
Jurisdiction for com-
position of indebted-
ness.

Separability of pro-
visions.

"Petitioner."

"Security."

<p>"Creditor."</p> <p>U. S. agency holding securities.</p> <p>"Security affected by the plan."</p> <p>Number and gender.</p> <p>Petition for composition of debts.</p> <p>Filing fee.</p> <p>List of known creditors.</p> <p>Order of approval or dismissal.</p> <p>Obligations represented by securities, etc.</p>	<p>"The term 'creditor' means the holder of a security or securities.</p> <p>"Any agency of the United States holding securities acquired pursuant to contract with any petitioner under this chapter shall be deemed a creditor in the amount of the full face value thereof.</p> <p>"The term 'security affected by the plan' means a security as to which the rights of its holder are proposed to be adjusted or modified materially by the consummation of a composition agreement.</p> <p>"The singular number includes the plural and the masculine gender the feminine.</p> <p>"SEC. 83. (a) Any petitioner may file a petition hereunder stating that the petitioner is insolvent or unable to meet its debts as they mature and that it desires to effect a plan for the composition of its debts. The petition shall be filed with the court in whose territorial jurisdiction the petitioner or the major part thereof is located, and, in the case of any unincorporated tax or special-assessment district having no officials of its own, the petition may be filed by its governing authority or the board or body having authority to levy taxes or assessments to meet the obligations to be affected by the plan of composition. The petition shall be accompanied by payment to the clerk of a filing fee of \$100, which shall be in lieu of the fees required to be collected by the clerk under other applicable chapters of this title, as amended. The petition shall state that a plan of composition has been prepared, is filed and submitted with the petition, and that creditors of the petitioner owning not less than 51 per centum in amount of the securities affected by the plan (excluding, however, any such securities owned, held, or controlled by the petitioner) have accepted it in writing. There shall be filed with the petition a list of all known creditors of the petitioner, together with their addresses so far as known to petitioner, and description of their respective securities showing separately those who have accepted the plan of composition, together with their separate addresses, the contents of which list shall not constitute admissions by the petitioner in a proceeding under this chapter or otherwise. Upon the filing of such a petition the judge shall enter an order either approving it as properly filed under this chapter, if satisfied that such petition complies with this chapter and has been filed in good faith, or dismissing it, if not so satisfied.</p> <p>"Whenever the petition seeks to effect a plan for the composition of obligations represented by securities, or evidences in any form of rights to payment, issued by the petitioner to defray the cost of local improvements and which are payable solely out of the proceeds of special assessments or special taxes levied by the petitioner, or issued by the petitioner to finance one or more revenue-producing enterprises payable solely out of the revenues of such enterprise or enterprises, it shall be sufficient if the petitioner aver that the property liable for, or the revenues pledged to the payment of such securities, principal, and interest is not of sufficient value, or that the revenues of the enterprise or enterprises are inadequate to pay same, and that the accrued interest on such securities is past due and in default; and the list of creditors to be filed with such petition need contain only the known claimants of rights based on those securities evidencing the obligations sought to be composed under this chapter, and such list shall include separately the names and addresses of those creditors who have accepted the plan of composition. If the plan of composition sought to be effected requires a revision of assessments so that the proportion of special assessments or special taxes to be assessed against some of the lands will be different from the proportion in effect at the time the petition is filed, a list of the record owners or holders of title, legal or equitable, to any real estate adversely affected in the</p>
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proceeding shall also be filed with the petition, and such record owners or holders of title shall be notified in the manner provided in this section for creditors and be entitled to hearing by the court upon reasonable application therefor.

“The ‘plan of composition’, within the meaning of this chapter, may include provisions modifying or altering the rights of creditors generally, or of any class of them, secured or unsecured, either through issuance of new securities of any character, or otherwise, and may contain such other provisions and agreements not inconsistent with this chapter as the parties may desire.

“Plan of composition.”

“No creditor shall be deemed to be affected by any plan of composition unless the same shall affect his interest materially, and in case any controversy shall arise as to whether any creditor or class of creditors shall or shall not be affected, the issue shall be determined by the judge, after hearing, upon notice to the parties interested.

Creditors deemed to be affected, etc.

“For all purposes of this chapter any creditor may act in person or by an attorney or a duly authorized agent or committee. Where any committee, organization, group, or individual shall assume to act for or on behalf of creditors, such committee, organization, group, or individual shall first file with the court in which the proceeding is pending a list of the creditors represented by such committee, organization, group, or individual, giving the name and address of each such creditor, together with a statement of the amount, class, and character of the security held by him, and attach thereto copies of the instrument or instruments in writing signed by the owners of the bonds showing their authority, and shall file with the list a copy of the contract or agreement entered into between such committee, organization, group, or individual and the creditors represented by it or them, which contract shall disclose all compensation to be received, directly or indirectly, by such committee, organization, group, or individual, which agreed compensation shall be subject to modification and approval by the court.

Representation of creditor.

“(b) Upon approving the petition as properly filed, or at any time thereafter, the judge shall enter an order fixing a time and place for a hearing on the petition, which shall be held within ninety days from the date of said order, and shall provide in the order that notice shall be given to creditors of the filing of the petition and its approval as being properly filed, and of the time and place for the hearing. The judge shall prescribe the form of the notice, which shall specify the manner in which claims and interests of creditors shall be filed or evidenced, on or before the date fixed for the hearing. The notice shall be published at least once a week for three successive weeks in at least one newspaper of general circulation published within the jurisdiction of the court, and in such other paper or papers having a general circulation among bond dealers and bondholders as may be designated by the court, and the judge may require that it may be published in such other publication as he may deem proper. The judge shall require that a copy of the notice be mailed, postage prepaid, to each creditor of the petitioner named in the petition at the address of such creditor given in the petition, or, if no address is given in the petition for any creditor and the address of such creditor cannot with reasonable diligence be ascertained, then a copy of the notice shall be mailed, postage prepaid, to such creditor addressed to him as the judge may prescribe. All expense of giving notice as herein provided shall be paid by the petitioner. The notice shall be first published, and the mailing of copies thereof shall be completed, at least sixty days before the date fixed for the hearing.

Hearing on petition.

Notice to creditors.

- Filing of answer. "At any time not less than ten days prior to the time fixed for the hearing, any creditor of the petitioner affected by the plan may file an answer to the petition controverting any of the material allegations therein and setting up any objection he may have to the plan of composition. The judge may continue the hearing from time to time if the percentage of creditors required herein for the confirmation of the plan shall not have accepted the plan in writing, or if for any reason satisfactory to the judge the hearing is not completed on the date fixed therefor. At the hearing, or a continuance thereof, the judge shall decide the issues presented and unless the material allegations of the petition are sustained shall dismiss the proceeding. If, however, the material allegations of the petition are sustained, the judge shall classify the creditors according to the nature of their respective claims and interest: *Provided, however*, That the holders of all claims, regardless of the manner in which they are evidenced, which are payable without preference out of funds derived from the same source or sources shall be of one class. The holders of claims for the payment of which specific property or revenues are pledged, or which are otherwise given preference as provided by law, shall accordingly constitute a separate class or classes of creditors.
- Decision on issues presented. "At the hearing or a continuance thereof the judge may refer any special issues of fact to a referee in bankruptcy or a special master for consideration, the taking of testimony, and a report upon such special issues of fact, if the judge finds that the condition of his docket is such that he cannot take such testimony without unduly delaying the dispatch of other business pending in his court, and if it appears that such special issues are necessary to the determination of the case. Only under special circumstances shall references be made to a special master who is not a referee in bankruptcy. A general reference of the case to a master shall not be made, but the reference, if any, shall be only in the form of requests for findings of specific facts.
- Compensation for services of referee, etc. "The court may allow reasonable compensation for the services performed by such referee in bankruptcy or special master, and the actual and necessary expenses incurred in connection with the proceeding, including compensation for services rendered and expenses incurred in obtaining the deposit of securities and the preparation of the plan, whether such work may have been done by the petitioner or by committees or other representatives of creditors, and may allow reasonable compensation for the attorneys or agents of any of the foregoing: *Provided, however*, That no fees, compensation, reimbursement, or other allowances for attorneys, agents, committees, or other representatives of creditors shall be assessed against the petitioner or paid from any revenues, property, or funds of the petitioner except in the manner and in such sums, if any, as may be provided for in the plan of composition. An appeal may be taken from any order making such determination or award to the United States circuit court of appeals for the circuit in which the proceeding under this chapter is pending, independently of other appeals which may be taken in the proceeding, and such appeal shall be heard summarily.
- Restriction. "Such compensation of referees in bankruptcy and special masters shall not be governed by section 40 of this Act.
- Appeals from orders. "On thirty days' notice by any creditor to petitioner, the judge, if he finds that the proceeding has not been prosecuted with reasonable diligence, or that it is unlikely that the plan will be accepted by said proportion of creditors, may dismiss the proceeding.
- Ante*, p. 326. Dismissal of proceeding. "(c) Upon entry of the order fixing the time for the hearing, or at any time thereafter, the judge may upon notice enjoin or stay, pending the determination of the matter, the commencement or continuation of suits against the petitioner, or any officer or inhabitant
- Stay of suits, etc.

thereof, on account of the securities affected by the plan, or to enforce any lien or to enforce the levy of taxes or assessments for the payment of obligations under any such securities, or any suit or process to levy upon or enforce against any property acquired by the petitioner through foreclosure of any such tax lien or special assessment lien, except where rights have become vested, and may enter an interlocutory decree providing that the plan shall be temporarily operative with respect to all securities affected thereby and that the payment of the principal or interest, or both, of such securities shall be temporarily postponed or extended or otherwise readjusted in the same manner and upon the same terms as if such plan had been finally confirmed and put into effect, and upon the entry of such decree the principal or interest, or both, of such securities which have otherwise become due, or which would otherwise become due, shall not be or become due or payable, and the payment of all such securities shall be postponed during the period in which such decree shall remain in force, but shall not, by any order or decree, in the proceeding or otherwise, interfere with (a) any of the political or governmental powers of the petitioner; or (b) any of the property or revenues of the petitioner necessary for essential governmental purposes; or (c) any income-producing property, unless the plan of composition so provides.

“Any agency or instrumentality referred to in section 81 of this chapter may file a petition for a preliminary stay with the court referred to in section 83 (a) stating (a) that the petitioner is insolvent or unable to meet its debts as they mature; (b) that it desires to effect a plan for the composition of its debts, a copy of which is filed and submitted with the petition; (c) that a creditor of the petitioner holding a security affected by the plan or a person claiming to be such a creditor (naming him and giving his address and the name and address of his attorney of record, if any), is attempting or threatening to obtain payment of said security in preference to other creditors by means of the commencement or continuation of a suit or process of the class hereinbefore in this section 83 (c) described; (d) that efforts are being made in good faith to the end that creditors of the petitioner owning not less than 51 per centum in amount of the securities affected by the plan (excluding, however, any such securities owned, held, or controlled by the petitioner) shall accept it in writing; (e) that there is a reasonable prospect of such acceptance within a reasonable time; (f) that upon such acceptance the petitioner intends to file a petition under section 83 (a) of this chapter; and (g) that the petitioner prays that the judge will upon notice enjoin or stay the commencement or continuation of said suit or process. A single petition may seek the preliminary stay of several suits or processes brought or threatened by the same or different creditors or persons claiming to be creditors. The petitioner shall be accompanied by the filing fee required in section 83 (a) of this chapter, unless such fee shall have been paid upon the filing of an earlier petition for a preliminary stay involving the same plan, and no further fee shall be required upon the subsequent filing of a petition under said section 83 (a). Upon such petition the judge shall fix a time and place for hearing and direct that notice thereof shall be given in such manner as he shall prescribe to said creditor or person claiming to be a creditor and to any other person deemed by him to be interested. After such hearings, and upon being satisfied of the truth of the allegations of the petition, the judge may, in his discretion, except where rights have become vested, enjoin or stay the commencement and continuation of said suit or process until a date fixed by him in his order not exceeding sixty days from the date of entry thereof. The judge shall retain jurisdiction to vacate said injunction or stay,

Preliminary stay.
Ante, p. 409.

Ante, p. 410.

Filing fee.

Hearings.

or to extend the period thereof for one additional period of not exceeding sixty days, upon good cause shown.

Acceptance of plan.

“(d) The plan of composition shall not be confirmed until it has been accepted in writing, by or on behalf of creditors holding at least two-thirds of the aggregate amount of claims of all classes affected by such plan and which have been admitted by the petitioner or allowed by the judge, but excluding claims owned, held, or controlled by the petitioner: *Provided, however,* That it shall not be requisite to the confirmation of the plan that there be such acceptance by any creditor or class of creditors (a) whose claims are not affected by the plan; or (b) if the plan makes provision for the payment of their claims in cash in full; or (c) if provision is made in the plan for the protection of the interests, claims, or lien of such creditors or class of creditors.

Attorney's compensation.
Examination to ascertain existing practice.

“(e) Before concluding the hearing, the judge shall carefully examine all of the contracts, proposals, acceptances, deposit agreements, and all other papers relating to the plan, specifically for the purpose of ascertaining if the fiscal agent, attorney, or other person, firm, or corporation promoting the composition, or doing anything of such a nature, has been or is to be compensated, directly or indirectly, by both the petitioner and the creditors thereof, or any of such creditors—either by fee, commission, or other similar payment, or by transfer or exchange of bonds or other evidence of indebtedness whereby a profit could accrue—and shall take evidence under oath to make certain whether or not any such practice obtains or might obtain.

Adjudication of issue, etc.

“After such examination the judge shall make an adjudication of this issue, as a separate part of his interlocutory decree, and if it be found that any such practice exists, he shall forthwith dismiss the proceeding and tax all of the costs against such fiscal agent, attorney, or other person, firm, or corporation promoting the composition, or doing anything of such a nature, or against the petitioner, unless such plan be modified within the time to be allowed by the judge so as to eliminate the possibility of any such practice, in which event the judge may proceed to further consideration of the confirmation of the plan. If it be found that no such practice exists, then the judge may proceed to further consideration of the confirmation of the plan.

Findings and conclusions.

“At the conclusion of the hearing, the judge shall make written findings of fact and his conclusions of law thereon, and shall enter an interlocutory decree confirming the plan if he finds and is satisfied that (1) it is fair, equitable, and for the best interests of the creditors and does not discriminate unfairly in favor of any creditor or class of creditors; (2) complies with the provisions of this chapter; (3) has been accepted and approved as required by the provisions of subdivision (d) of this section; (4) all amounts to be paid by the petitioner for services or expenses incident to the composition have been fully disclosed and are reasonable; (5) the offer of the plan and its acceptance are in good faith; and (6) the petitioner is authorized by law to take all action necessary to be taken by it to carry out the plan. If not so satisfied, the judge shall enter an order dismissing the proceeding. No case shall be reversed or remanded for want of specific or detailed findings unless it is found that the evidence is insufficient to support one or more of the general findings required in this section.

Changes and modifications of plan.

“Before a plan is confirmed, changes and modifications may be made therein with the approval of the judge after hearing upon such notice to creditors as the judge may direct, subject to the right of any creditor who shall previously have accepted the plan to withdraw his acceptance, within a period to be fixed by the judge and after such notice as the judge may direct, if, in the opinion of the judge, the change or modification will be materially adverse to the interest of such creditor, and if any creditor having such right of withdrawal shall not withdraw

within such period, he shall be deemed to have accepted the plan as changed or modified: *Provided, however,* That the plan as changed or modified shall comply with all the provisions of this chapter and shall have been accepted in writing by the petitioner. Either party may appeal from the interlocutory decree as in equity cases. In case said interlocutory decree shall prescribe a time within which any action is to be taken, the running of such time shall be suspended in case of an appeal until final determination thereof. In case said decree is affirmed, the judge may grant such time as he may deem proper for the taking of such action.

“(f) In an interlocutory decree confirming the plan is entered as provided in subdivision (e) of this section, the plan and said decree of confirmation shall become and be binding upon all creditors affected by the plan, if within the time prescribed in the interlocutory decree, or such additional time as the judge may allow, the money, securities, or other consideration to be delivered to the creditors under the terms of the plan shall have been deposited with the court or such disbursing agent as the court may appoint or shall otherwise be made available for the creditors. And thereupon the court shall enter a final decree determining that the petitioner has made available for the creditors affected by the plan the consideration provided for therein and is discharged from all debts and liabilities dealt with in the plan except as provided therein, and that the plan is binding upon all creditors affected by it, whether secured or unsecured, and whether or not their claims have been filed or evidenced, and, if filed or evidenced, whether or not allowed, including creditors who have not, as well as those who have, accepted it. If securities are deposited by the petitioner with the court or disbursing agent for delivery to the creditors, such final decree shall not be entered unless the court finds and adjudicates that said securities have been lawfully authorized and, upon delivery, will constitute valid obligations of the petitioner, and that the provisions made to pay and secure payment thereof are valid.

“(g) A certified copy of the final decree, or of any other decree or order entered by the court or the judge thereof, in a proceeding under this chapter, shall be evidence of the jurisdiction of the court, the regularity of the proceedings, and the fact that the decree or order was made. A certified copy of an order providing for the transfer of any property dealt with by the plan shall be evidence of the transfer of title accordingly, and, if recorded as conveyances are recorded, shall impart the same notice that a deed, if recorded, would impart.

“(h) This chapter shall not be construed as to modify or repeal any prior existing statute relating to the refinancing or readjustment of indebtedness of municipalities, political subdivisions, or districts: *Provided, however,* That the initiation of proceedings or the filing of a petition under section 80 of this Act shall not constitute a bar to the same agency or instrumentality initiating a new proceeding under section 81 of this chapter.

“(i) Nothing contained in this chapter shall be construed to limit or impair the power of any State to control, by legislation or otherwise, any municipality or any political subdivision of or in such State in the exercise of its political or governmental powers, including expenditures therefor: *Provided, however,* That no State law prescribing a method of composition of indebtedness of such agencies shall be binding upon any creditor who does not consent to such composition, and no judgment shall be entered under such State law which would bind a creditor to such composition without his consent.

“(j) The partial completion or execution of any plan of composition as outlined in any petition filed under the terms of this Act by the exchange of new evidences of indebtedness under the plan for

Acceptance by petitioner.

Appeal from interlocutory decree.

Decree of confirmation.

Certified copies of decree or order.

Chapter not to affect existing law.

48 Stat. 798.
11 U. S. C. §§ 301-303 note.

Ante, p. 409.

Power of State to control political subdivisions.

Partial completion or execution of plan.

evidences of indebtedness covered by the plan, whether such partial completion or execution of such plan of composition occurred before or after the filing of said petition, shall not be construed as limiting or prohibiting the effect of this title, and the written consent of the holders of any securities outstanding as the result of any such partial completion or execution of any plan of composition shall be included as consenting creditors to such plan of composition in determining the percentage of securities affected by such plan of composition."

Repeal.
50 Stat. 650; 54 Stat.
670; 56 Stat. 377.
11 U. S. C., Supp.
V, § 404.

SEC. 2. Section 84 of chapter IX of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended by the Acts of August 16, 1937, June 28, 1940, and June 22, 1942, is hereby repealed.

Approved July 1, 1946.

[CHAPTER 533]

AN ACT

To require weekly newspapers enjoying mailing privileges to make sworn statements with respect to their circulation.

July 2, 1946

[H. R. 2543]

[Public Law 482]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 2 of the Act entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes", approved August 24, 1912, as amended (U. S. C., 1940 edition, title 39, secs. 233-234), is amended by inserting after "daily" the words "and weekly", "semiweekly", and "triweekly".

37 Stat. 553.

Approved July 2, 1946.

[CHAPTER 534]

AN ACT

To authorize the admission into the United States of persons of races indigenous to India, and persons of races indigenous to the Philippine Islands, to make them racially eligible for naturalization, and for other purposes.

July 2, 1946

[H. R. 3517]

[Public Law 483]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303 of the Nationality Act of 1940, as amended (54 Stat. 1140; 57 Stat. 601; 8 U. S. C., Supp. 703), be amended to read as follows:

Nationality Act of
1940, amendments.

Eligibility for natu-
ralization.

"SEC. 303 (a) The right to become a naturalized citizen under the provisions of this Act shall extend only to—

"(1) white persons, persons of African nativity or descent, and persons who are descendants of races indigenous to the continents of North or South America or adjacent islands and Filipino persons or persons of Filipino descent;

"(2) persons who possess, either singly or in combination, a preponderance of blood of one or more of the classes specified in clause (1);

"(3) Chinese persons and persons of Chinese descent, and persons of races indigenous to India; and

"(4) persons who possess, either singly or in combination, a preponderance of blood of one or more of the classes specified in clause (3) or, either singly or in combination, as much as one-half blood of those classes and some additional blood of one of the classes specified in clause (1).

"(b) Nothing in the preceding subsection shall prevent the naturalization of former citizens of the United States who are otherwise eligible to naturalization under the provisions of section 317."

54 Stat. 1146.
8 U. S. C. § 717.

SEC. 2. The Nationality Act of 1940 (54 Stat. 1137; 8 U. S. C. 907) is hereby amended by adding a new section, to be known as "SEC. 321A", and to read as follows:

"SEC. 321A. Certificates of arrival or declarations of intention shall not be required of Filipino persons or persons of Filipino descent who are citizens of the Commonwealth of the Philippines on the date of the enactment of this section, and who entered the United States prior to May 1, 1934, and have since continuously resided in the United States. The term 'Filipino persons or person of Filipino descent' as used in this Act shall mean persons of a race indigenous to the Philippine Islands and shall not include persons who are of as much as one-half of a race ineligible to citizenship."

SEC. 3. Section 324 (a) (54 Stat. 1149; 8 U. S. C. 724) of such Act, as amended is amended by striking out after the word "person" the words "including a native-born Filipino".

SEC. 4. With the exception of those covered by subsections (b), (d), (e), and (f) of section 4, Immigration Act of 1924 (43 Stat. 155; 44 Stat. 812; 45 Stat. 1009; 46 Stat. 854; 47 Stat. 656; 8 U. S. C. 204), all persons of races indigenous to India entering the United States annually as immigrants shall be allocated to the quota for India computed under the provisions of section 11 of the said Act. A preference up to 75 per centum of the quota shall be given to Indians and other aliens racially eligible to naturalization, born and resident in India or its dependencies.

SEC. 5. (a) For the purposes of section 2 of this Act, the term "persons of races indigenous to India" shall mean any person who is as much as one-half of the blood of a race indigenous to India and who is eligible to naturalization under section 303 of the Nationality Act of 1940, as amended by section 1 of this Act.

(b) For the purposes of section 2 of the Act of December 17, 1943 (57 Stat. 601; 8 U. S. C., Supp. 703), the term "Chinese person" shall mean any person who is as much as one-half Chinese blood and who is eligible to naturalization under section 303 of the Nationality Act of 1940, as amended by section 1 of this Act.

(c) Notwithstanding the two preceding subsections, any quota immigrant who is of one-half Chinese blood and one-half the blood of a race indigenous to India shall, if born in India, be chargeable to the quota for India; if born in China, to the quota for the Chinese, or if born in neither of those countries, to whichever of the said quotas has the least applications for visas against it at the time the application for visa is made.

Approved July 2, 1946.

[CHAPTER 535]

AN ACT

To excuse employees of the Government from work on July 5, 1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of any other Act, employees of the executive branch of the Government, employees of the District of Columbia municipal government, employees of the legislative branch whose basic work-week is fixed in accordance with section 604 (a) of the Federal Employees Pay Act of 1945, employees of the Government Printing Office, and employees of the judicial branch who occupy positions subject to the Classification Act of 1923, as amended, may, in the discretion of the heads of their respective departments, establishments, and agencies, be excused from duty on July 5, 1946. The absence on

8 U. S. C., Supp. V, § 701 *et seq.*
Post, p. 865.

Certificates of arrival, etc.
Filipinos.

"Filipino persons or person of Filipino descent."

Races indigenous to India.

43 Stat. 159.
8 U. S. C. § 211;
Supp. V, § 211 note.

"Persons of races indigenous to India."

"Chinese person."

8 U. S. C., Supp. V, § 212a.
Post, p. 975.

Chargeable quotas.

July 2, 1946
[S. 2335]

[Public Law 494]

59 Stat. 303.
5 U. S. C., Supp. V, § 944.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

such date of any employee so excused shall be without loss of pay or charge to annual leave or accrued compensatory time if, during the month of July 1946, such employee performs work (without pay or time credit therefor) outside of the regularly scheduled hours of duty in any administrative workweek, at a time or times, other than Sundays, to be selected by the head of his department, establishment, or agency, for the number of hours for which compensation is paid with respect to July 5, 1946. July 5, 1946, shall not be construed to be a holiday within the meaning of section 302 of the Federal Employees Pay Act of 1945, as amended, or any other provision of law or regulation authorizing payment of compensation at premium rates for holiday work, and shall not be construed as a nonworkday within the meaning of any leave regulation.

Approved July 2, 1946.

59 Stat. 298.
5 U. S. C., Supp. V,
§ 922.
Ante, p. 218.

[CHAPTER 536]

AN ACT

To provide for the retention by the United States Government or its agencies or instrumentalities of real and personal property within the Philippines now owned or later acquired and for the administration of the Trading With the Enemy Act of October 6, 1917, as amended, in the Philippines, subsequent to independence.

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Philippine Property Act of 1946".

SEC. 2. There shall remain vested in the Government of the United States or its agencies or instrumentalities all the right, title, and interest of the said Government or its agencies or instrumentalities to all real and personal property within the Philippine Islands as may now be vested in, or later be acquired by the Government of the United States or any of its agencies or instrumentalities.

SEC. 3. The Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, shall continue in force in the Philippines after July 4, 1946, and all powers and authority conferred upon the President of the United States or the Alien Property Custodian by the terms of the said Trading With the Enemy Act, as amended, with respect to the Philippines, shall continue thereafter to be exercised by the President of the United States, or such officer or agency as he may designate: *Provided*, That all property vested in or transferred to the President of the United States, the Alien Property Custodian, or any such officer or agency as the President of the United States may designate under the Trading With the Enemy Act, as amended, which was located in the Philippines at the time of such vesting, or the proceeds thereof, and which shall remain after the satisfaction of any claim payable under the Trading With the Enemy Act, as amended, and after the payment of such costs and expenses of administration as may by law be charged against such property or proceeds, shall be transferred by the President of the United States to the Republic of the Philippines: *Provided further*, That such property, or proceeds thereof, may be transferred by the President of the United States to the Republic of the Philippines upon indemnification acceptable to the President of the United States by the Republic of the Philippines for such claims, costs, and expenses of administration as may by law be charged against such property or proceeds thereof before final

Right, title, etc., of U. S. to property in Philippines.

Continuation of powers under Trading with the Enemy Act. 50 U. S. C. app. §§ 1-31; Supp. V, app. § 3 *et seq.* *Ante*, pp. 50, 54, 182; *post*, pp. 925, 944.

Transfer of property.

Indemnification.

July 3, 1946
[S. 2345]
[Public Law 485]

adjudication of such claims, costs, and expenses of administration: *Provided further*, That the courts of first instance of the Republic of the Philippines are hereby given jurisdiction to make and enter all such rules as to notice or otherwise, and all such orders and decrees, and to issue such process as may be necessary and proper in the premises to enforce any orders, rules, and regulations issued by the President of the United States, the Alien Property Custodian, or such officer or agency designated by the President of the United States pursuant to the Trading With the Enemy Act, as amended, with such right of appeal therefrom as may be provided by law: *And provided further*, That any suit authorized under the Trading With the Enemy Act, as amended, with respect to property vested in or transferred to the President of the United States, the Alien Property Custodian, or any officer or agency designated by the President of the United States hereunder, which at the time of such vesting or transfer was located within the Philippines, shall after July 4, 1946, be brought, in the appropriate court of first instance of the Republic of the Philippines, against the officer or agency hereunder designated by the President of the United States with such right of appeal therefrom as may be provided by law. In any litigation authorized under this section, the officer or administrative head of the agency designated hereunder may appear personally, or through attorneys appointed by him, without regard to the requirements of law other than this section.

Jurisdiction of courts of first instance.

Authorized suits against U. S.

SEC. 4. In respect to property not transferable to the Republic of the Philippines under section 3 of this Act, the President of the United States is authorized, in his discretion and under such terms and conditions as he may deem appropriate, to transfer to the Republic of the Philippines any or all of the right, title, and interest of the Government of the United States or its agencies or instrumentalities to any or all real and personal property vested in such agencies or instrumentalities.

Transfer of title, etc.

SEC. 5. Immediately upon passage of this Act the Alien Property Custodian of the United States shall enter into an agreement with the President of the Philippines to transfer to the Philippine Government for a nominal cash consideration all shares now vested or hereafter vested by the Alien Property Custodian of corporations owning in fee, leasing, or otherwise operating or controlling agricultural lands in the Philippines, other agricultural lands in the Philippines, vested or hereafter vested by the Alien Property Custodian not included in the foregoing, and improved property in Manila vested or hereafter vested by the Alien Property Custodian which in his judgment is urgently needed for the operation of an administrative agency of the Philippine Government: *Provided*, That in respect to property transferred under this section to the Philippine Government, it shall be made a part of the agreement that the Philippine Government shall fully indemnify the United States for all claims payable under the Trading With the Enemy Act, as amended, and for all such costs and expenses of administration as may by law be charged against such property or proceeds thereof.

Agreement to transfer agricultural lands, etc.

Indemnification.

SEC. 6. Nothing contained in this Act shall be construed as amending the provisions of the Act of March 24, 1934 (48 Stat. 456), as amended, respecting naval reservations and fueling stations, and diplomatic or consular property, and the property of the High Commissioner to the Philippine Islands, nor as amending the provisions of the joint resolution of June 29, 1944 (Public Law 380, Seventy-eighth Congress), respecting bases for the mutual protection of the Philippine Islands and the United States.

Naval reservations, etc.
48 U. S. C. §§ 1231-1248; Supp. V, § 1232 *et seq.*
Ante, p. 158.

58 Stat. 625.
48 U. S. C., Supp. V, §§ 1235a, 1240 note.

“Philippine Government.”

SEC. 7. For the purposes of this Act the term “Philippine Government” shall mean “Government of the Commonwealth of the Philippines” until the date of independence, and thereafter it shall mean the “Government of the Republic of the Philippines”.

Approved July 3, 1946.

[CHAPTER 537]

AN ACT

To amend the Act entitled “An Act to protect trade and commerce against interference by violence, threats, coercion, or intimidation”, approved June 18, 1934.

July 3, 1946

[H. R. 32]

[Public Law 486]

Protection of trade and commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled “An Act to protect trade and commerce against interference by violence, threats, coercion, or intimidation”, approved June 18, 1934 (48 Stat. 979; U. S. C., 1940 edition, title 18, secs. 420a–420e), be, and it is hereby, amended to read as follows:

“TITLE I

Definitions.

“SEC. 1. As used in this title—

“(a) The term ‘commerce’ means (1) commerce between any point in a State, Territory, or the District of Columbia and any point outside thereof, or between points within the same State, Territory, or the District of Columbia but through any place outside thereof, and (2) commerce within the District of Columbia or any Territory, and (3) all other commerce over which the United States has jurisdiction; and the term ‘Territory’ means any Territory or possession of the United States.

“(b) The term ‘robbery’ means the unlawful taking or obtaining of personal property, from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or anyone in his company at the time of the taking or obtaining.

“(c) The term ‘extortion’ means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

Felonies.

“SEC. 2. Whoever in any way or degree obstructs, delays, or affects commerce, or the movement of any article or commodity in commerce, by robbery or extortion, shall be guilty of a felony.

“SEC. 3. Whoever conspires with another or with others, or acts in concert with another or with others to do anything in violation of section 2 shall be guilty of a felony.

“SEC. 4. Whoever attempts or participates in an attempt to do anything in violation of section 2 shall be guilty of a felony.

“SEC. 5. Whoever commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of section 2 shall be guilty of a felony.

Penalty.

“SEC. 6. Whoever violates any section of this title shall, upon conviction thereof, be punished by imprisonment for not more than twenty years or by a fine of not more than \$10,000, or both.

“TITLE II

“Nothing in this Act shall be construed to repeal, modify, or affect either section 6 or section 20 of an Act entitled ‘An Act to supplement existing laws against unlawful restraints and monopolies, and

for other purposes', approved October 15, 1914, or an Act entitled 'An Act to amend the judicial code and to define and limit the jurisdiction of the courts in equity, and for other purposes', approved March 23, 1932, or an Act entitled 'An Act to provide for the prompt disposition of disputes between carriers and their employees, and for other purposes', approved May 20, 1926, as amended, or an Act entitled 'An Act to diminish the causes of labor disputes burdening or obstructing interstate or foreign commerce, to create a National Labor Relations Board, and for other purposes', approved July 5, 1935."

Approved July 3, 1946.

[CHAPTER 538]

AN ACT

To amend the Public Health Service Act to provide for research relating to psychiatric disorders and to aid in the development of more effective methods of prevention, diagnosis, and treatment of such disorders, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Mental Health Act".

PURPOSE

SEC. 2. The purpose of this Act is the improvement of the mental health of the people of the United States through the conducting of researches, investigations, experiments, and demonstrations relating to the cause, diagnosis, and treatment of psychiatric disorders; assisting and fostering such research activities by public and private agencies, and promoting the coordination of all such researches and activities and the useful application of their results; training personnel in matters relating to mental health; and developing, and assisting States in the use of, the most effective methods of prevention, diagnosis, and treatment of psychiatric disorders.

DEFINITIONS

SEC. 3. (a) Section 2 of the Public Health Service Act (42 U. S. C., ch. 6A) is amended by striking out the word "and" at the end of paragraph (j), by striking out the period at the end of paragraph (k) and inserting in lieu thereof a semicolon, and by inserting after paragraph (k) the following new paragraphs:

"(1) The term 'psychiatric disorders' includes diseases of the nervous system which affect mental health; and

"(m) The term 'State mental health authority' means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for administering the mental health program of the State, it means such other State agency."

SEC. 4. Section 208 (b) of the Public Health Service Act is amended to read as follows:

"(b) (1) Whenever commissioned officers of the Service are not available for the performance of permanent duties requiring highly specialized training and experience in special fields related to public health, the Administrator on recommendation of the Surgeon General shall report that fact to the President and the President is authorized to appoint, by and with the advice and consent of the Senate, not to exceed three persons in any one fiscal year to grades in the Regular Corps of the Service above that of senior assistant, but not to a grade above that of director.

38 Stat. 731, 738.
15 U. S. C. § 17; 29
U. S. C. § 52; Supp. V,
§ 52.

47 Stat. 70.
29 U. S. C. §§ 101-
115.

44 Stat. 577.
45 U. S. C. §§ 151-
188; Supp. V, § 151 *et*
seq.; 28 U. S. C. §§ 225,
348; Supp. V, § 225.
49 Stat. 449.
29 U. S. C. §§ 151-
166.

July 3, 1946
[H. R. 4512]
[Public Law 487]

National Mental
Health Act.

58 Stat. 682.
42 U. S. C., Supp.
V, § 201.

"Psychiatric dis-
orders."

"State mental
health authority."

58 Stat. 685.
42 U. S. C., Supp.
V, § 209 (b).

Appointments.

Post, p. 1049.

"(2) Officers may be appointed to grades in the Regular Corps of the Service above that of senior assistant, but not to a grade above that of director, to assist in carrying out the purposes of this Act with respect to mental health, but not more than twenty such officers appointed pursuant to this paragraph shall hold office at the same time.

"(3) For purposes of pay and pay period any person appointed under the provisions of this subsection shall be considered as having had on the date of appointment service equal to that of the junior officer of the grade to which appointed."

NATIONAL ADVISORY MENTAL HEALTH COUNCIL

SEC. 5. (a) Subsection (e) of section 209 of the Public Health Service Act is amended to read as follows:

"(e) Members of the National Advisory Health Council, members of the National Advisory Mental Health Council, and members of the National Advisory Cancer Council, other than ex officio members, while attending conferences or meetings of their respective Councils or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Administrator, but not exceeding \$25 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence."

(b) The title of section 217 of such Act is amended to read "National Advisory Health, Cancer, and Mental Health Councils".

(c) Subsection (b) of section 217 of such Act is amended to read as follows:

"(b) The National Advisory Health Council shall advise, consult with, and make recommendations to, the Surgeon General on matters relating to health activities and functions of the Service. The Surgeon General is authorized to utilize the services of any member or members of the Council, and where appropriate, any member or members of the National Advisory Cancer Council or of the National Advisory Mental Health Council, in connection with matters related to the work of the Service, for such periods, in addition to conference periods, as he may determine."

(d) Section 217 of such Act is further amended by adding at the end thereof the following new subsections:

"(d) The National Advisory Mental Health Council shall consist of the Surgeon General, ex officio, who shall be chairman, and six members to be appointed without regard to the civil-service laws by the Surgeon General with the approval of the Administrator. The six appointed members shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of psychiatric disorders. Each appointed member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the first terms of the original appointed members shall expire, as designated by the Surgeon General at the time of appointment, two at the end of one year, two at the end of two years, and two at the end of three years. An appointed member shall not be eligible to serve continuously for more than three years but shall be eligible for reappointment if he has not served immediately preceding his reappointment.

"(e) The National Advisory Mental Health Council shall advise, consult with, and make recommendations to, the Surgeon General on matters relating to the activities and functions of the Service in the field

58 Stat. 686.
42 U. S. C., Supp.
V, § 210 (e).
Compensation for
attending conferences,
etc.

58 Stat. 691.
42 U. S. C., Supp.
V, § 218.

National Advisory
Health Council.
Duties.

Members.

National Advisory
Mental Health Coun-
cil.
Duties.

of mental health. The Council is authorized (1) to review research projects or programs submitted to or initiated by it in the field of mental health and recommend to the Surgeon General, for prosecution under this Act, any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis and treatment of psychiatric disorders; and (2) to collect information as to studies being carried on in the field of mental health and, with the approval of the Surgeon General, make available such information through the appropriate publications for the benefit of health and welfare agencies or organizations (public or private), physicians, or any other scientists, and for the information of the general public. The Council is also authorized to recommend to the Surgeon General, for acceptance pursuant to section 501 of this Act, conditional gifts for work in the field of mental health; and the Surgeon General shall recommend acceptance of any such gifts only after consultation with the Council."

58 Stat. 709.
42 U. S. C., Supp.
V, § 219.
Post, p. 425.

DETAIL OF PERSONNEL

SEC. 6. Subsection (b) of section 214 of the Public Health Service Act is amended to read as follows:

58 Stat. 690.
42 U. S. C., Supp.
V, § 215 (b).
Details to States.

"(b) Upon the request of any State health authority or, in the case of work relating to mental health, any State mental health authority, personnel of the Service may be detailed by the Surgeon General for the purpose of assisting such State or a political subdivision thereof in work related to the functions of the Service."

RESEARCH, INVESTIGATIONS, AND TRAINING

SEC. 7. (a) Paragraph (d) of section 301 of the Public Health Service Act is amended to read as follows:

58 Stat. 692.
42 U. S. C., Supp.
V, § 241 (d).
Grants in aid to
institutions, etc.

"(d) Make grants in aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the National Advisory Health Council, or, with respect to cancer, recommended by the National Advisory Cancer Council, or, with respect to mental health, recommended by the National Advisory Mental Health Council;".

(b) Paragraph (g) of such section is amended to read as follows:

"(g) Adopt, upon recommendation of the National Advisory Health Council, or, with respect to cancer, upon recommendation of the National Advisory Cancer Council, or, with respect to mental health, upon recommendation of the National Advisory Mental Health Council, such additional means as he deems necessary or appropriate to carry out the purposes of this section."

Adoption of additional
means.

(c) Part A of title III of the Public Health Service Act is further amended by adding at the end thereof the following new section:

58 Stat. 691.
42 U. S. C., Supp.
V, §§ 241, 242.

"MENTAL HEALTH

"SEC. 303. In carrying out the purposes of section 301 with respect to mental health, the Surgeon General is authorized—

Supra.

"(a) For purposes of study, to admit and treat at the National Institute of Mental Health, voluntary patients, whether or not otherwise eligible for such treatment by the Service, and patients of Saint Elizabeths Hospital transferred from the hospital pursuant to arrangements made between the Surgeon General and the Superintendent of the hospital with the approval of the Administrator: *Provided*, That consent of a legal guardian shall be obtained before the transfer of any patient from Saint Elizabeths Hospital for such treatment.

Voluntary patients

Patients from Saint
Elizabeths Hospital.

Training and instruction.

"(b) (1) To provide training and instruction, in matters relating to psychiatric disorders, to persons found by him to have proper qualifications, and to fix and pay to any of such persons as he may designate a per diem allowance during such training and instruction of not to exceed \$10, the number of such persons receiving such training and instruction to be fixed by the National Advisory Mental Health Council; and (2) to provide such training and instruction, and demonstrations, through grants, upon recommendation of the National Advisory Mental Health Council, to public and other nonprofit institutions, but only to the extent necessary for the purposes of such training and instruction."

HEALTH CONFERENCES

58 Stat. 693.
42 U. S. C., Supp.
V, § 244.

SEC. 8. Section 312 of the Public Health Service Act is amended to read as follows:

"HEALTH CONFERENCES

"SEC. 312. A conference of the health authorities of the several States shall be called annually by the Surgeon General. Whenever in his opinion the interests of the public health would be promoted by a conference, the Surgeon General may invite as many of such health authorities to confer as he deems necessary or proper. Upon the application of health authorities of five or more States it shall be the duty of the Surgeon General to call a conference of all State and Territorial health authorities joining in the request. Each State represented at any conference shall be entitled to a single vote. Whenever at any such conference matters relating to mental health are to be discussed, the mental health authorities of the respective States shall be invited to attend."

GRANTS TO STATES

58 Stat. 694.
42 U. S. C., Supp.
V, § 246 (c).

SEC. 9. (a) Subsection (c) of section 314 of the Public Health Service Act is amended to read as follows:

"(c) To enable the Surgeon General to assist, through grants and as otherwise provided in this section, States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public health services, including grants for demonstrations and for the training of personnel for State and local health work, there is hereby authorized to be appropriated for each fiscal year a sum not to exceed \$30,000,000. Of the sum appropriated for each fiscal year pursuant to this subsection there shall be available an amount, not to exceed \$3,000,000, to enable the Surgeon General to provide demonstrations and to train personnel for State and local health work and to meet the cost of pay, allowances, and traveling expenses of commissioned officers and other personnel of the Service detailed to assist States in carrying out the purposes of this subsection."

Appropriation authorized.
Post, p. 691.

(b) Subsection (d) of such section is amended to read as follows:

Determination of allotments.

"(d) For each fiscal year, the Surgeon General, with the approval of the Administrator, shall determine the total sum from the appropriation under subsection (a), the total sum from the appropriation under subsection (b), and, within the limits specified in subsection (c), the total sum from the appropriation under that subsection which shall be available for allotment among the several States. He shall, in accordance with regulations, from time to time make allotments from such sums to the several States on the basis of (1) the population, (2) the extent of the venereal-disease problem, the extent of the tuberculosis problem, and the extent of the mental health problem and other special health problems, respectively, and (3) the financial need of

the respective States. Upon making such allotments the Surgeon General shall notify the Secretary of the Treasury of the amounts thereof."

(c) Subsection (f) of such section is amended to read as follows:

"(f) The moneys so paid to any State shall be expended solely in carrying out the purposes specified in subsection (a), or subsection (b), or subsection (c) of this section, as the case may be, and in accordance with plans, approved by the Surgeon General, which have been presented by the health authority of such State and, to the extent any such plan contains provisions relating to mental health, by the mental health authority of such State."

Expenditures.

(d) Subsection (h) of such section is amended to read as follows:

"(h) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority or, where appropriate, the mental health authority of the State, finds that, with respect to money paid to the State out of appropriations under subsection (a), or subsection (b), or subsection (c), as the case may be, there is a failure to comply substantially with either—

Failure to comply with requirements.

"(1) the provisions of this section;

"(2) the plan submitted under subsection (f); or

"(3) the regulations;

the Surgeon General shall notify such State health authority or mental health authority either that further payments will not be made to the State from appropriations under such subsection (or in his discretion that further payments will not be made to the State from such appropriations for activities in which there is such failure), until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Surgeon General shall make no further certification for payment to such State from appropriations under such subsection, or shall limit payment to activities in which there is no such failure."

(e) Subsection (i) of such section is amended to read as follows:

"(i) All regulations and amendments thereto with respect to grants to States under this section shall be made after consultation with a conference of the State health authorities and, in the case of regulations or amendments which relate to or in any way affect grants under subsection (c) for work in the field of mental health, the State mental health authorities. Insofar as practicable, the Surgeon General shall obtain the agreement, prior to the issuance of any such regulations or amendments, of the State health authorities and, in the case of regulations or amendments which relate to or in any way affect grants under subsection (c) for work in the field of mental health, the State mental health authorities."

Regulations, etc., respecting grants.

Ante, p. 424.

GIFTS

SEC. 10. Section 501 (e) of the Public Health Service Act is amended to read as follows:

"(e) Donations of \$50,000 or over in aid of research may be acknowledged by the establishment of suitable memorials to the donors, within the National Institute of Health or, where appropriate, within the National Institute of Mental Health."

58 Stat. 709.
42 U. S. C., Supp.
V, § 219 (e).

Memorials to donors.

NATIONAL INSTITUTE OF MENTAL HEALTH

SEC. 11. There is hereby authorized to be appropriated a sum not to exceed \$7,500,000 for the erection and equipment, for the use of the Public Health Service in carrying out the provisions of this Act, of suitable and adequate hospital buildings and facilities, including necessary living quarters for personnel, and of suitable and adequate

Appropriation authorized.

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

Plans and specifications.

Approved July 3, 1946.

[CHAPTER 539]

AN ACT

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

July 3, 1946
[H. R. 5244]

[Public Law 488]

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

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

Commission.

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

Salary.

Eligibility for appointment.

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

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

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

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

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

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

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

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

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

Approved July 3, 1946.

Time limitation.

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

[CHAPTER 540]

AN ACT

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

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

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

Trade-marks.
Post, p. 568.

TITLE I—THE PRINCIPAL REGISTER

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

(a) By filing in the Patent Office—

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

Application claim-
ing concurrent use.

(2) a drawing of the mark; and

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

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

(c) By complying with such rules or regulations, not inconsistent with law, as may be prescribed by the Commissioner.

(d) If the applicant is not domiciled in the United States he shall designate by a written document filed in the Patent Office the name and address of some person resident in the United States on whom may be served notices or process in proceedings affecting the mark. Such notices or process may be served upon the person so designated by leaving with him or mailing to him a copy thereof at the address specified in the last designation so filed. If the person so designated cannot be found at the address given in the last designation, such notice or process may be served upon the Commissioner.

MARKS REGISTRABLE ON THE PRINCIPAL REGISTER

Conditions for refusal of registration.

SEC. 2. No trade-mark by which the goods of the applicant may be distinguished from the goods of others shall be refused registration on the principal register on account of its nature unless it—

(a) Consists of or comprises immoral, deceptive, or scandalous matter; or matter which may disparage or falsely suggest a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute.

(b) Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof.

(c) Consists of or comprises a name, portrait, or signature identifying a particular living individual except by his written consent, or the name, signature, or portrait of a deceased President of the United States during the life of his widow, if any, except by the written consent of the widow.

(d) Consists of or comprises a mark which so resembles a mark registered in the Patent Office or a mark or trade name previously used in the United States by another and not abandoned, as to be likely, when applied to the goods of the applicant, to cause confusion or mistake or to deceive purchasers: *Provided*, That the Commissioner may register as concurrent registrations the same or similar marks to more than one registrant when they have become entitled to use such marks as a result of their concurrent lawful use thereof in commerce prior to any of the filing dates of the applications involved and the Commissioner or a court on appeal determines that confusion or mistake or deceit of purchasers is not likely to result from the continued use of said marks under conditions and limitations as to the mode or place of use or the goods in connection with which such registrations may be granted which conditions and limitations shall be prescribed in the grant of the concurrent registrations thereof; and concurrent registrations may be similarly granted by the Commissioner with such conditions and limitations when a court has finally determined that more than one person is entitled to use the same or similar marks in commerce. The Commissioner shall give not less than thirty days' written notice to all applicants, registrants, and users specified by any of the parties concerned of any application for concurrent registration and of the time and place of the hearings thereon. When the Commissioner decides to grant a concurrent registration the proposed registration shall be published in the Official Gazette of the Patent Office and the application shall be subject to opposition as hereinafter provided for other applications to register marks. Concurrent registrations may be ordered by a court in an action under the provisions of section 4915, Revised Statutes, under such conditions and limitations as the court considers proper in accordance herewith.

Concurrent registrations.

Notice by Commissioner.

Publication of proposed registration.

(e) Consists of a mark which, (1) when applied to the goods of the applicant is merely descriptive or deceptively misdescriptive of them, or (2) when applied to the goods of the applicant is primarily geographically descriptive or deceptively misdescriptive of them, except as indications of regional origin may be registrable under section 4 hereof, or (3) is primarily merely a surname.

(f) Except as expressly excluded in paragraphs (a), (b), (c), and (d) of this section, nothing herein shall prevent the registration of a mark used by the applicant which has become distinctive of the applicant's goods in commerce. The Commissioner may accept as prima facie evidence that the mark has become distinctive, as applied to the applicant's goods in commerce, proof of substantially exclusive and continuous use thereof as a mark by the applicant in commerce for the five years next preceding the date of the filing of the application for its registration.

Mark distinctive of applicant's goods.

SERVICE MARKS REGISTRABLE

SEC. 3. Subject to the provisions relating to the registration of trade-marks, so far as they are applicable, service marks used in commerce shall be registrable, in the same manner and with the same effect as are trade-marks, and when registered they shall be entitled to the protection provided herein in the case of trade-marks, except when used so as to represent falsely that the owner thereof makes or sells the goods on which such mark is used. The Commissioner may establish a separate register for such service marks. Applications and procedure under this section shall conform as nearly as practicable to those prescribed for the registration of trade-marks.

COLLECTIVE AND CERTIFICATION MARKS REGISTRABLE

SEC. 4. Subject to the provisions relating to the registration of trade-marks, so far as they are applicable, collective and certification marks, including indications of regional origin used in commerce, shall be registrable under this Act, in the same manner and with the same effect as are trade-marks, by persons, and nations, States, municipalities, and the like, exercising legitimate control over the use of the marks sought to be registered, even though not possessing an industrial or commercial establishment, and when registered they shall be entitled to the protection provided herein in the case of trade-marks, except when used so as to represent falsely that the owner or a user thereof makes or sells the goods or performs the services on or in connection with which such mark is used. The Commissioner may establish a separate register for such collective marks and certification marks. Applications and procedure under this section shall conform as nearly as practicable to those prescribed for the registration of trade-marks.

USE BY RELATED COMPANIES

SEC. 5. Where a registered mark or a mark sought to be registered is or may be used legitimately by related companies, such use shall inure to the benefit of the registrant or applicant for registration, and such use shall not affect the validity of such mark or of its registration, provided such mark is not used in such manner as to deceive the public.

DISCLAIMERS

SEC. 6. The Commissioner shall require unregistrable matter to be disclaimed, but such disclaimer shall not prejudice or affect the applicant's or owner's rights then existing or thereafter arising in the disclaimed matter, nor shall such disclaimer prejudice or affect the

applicant's or owner's rights of registration on another application of later date if the disclaimed matter has become distinctive of the applicant's or owner's goods or services.

CERTIFICATES

Issuance.

SEC. 7. (a) Certificates of registration of marks registered upon the principal register shall be issued in the name of the United States of America, under the seal of the Patent Office, and shall either be signed by the Commissioner or have his name printed thereon and attested by an assistant commissioner or by one of the law examiners duly designated by the Commissioner, and a record thereof, together with printed copies of the drawing and statement of the applicant, shall be kept in books for that purpose. The certificate shall reproduce the drawing of the mark, contain the statement of the applicant and state that the mark is registered on the principal register under this Act, the date of the first use of the mark, the date of the first use of the mark in commerce, the particular goods or services for which it is registered, the number and date of the registration, the term thereof, the date on which the application for registration was received in the Patent Office, and any conditions and limitations that may be imposed in the grant of the registration.

Evidence of validity of registration, etc.

(b) A certificate of registration of a mark upon the principal register provided by this Act shall be prima facie evidence of the validity of the registration, registrant's ownership of the mark, and of registrant's exclusive right to use the mark in commerce in connection with the goods or services specified in the certificate, subject to any conditions and limitations stated therein.

Change of ownership.

(c) A certificate of registration of a mark may be issued to the assignee of the applicant, but the assignment must first be recorded in the Patent Office. In case of change of ownership the Commissioner shall, at the request of the owner and upon a proper showing and the payment of the fee herein provided, issue to such assignee a new certificate of registration of the said mark in the name of such assignee, and for the unexpired part of the original period.

Amendment, etc., of registration.

(d) At any time, upon application of the registrant and payment of the fee herein provided, the Commissioner may permit any registration in the Patent Office to be surrendered, canceled, or for good cause to be amended, and he may permit any registered mark to be disclaimed in whole or in part: *Provided*, That the registration when so amended shall still contain registrable matter and the mark as amended shall still be registrable as a whole, and that such amendment or disclaimer does not involve such changes in the registration as to alter materially the character of the mark. The Commissioner shall make appropriate entry upon the records of the Patent Office and upon the certificate of registration or, if said certificate is lost or destroyed, upon a certified copy thereof.

Copies of records, etc.

(e) Copies of any records, books, papers, or drawings belonging to the Patent Office relating to marks, and copies of certificates of registration, when authenticated by the seal of the Patent Office and certified by the Commissioner, or in his name by a chief of division duly designated by the Commissioner, shall be evidence in all cases wherein the originals would be evidence; and any person making application therefor and paying the fee required by law shall have such copies.

Certificate of correction.

(f) Whenever a material mistake in a registration, incurred through the fault of the Patent Office, is clearly disclosed by the records of the Office a certificate stating the fact and nature of such mistake, signed by the Commissioner and sealed with the seal of the Patent Office, shall be issued without charge and recorded and a printed copy

thereof shall be attached to each printed copy of the registration certificate and such corrected certificate shall thereafter have the same effect as if the same had been originally issued in such corrected form, or in the discretion of the Commissioner a new certificate of registration may be issued without charge. All certificates of correction heretofore issued in accordance with the rules of the Patent Office and the registrations to which they are attached shall have the same force and effect as if such certificates and their issue had been specifically authorized by statute.

(g) Whenever a mistake has been made in a registration and a showing has been made that such mistake occurred in good faith through the fault of the applicant, the Commissioner is authorized to issue a certificate of correction or, in his discretion, a new certificate upon the payment of the required fee: *Provided*, That the correction does not involve such changes in the registration as to require republication of the mark.

DURATION

SEC. 8. (a) Each certificate of registration shall remain in force for twenty years: *Provided*, That the registration of any mark under the provisions of this Act shall be canceled by the Commissioner at the end of six years following its date, unless within one year next preceding the expiration of such six years the registrant shall file in the Patent Office an affidavit showing that said mark is still in use or showing that its nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark. Special notice of the requirement for such affidavit shall be attached to each certificate of registration.

Cancellation.

Affidavit.

(b) Any registration published under the provisions of subsection (c) of section 12 of this Act shall be canceled by the Commissioner at the end of six years after the date of such publication unless within one year next preceding the expiration of such six years the registrant shall file in the Patent Office an affidavit showing that said mark is still in use or showing that its nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark.

(c) The Commissioner shall notify any registrant who files either of the above-prescribed affidavits of his acceptance or refusal thereof and, if a refusal, the reasons therefor.

Notice of acceptance or refusal.

RENEWAL

SEC. 9. Each registration may be renewed for periods of twenty years from the end of the expiring period upon the filing of an application therefor accompanied by an affidavit by the registrant stating that the mark is still in use in commerce and the payment of the renewal fee required by this Act; and such application may be made at any time within six months before the expiration of the period for which the certificate of registration was issued or renewed, or it may be made within three months after such expiration on payment of the additional fee herein provided.

An applicant for renewal not domiciled in the United States shall be subject to and comply with the provisions of section 1 (d) hereof.

Ante, p. 428.

ASSIGNMENT

SEC. 10. A registered mark or a mark for which application to register has been filed shall be assignable with the goodwill of the business in which the mark is used, or with that part of the goodwill of the business connected with the use of and symbolized by the mark,

Cancellation.

and in any such assignment it shall not be necessary to include the goodwill of the business connected with the use of and symbolized by any other mark used in the business or by the name or style under which the business is conducted: *Provided*, That any assigned registration may be canceled at any time if the registered mark is being used by, or with the permission of, the assignee so as to misrepresent the source of the goods or services in connection with which the mark is used. Assignments shall be by instruments in writing duly executed. Acknowledgment shall be prima facie evidence of the execution of an assignment and when recorded in the Patent Office the record shall be prima facie evidence of execution. An assignment shall be void as against any subsequent purchaser for a valuable consideration without notice, unless it is recorded in the Patent Office within three months after the date thereof or prior to such subsequent purchase. The Commissioner shall keep a separate record of such assignments submitted to him for recording.

Ante, p. 428.

An assignee not domiciled in the United States shall be subject to and comply with the provisions of section 1 (d) hereof.

ACKNOWLEDGMENTS AND VERIFICATIONS

SEC. 11. Acknowledgments and verifications required hereunder may be made before any person within the United States authorized by law to administer oaths, or, when made in a foreign country, before any diplomatic or consular officer of the United States or before any official authorized to administer oaths in the foreign country concerned whose authority shall be proved by a certificate of a diplomatic or consular officer of the United States, and shall be valid if they comply with the laws of the state or country where made.

PUBLICATION

Examination.

SEC. 12. (a) Upon the filing of an application for registration and payment of the fee herein provided, the Commissioner shall refer the application to the examiner in charge of the registration of marks, who shall cause an examination to be made and, if on such examination it shall appear that the applicant is entitled to registration, the Commissioner shall cause the mark to be published in the Official Gazette of the Patent Office.

Procedure if applicant not entitled to registration.

(b) If the applicant is found not entitled to registration, the examiner shall advise the applicant thereof and of the reasons therefor. The applicant shall have a period of six months in which to reply or amend his application, which shall then be reexamined. This procedure may be repeated until (1) the examiner finally refuses registration of the mark or (2) the applicant fails for a period of six months to reply or amend or appeal, whereupon the application shall be deemed to have been abandoned, unless it can be shown to the satisfaction of the Commissioner that the delay in responding was unavoidable, whereupon such time may be extended.

Affidavit.

21 Stat. 502; 33 Stat. 724.
15 U. S. C. §§ 81-109.
Post, p. 444.

(c) A registrant of a mark registered under the provisions of the Act of March 3, 1881, or the Act of February 20, 1905, may, at any time prior to the expiration of the registration thereof, upon the payment of the prescribed fee file with the Commissioner an affidavit setting forth those goods stated in the registration on which said mark is in use in commerce and that the registrant claims the benefits of this Act for said mark. The Commissioner shall publish notice thereof with a reproduction of said mark in the Official Gazette, and notify the registrant of such publication and of the requirement for the affidavit of use or nonuse as provided for in subsection (b) of section 8 of this Act. This subsection shall not be subject to the provisions of section 13 of this Act.

OPPOSITION

SEC. 13. Any person who believes that he would be damaged by the registration of a mark upon the principal register may, upon payment of the required fee, file a verified notice of opposition in the Patent Office, stating the grounds therefor, within thirty days after the publication under subsection (a) of section 12 of this Act of the mark sought to be registered. For good cause shown, the time for filing notice of opposition may be extended by the Commissioner, who shall notify the applicant. An unverified opposition may be filed by a duly authorized attorney, but such opposition shall be null and void unless verified by the opposer within a reasonable time after such filing to be fixed by the Commissioner.

CANCELTION

SEC. 14. Any person who believes that he is or will be damaged by the registration of a mark on the principal register established by this Act, or under the Act of March 3, 1881, or the Act of February 20, 1905, may upon the payment of the prescribed fee, apply to cancel said registration—

(a) within five years from the date of the registration of the mark under this Act; or

(b) within five years from the date of the publication under section 12 (c) hereof of a mark registered under the Act of March 3, 1881, or the Act of February 20, 1905; or

(c) at any time if the registered mark becomes the common descriptive name of an article or substance on which the patent has expired, or has been abandoned or its registration was obtained fraudulently or contrary to the provisions of section 4 or of subsections (a), (b), or (c) of section 2 of this Act for a registration hereunder, or contrary to similar prohibitory provisions of said prior Acts for a registration thereunder, or if the registered mark has been assigned and is being used by, or with the permission of, the assignee so as to misrepresent the source of the goods or services in connection with which the mark is used, or if the mark was registered under the Act of March 3, 1881, or the Act of February 20, 1905, and has not been published under the provisions of subsection (c) of section 12 of this Act; or

(d) at any time in the case of a certification mark on the ground that the registrant (1) does not control, or is not able legitimately to exercise control over, the use of such mark, or (2) engages in the production or marketing of any goods or services to which the mark is applied, or (3) permits the use of such mark for other purposes than as a certification mark, or (4) discriminately refuses to certify or to continue to certify the goods or services of any person who maintains the standards or conditions which such mark certifies.

Provided, That the Federal Trade Commission may apply to cancel on the grounds specified in subsections (c) and (d) of this section any mark registered on the principal register established by this Act, and the prescribed fee shall not be required.

SEC. 15. Except on a ground for which application to cancel may be filed at any time under subsections (c) and (d) of section 14 of this Act, and except to the extent, if any, to which the use of a mark registered on the principal register infringes a valid right acquired under the law of any State or Territory by use of a mark or trade name continuing from a date prior to the date of the publication under this Act of such registered mark, the right of the registrant to use such

21 Stat. 502; 33
Stat. 724.
15 U. S. C. §§ 81-109.
Post, p. 444.

Supra.

Ante, p. 429.
Ante, p. 428.

21 Stat. 502; 33
Stat. 724.
15 U. S. C. §§ 81-109.
Post, p. 444.

Application to cancel by FTC.

Right of registrant to use registered mark.

Conditions.

registered mark in commerce for the goods or services on or in connection with which such registered mark has been in continuous use for five consecutive years subsequent to the date of such registration and is still in use in commerce, shall be incontestable: *Provided*, That—

(1) there has been no final decision adverse to registrant's claim of ownership of such mark for such goods or services, or to registrant's right to register the same or to keep the same on the register; and

(2) there is no proceeding involving said rights pending in the Patent Office or in a court and not finally disposed of; and

(3) an affidavit is filed with the Commissioner within one year after the expiration of any such five-year period setting forth those goods or services stated in the registration on or in connection with which such mark has been in continuous use for such five consecutive years and is still in use in commerce, and the other matters specified in subsections (1) and (2) hereof; and

(4) no incontestable right shall be acquired in a mark or trade name which is the common descriptive name of any article or substance, patented or otherwise.

Subject to the conditions above specified in this section, the incontestable right with reference to a mark registered under this Act shall apply to a mark registered under the Act of March 3, 1881, or the Act of February 20, 1905, upon the filing of the required affidavit with the Commissioner within one year after the expiration of any period of five consecutive years after the date of publication of a mark under the provisions of subsection (c) of section 12 of this Act.

The Commissioner shall notify any registrant who files the above-prescribed affidavit of the filing thereof.

21 Stat. 502; 33 Stat. 724.
15 U. S. C. §§ 81-109.
Post, p. 444.

INTERFERENCE

SEC. 16. Whenever application is made for the registration of a mark which so resembles a mark previously registered by another, or for the registration of which another has previously made application, as to be likely when applied to the goods or when used in connection with the services of the applicant to cause confusion or mistake or to deceive purchasers, the Commissioner may declare that an interference exists. No interference shall be declared between an application and the registration of a mark the right to the use of which has become incontestable.

Determination of registration rights.

SEC. 17. In every case of interference, opposition to registration, application to register as a lawful concurrent user, or application to cancel the registration of a mark, the Commissioner shall give notice to all parties and shall direct the examiner in charge of interferences to determine and decide the respective rights of registration.

Refusal of registration, etc.

SEC. 18. In such proceedings the Commissioner may refuse to register the opposed mark, may cancel or restrict the registration of a registered mark, or may refuse to register any or all of several interfering marks, or may register the mark or marks for the person or persons entitled thereto, as the rights of the parties hereunder may be established in the proceedings: *Provided*, That in the case of the registration of any mark based on concurrent use, the Commissioner shall determine and fix the conditions and limitations provided for in subsection (d) of section 2 of this Act.

Conditions and limitations.

Ante, p. 428.

Laches, estoppel, etc.

SEC. 19. In all inter partes proceedings equitable principles of laches, estoppel, and acquiescence, where applicable may be considered and applied. The provisions of this section shall also govern proceedings heretofore begun in the Patent Office and not finally determined.

SEC. 20. An appeal may be taken to the Commissioner in person from any final decision of the examiner in charge of interferences or of the registration of marks upon the payment of the prescribed fees.

SEC. 21. Any applicant for registration of a mark, party to an interference proceeding, party to an opposition proceeding, party to an application to register as a lawful concurrent user, party to a cancellation proceeding, or any registrant who has filed an affidavit as provided in section 8, who is dissatisfied with the decision of the Commissioner may appeal to the United States Court of Customs and Patent Appeals or may proceed under section 4915, Revised Statutes, as in the case of applicants for patents, under the same conditions, rules, and procedure as are prescribed in the case of patent appeals or proceedings so far as they are applicable: *Provided*, That any party who is satisfied with the decision of the Commissioner shall, upon the filing of an appeal to the Court of Customs and Patent Appeals by any dissatisfied party, have the right to elect to have all further proceedings under Revised Statutes 4915, by election as provided in Revised Statutes 4911. The Commissioner of Patents shall not be a necessary party to an inter partes proceeding under Revised Statutes 4915, but he shall be notified of the filing of the bill by the clerk of the court in which it is filed and the Commissioner shall have the right to intervene in the action.

Appeals.

Ante, p. 431.

35 U. S. C. § 63.

35 U. S. C. §§ 63, 59a.

REGISTRATION IS NOTICE

SEC. 22. Registration of a mark on the principal register provided by this Act or under the Act of March 3, 1881, or the Act of February 20, 1905, shall be constructive notice of the registrant's claim of ownership thereof.

21 Stat. 502; 33
Stat. 724.
15 U. S. C. §§ 81-109.
Post, p. 444.

TITLE II—THE SUPPLEMENTAL REGISTER

SEC. 23. In addition to the principal register, the Commissioner shall keep a continuation of the register provided in paragraph (b) of section 1 of the Act of March 19, 1920, entitled "An Act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes", to be called the supplemental register. All marks capable of distinguishing applicant's goods or services and not registrable on the principal register herein provided, except those declared to be unregistrable under paragraphs (a), (b), (c), and (d) of section 2 of this Act, which have been in lawful use in commerce by the proprietor thereof, upon or in connection with any goods or services for the year preceding the filing of the application may be registered on the supplemental register upon the payment of the prescribed fee and compliance with the provisions of section 1 so far as they are applicable.

41 Stat. 533.
15 U. S. C. § 121(b).
Post, p. 445.

Ante, p. 428.*Ante*, p. 427.

Examination.

Upon the filing of an application for registration on the supplemental register and payment of the fee herein provided the Commissioner shall refer the application to the examiner in charge of the registration of marks, who shall cause an examination to be made and if on such examination it shall appear that the applicant is entitled to registration, the registration shall be granted. If the applicant is found not entitled to registration the provisions of subsection (b) of section 12 of this Act shall apply.

Ante, p. 432.

Nature of mark.

For the purposes of registration on the supplemental register, a mark may consist of any trade-mark, symbol, label, package, configuration of goods, name, word, slogan, phrase, surname, geographical name,

numeral, or device or any combination of any of the foregoing, but such mark must be capable of distinguishing the applicant's goods or services.

Upon a proper showing by the applicant that he has begun the lawful use of his mark in foreign commerce and that he requires domestic registration as a basis for foreign protection of his mark, the Commissioner may waive the requirement of a full year's use and may grant registration forthwith.

Domestic registration for foreign protection.

CANCELATION

Publication.

SEC. 24. Marks for the supplemental register shall not be published for or be subject to opposition, but shall be published on registration in the Official Gazette of the Patent Office. Whenever any person believes that he is or will be damaged by the registration of a mark on this register he may at any time apply to the Commissioner to cancel such registration. The Commissioner shall refer such application to the examiner in charge of interferences, who shall give notice thereof to the registrant. If it is found after a hearing before the examiner that the registrant was not entitled to register the mark at the time of his application for registration thereof, or that the mark is not used by the registrant or has been abandoned, the registration shall be canceled by the Commissioner.

Certificates of registration.

SEC. 25. The certificates of registration for marks registered on the supplemental register shall be conspicuously different from certificates issued for marks registered on the principal register.

GENERAL PROVISIONS

SEC. 26. The provisions of this Act shall govern so far as applicable applications for registration and registrations on the supplemental register as well as those on the principal register, but applications for and registrations on the supplemental register shall not be subject to or receive the advantages of sections 2 (e), 2 (f), 7 (b), 12 (a), 13 to 18, inclusive, 22, 33, and 42 of this Act.

Ante, pp. 429, 430, 432-434, 435; *post*, pp. 438, 440.

SEC. 27. Registration of a mark on the supplemental register, or under the Act of March 19, 1920, shall not preclude registration by the registrant on the principal register established by this Act.

41 Stat. 533.
15 U. S. C. §§ 85,
107, 121-128.
Post, p. 445.

SEC. 28. Registration on the supplemental register or under the Act of March 19, 1920, shall not be filed in the Department of the Treasury or be used to stop importations.

TITLE III—NOTICE OF REGISTRATION

SEC. 29. Notwithstanding the provisions of section 22 hereof, a registrant of a mark registered under the Act of March 3, 1881, or the Act of February 20, 1905, or on the principal register established by this Act, shall give notice that his mark is registered by displaying with the mark as used the words "Registered in U. S. Patent Office" or "Reg. U. S. Pat. Off." or the letter R enclosed within a circle, thus ®; and in any suit for infringement under this Act by such a registrant failing so to mark goods bearing the registered mark, or by a registrant under the Act of March 19, 1920, or by the registrant of a mark on the supplemental register provided by this Act no profits and no damages shall be recovered under the provisions of this Act unless the defendant had actual notice of the registration.

21 Stat. 502; 33
Stat. 724.
15 U. S. C. §§ 81-109.
Post, p. 444.

41 Stat. 533.
15 U. S. C. §§ 85,
107, 121-128.
Post, p. 445.

TITLE IV—CLASSIFICATION

SEC. 30. The Commissioner shall establish a classification of goods and services, for convenience of Patent Office administration, but not to limit or extend the applicant's rights. The applicant may

register his mark in one application for any or all of the goods or services included in one class, upon or in connection with which he is actually using the mark. The Commissioner may issue a single certificate for one mark registered in a plurality of classes upon payment of a fee equaling the sum of the fees for each registration in each class.

TITLE V—FEES AND CHARGES

SEC. 31. The following fees shall be paid to the Patent Office under this Act:

On filing each original application for registration of a mark in each class on either the principal or the supplemental register, \$25; on filing each application for renewal in each class, \$25; and on filing each application for renewal in each class after expiration of the registration, an additional fee of \$5; on filing notice of claim of benefits of this Act for a mark to be published under section 12 (c) hereof, \$10; on filing notice of opposition or application for cancelation, \$25; on appeal from an examiner in charge of the registration of marks to the Commissioner, \$25; on appeal from an examiner in charge of interferences to the Commissioner, \$25; for issuance of a new certificate of registration following change of ownership of a mark or correction of a registrant's mistake, \$10; for certificate of correction of registrant's mistake, \$10; for manuscript copies, for every one hundred words or fraction thereof, 10 cents; for comparing other copies, 5 cents for every one hundred words or fraction thereof; for certifying in any case, additional, \$1; for each additional registration or application which may be included under a single certificate, 50 cents additional; for filing disclaimer, amendment, surrender, or cancelation after registration, \$10.

Ante, p. 432.

For abstracts of title: For the search, one hour or less, and certificate, \$3; each additional hour or fraction thereof, \$1.50; for each brief from the digest of assignments of two hundred words or less, \$1.

For certificate that trade-mark has not been registered—search and certificate (for deposit in foreign countries only), \$3.

For title reports required for office use, \$1.

For a single printed copy of statement and drawing, 10 cents; if certified, for the grant, additional, \$1; for the certificate, \$1; if renewed, for copy of certificate of renewal, additional, \$1.

For photographic copies of records and drawings, the reasonable cost of making them.

For recording every assignment or other paper not exceeding six pages, \$3; for each additional two pages or less, \$1; for each additional registration or application included, or involved in one writing where more than one is so included or involved, additional, 50 cents.

The Commissioner shall refund fees paid by mistake or in excess.

TITLE VI—REMEDIES

SEC. 32. (1) Any person who shall, in commerce, (a) use, without the consent of the registrant, any reproduction, counterfeit, copy, or colorable imitation of any registered mark in connection with the sale, offering for sale, or advertising of any goods or services on or in connection with which such use is likely to cause confusion or mistake or to deceive purchasers as to the source of origin of such goods or services; or (b) reproduce, counterfeit, copy, or colorably imitate any such mark and apply such reproduction, counterfeit, copy, or colorable imitation to labels, signs, prints, packages, wrappers, receptacles, or advertisements intended to be used upon or in connection with the sale in commerce of such goods or services, shall be liable to a civil

Infringements.

action by the registrant for any or all of the remedies hereinafter provided, except that under subsection (b) hereof the registrant shall not be entitled to recover profits or damages unless the acts have been committed with knowledge that such mark is intended to be used to cause confusion or mistake or to deceive purchasers.

Limitations.

(2) Notwithstanding any other provision of this Act, the remedies given to the owner of the right infringed shall be limited as follows:

(a) Where an infringer is engaged solely in the business of printing the mark for others and establishes that he was an innocent infringer the owner of the right infringed shall be entitled as against such infringer only to an injunction against future printing; (b) where the infringement complained of is contained in or is part of paid advertising matter in a newspaper, magazine, or other similar periodical the remedies of the owner of the right infringed as against the published or distributor of such newspaper, magazine, or other similar periodical shall be confined to an injunction against the presentation of such advertising matter in future issues of such newspapers, magazines, or other similar periodical: *Provided*, That these limitations shall apply only to innocent infringers; (c) injunction relief shall not be available to the owner of the right infringed in respect of an issue of a newspaper, magazine, or other similar periodical containing infringing matter when restraining the dissemination of such infringing matter in any particular issue of such periodical would delay the delivery of such issue after the regular time therefor, and such delay would be due to the method by which publication and distribution of such periodical is customarily conducted in accordance with sound business practice, and not to any method or device adopted for the evasion of this section or to prevent or delay the issuance of an injunction or restraining order with respect to such infringing matter.

Innocent infringers.

SEC. 33. (a) Any certificate of registration issued under the Act of March 3, 1881, or the Act of February 20, 1905, or of a mark registered on the principal register provided by this Act and owned by a party to an action shall be admissible in evidence and shall be prima facie evidence of registrant's exclusive right to use the registered mark in commerce on the goods or services specified in the certificate subject to any conditions or limitations stated therein, but shall not preclude an opposing party from proving any legal or equitable defense or defect which might have been asserted if such mark had not been registered.

(b) If the right to use the registered mark has become incontestable under section 15 hereof, the certificate shall be conclusive evidence of the registrant's exclusive right to use the registered mark in commerce on or in connection with the goods or services specified in the certificate subject to any conditions or limitations stated therein except when one of the following defenses or defects is established:

(1) That the registration or the incontestable right to use the mark was obtained fraudulently; or

(2) That the mark has been abandoned by the registrant; or

(3) That the registered mark has been assigned and is being used, by or with the permission of the assignee, so as to misrepresent the source of the goods or services in connection with which the mark is used; or

(4) That the use of the name, term, or device charged to be an infringement is a use, otherwise than as a trade or service mark, of the party's individual name in his own business, or of the individual name of anyone in privity with such party, or of a term or device which is descriptive of and used fairly and in good faith only to describe to users the goods or services of such party, or their geographic origin; or

Admissibility of certificate in evidence, etc.

21 Stat. 502; 33 Stat. 724.

15 U. S. C. §§ 81-109. Post, p. 444.

Ante, p. 433.

Defenses or defects.

(5) That the mark whose use by a party is charged as an infringement was adopted without knowledge of the registrant's prior use and has been continuously used by such party or those in privity with him from a date prior to the publication of the registered mark under subsection (a) or (c) of section 12 of this Act: *Provided, however,* That this defense or defect shall apply only for the area in which such continuous prior use is proved.

Ante, p. 432.

(6) That the mark whose use is charged as an infringement was registered and used prior to the publication under subsection (a) or (c) of section 12 of this Act of the registered mark of the registrant, and not abandoned: *Provided, however,* That this defense or defect shall apply only where the said mark has been published pursuant to subsection (c) of section 12 and shall apply only for the area in which the mark was used prior to the date of publication of the registrant's mark under subsection (a) or (c) of section 12 of this Act.

Ante, p. 432.

(7) That the mark has been or is being used to violate the antitrust laws of the United States.

Injunctions.

SEC. 34. The several courts vested with jurisdiction of civil actions arising under this Act shall have power to grant injunctions, according to the principles of equity and upon such terms as the court may deem reasonable, to prevent the violation of any right of the registrant of a mark registered in the Patent Office. Any such injunction may include a provision directing the defendant to file with the court and serve on the plaintiff within thirty days after the service on the defendant of such injunction, or such extended period as the court may direct, a report in writing under oath setting forth in detail the manner and form in which the defendant has complied with the injunction. Any such injunction granted upon hearing, after notice to the defendant, by any district court of the United States, may be served on the parties against whom such injunction is granted anywhere in the United States where they may be found, and shall be operative and may be enforced by proceedings to punish for contempt, or otherwise, by the court by which such injunction was granted, or by any other United States district court in whose jurisdiction the defendant may be found.

The said courts shall have jurisdiction to enforce said injunction, as herein provided, as fully as if the injunction had been granted by the district court in which it is sought to be enforced. The clerk of the court or judge granting the injunction shall, when required to do so by the court before which application to enforce said injunction is made, transfer without delay to said court a certified copy of all papers on file in his office upon which said injunction was granted.

It shall be the duty of the clerks of such courts within one month after the filing of any action, suit, or proceeding arising under the provisions of this Act to give notice thereof in writing to the Commissioner setting forth in order so far as known the names and addresses of the litigants and the designating number or numbers of the registration or registrations upon which the action, suit, or proceeding has been brought, and in the event any other registration be subsequently included in the action, suit, or proceeding by amendment, answer, or other pleading, the clerk shall give like notice thereof to the Commissioner, and within one month after the decision is rendered, appeal taken or a decree issued the clerk of the court shall give notice thereof to the Commissioner, and it shall be the duty of the Commissioner on receipt of such notice forthwith to endorse the same upon the file wrapper of the said registration or registrations and to incorporate the same as a part of the contents of said file wrapper.

Notice to Commissioner.

SEC. 35. When a violation of any right of the registrant of a mark registered in the Patent Office shall have been established in any civil action arising under this Act, the plaintiff shall be entitled, subject to

Recovery of damages, etc.

Ante, pp. 436, 437.

the provisions of sections 29 and 31 (1) (b), and subject to the principles of equity, to recover (1) defendant's profits, (2) any damages sustained by the plaintiff, and (3) the costs of the action. The court shall assess such profits and damages or cause the same to be assessed under its direction. In assessing profits the plaintiff shall be required to prove defendant's sales only; defendant must prove all elements of cost or deduction claimed. In assessing damages the court may enter judgment, according to the circumstances of the case, for any sum above the amount found as actual damages, not exceeding three times such amount. If the court shall find that the amount of the recovery based on profits is either inadequate or excessive the court may in its discretion enter judgment for such sum as the court shall find to be just, according to the circumstances of the case. Such sum in either of the above circumstances shall constitute compensation and not a penalty.

Forfeiture of prints, plates, etc.

SEC. 36. In any action arising under this Act, in which a violation of any right of the registrant of a mark registered in the Patent Office shall have been established, the court may order that all labels, signs, prints, packages, wrappers, receptacles, and advertisements in the possession of the defendant, bearing the registered mark or any reproduction, counterfeit, copy, or colorable imitation thereof, and all plates, molds, matrices, and other means of making the same, shall be delivered up and destroyed.

Powers of court.

SEC. 37. In any action involving a registered mark the court may determine the right to registration, order the cancelation of registrations, in whole or in part, restore canceled registrations, and otherwise rectify the register with respect to the registrations of any party to the action. Decrees and orders shall be certified by the court to the Commissioner, who shall make appropriate entry upon the records of the Patent Office, and shall be controlled thereby.

Registration by false means.

SEC. 38. Any person who shall procure registration in the Patent Office of a mark by a false or fraudulent declaration or representation, oral or in writing, or by any false means, shall be liable in a civil action by any person injured thereby for any damages sustained in consequence thereof.

Courts having original and appellate jurisdictions.

SEC. 39. The district and territorial courts of the United States shall have original jurisdiction, the circuit courts of appeal of the United States and the United States Court of Appeals for the District of Columbia shall have appellate jurisdiction, of all actions arising under this Act, without regard to the amount in controversy or to diversity or lack of diversity of the citizenship of the parties.

Writs of certiorari.

SEC. 40. Writs of certiorari may be granted by the Supreme Court of the United States for the review of cases arising under this Act in the same manner as provided for in cases under the patent laws.

Rules and regulations.

SEC. 41. The Commissioner shall make rules and regulations, not inconsistent with law, for the conduct of proceedings in the Patent Office under this Act.

TITLE VII—IMPORTATION FORBIDDEN OF GOODS BEARING INFRINGING MARKS OR NAMES

SEC. 42. That no article of imported merchandise which shall copy or simulate the name of the any domestic manufacture, or manufacturer, or trader, or of any manufacturer or trader located in any foreign country which, by treaty, convention, or law affords similar privileges to citizens of the United States, or which shall copy or simulate a trade-mark registered in accordance with the provisions of this Act or shall bear a name or mark calculated to induce the public to believe that the article is manufactured in the United

States, or that it is manufactured in any foreign country or locality other than the country or locality in which it is in fact manufactured, shall be admitted to entry at any customhouse of the United States; and, in order to aid the officers of the customs in enforcing this prohibition, any domestic manufacturer or trader, and any foreign manufacturer or trader, who is entitled under the provisions of a treaty, convention, declaration, or agreement between the United States and any foreign country to the advantages afforded by law to citizens of the United States in respect to trade-marks and commercial names, may require his name and residence, and the name of the locality in which his goods are manufactured, and a copy of the certificate of registration of his trade-mark, issued in accordance with the provisions of this Act, to be recorded in books which shall be kept for this purpose in the Department of the Treasury, under such regulations as the Secretary of the Treasury shall prescribe, and may furnish to the Department facsimiles of his name, the name of the locality in which his goods are manufactured, or of his registered trade-mark, and thereupon the Secretary of the Treasury shall cause one or more copies of the same to be transmitted to each collector or other proper officer of customs.

TITLE VIII—FALSE DESIGNATIONS OF ORIGIN AND FALSE DESCRIPTIONS FORBIDDEN

SEC. 43. (a) Any person who shall affix, apply, or annex, or use in connection with any goods or services, or any container or containers for goods, a false designation of origin, or any false description or representation, including words or other symbols tending falsely to describe or represent the same, and shall cause such goods or services to enter into commerce, and any person who shall with knowledge of the falsity of such designation of origin or description or representation cause or procure the same to be transported or used in commerce or deliver the same to any carrier to be transported or used, shall be liable to a civil action by any person doing business in the locality falsely indicated as that of origin or in the region in which said locality is situated, or by any person who believes that he is or is likely to be damaged by the use of any such false description or representation.

(b) Any goods marked or labeled in contravention of the provisions of this section shall not be imported into the United States or admitted to entry at any customhouse of the United States. The owner, importer, or consignee of goods refused entry at any customhouse under this section may have any recourse by protest or appeal that is given under the customs revenue laws or may have the remedy given by this Act in cases involving goods refused entry or seized.

TITLE IX—INTERNATIONAL CONVENTIONS

SEC. 44. (a) The Commissioner shall keep a register of all marks communicated to him by the international bureaus provided for by the conventions for the protection of industrial property, trade-marks, trade and commercial names, and the repression of unfair competition to which the United States is or may become a party, and upon the payment of the fees required by such conventions and the fees herein prescribed may place the marks so communicated upon such register. This register shall show a facsimile of the mark or trade or commercial name; the name, citizenship, and address of the registrant; the number, date, and place of the first registration of the mark, including the dates on which application for such registration was filed and granted and the term of such registration; a list of goods or services to which the mark is applied as shown by the registration in the country

Register.

of origin, and such other data as may be useful concerning the mark. This register shall be a continuation of the register provided in section 1 (a) of the Act of March 19, 1920.

(b) Persons who are nationals of, domiciled in, or have a bona fide and effective business or commercial establishment in any foreign country, which is a party to (1) the International Convention for the Protection of Industrial Property, signed at Paris on March 20, 1883; or (2) the General Inter-American Convention for Trade Mark and Commercial Protection signed at Washington on February 20, 1929; or (3) any other convention or treaty relating to trade-marks, trade or commercial names, or the repression of unfair competition to which the United States is a party, shall be entitled to the benefits and subject to the provisions of this Act to the extent and under the conditions essential to give effect to any such conventions and treaties so long as the United States shall continue to be a party thereto, except as provided in the following paragraphs of this section.

(c) No registration of a mark in the United States by a person described in paragraph (b) of this section shall be granted until such mark has been registered in the country of origin of the applicant, unless the applicant alleges use in commerce.

For the purposes of this section, the country of origin of the applicant is the country in which he has a bona fide and effective industrial or commercial establishment, or if he has not such an establishment the country in which he is domiciled, or if he has not a domicile in any of the countries described in paragraph (b) of this section, the country of which he is a national.

(d) An application for registration of a mark under sections 1, 2, 3, 4, or 23 of this Act filed by a person described in paragraph (b) of this section who has previously duly filed an application for registration of the same mark in one of the countries described in paragraph (b) shall be accorded the same force and effect as would be accorded to the same application if filed in the United States on the same date on which the application was first filed in such foreign country: *Provided, That—*

(1) the application in the United States is filed within six months from the date on which the application was first filed in the foreign country;

(2) the application conforms as nearly as practicable to the requirements of this Act, but use in commerce need not be alleged;

(3) the rights acquired by third parties before the date of the filing of the first application in the foreign country shall in no way be affected by a registration obtained on an application filed under this subsection (d);

(4) nothing in this subsection (d) shall entitle the owner of a registration granted under this section to sue for acts committed prior to the date on which his mark was registered in this country unless the registration is based on use in commerce.

(e) A mark duly registered in the country of origin of the foreign applicant may be registered on the principal register if eligible, otherwise on the supplemental register herein provided. The application therefor shall be accompanied by a certified copy of the application for or registration in the country of origin of the applicant.

(f) The registration of a mark under the provisions of paragraphs (c), (d), and (e) of this section by a person described in paragraph (b) shall be independent of the registration in the country of origin and the duration, validity, or transfer in the United States of such registration shall be governed by the provisions of this Act.

(g) Trade names or commercial names of persons described in

41 Stat. 533.
15 U. S. C. § 121(a).
Post, p. 445.
Persons entitled to
benefits of Act, etc.

25 Stat. 1372.

46 Stat. 2907.

Registration in
country of origin.

Force and effect ac-
corded application.
Act, pp. 427-429, 435.

Conditions.

Registration of mark.

Trade names.

paragraph (b) of this section shall be protected without the obligation of filing or registration whether or not they form parts of marks.

(h) Any person designated in paragraph (b) of this section as entitled to the benefits and subject to the provisions of this Act shall be entitled to effective protection against unfair competition, and the remedies provided herein for infringement of marks shall be available so far as they may be appropriate in repressing acts of unfair competition.

Protection against unfair competition.

(i) Citizens or residents of the United States shall have the same benefits as are granted by this section to persons described in paragraph (b) hereof.

TITLE X—CONSTRUCTION AND DEFINITIONS

SEC. 45. In the construction of this Act, unless the contrary is plainly apparent from the context—

The United States includes and embraces all territory which is under its jurisdiction and control.

The word "commerce" means all commerce which may lawfully be regulated by Congress.

The term "principal register" refers to the register provided for by sections 1 through 22 hereof, and the term "supplemental register" refers to the register provided for by sections 23 through 28 hereof.

Ante, pp. 427-435.

Ante, pp. 435, 436.

The term "person" and any other word or term used to designate the applicant or other entitled to a benefit or privilege or rendered liable under the provisions of this Act includes a juristic person as well as a natural person. The term "juristic person" includes a firm, corporation, union, association, or other organization capable of suing and being sued in a court of law.

The terms "applicant" and "registrant" embrace the legal representatives and successors and assigns of such applicant or registrant.

The term "Commissioner" means the Commissioner of Patents.

The term "related company" means any person who legitimately controls or is controlled by the registrant or applicant for registration in respect to the nature and quality of the goods or services in connection with which the mark is used.

The terms "trade name" and "commercial name" include individual names and surnames, firm names and trade names used by manufacturers, industrialists, merchants, agriculturists, and others to identify their businesses, vocations, or occupations; the names or titles lawfully adopted and used by persons, firms, associations, corporations, companies, unions, and any manufacturing, industrial, commercial agricultural, or other organizations engaged in trade or commerce and capable of suing and being sued in a court of law.

The term "trade-mark" includes any word, name, symbol, or device or any combination thereof adopted and used by a manufacturer or merchant to identify his goods and distinguish them from those manufactured or sold by others.

The term "service mark" means a mark used in the sale or advertising of services to identify the services of one person and distinguish them from the services of others and includes without limitation the marks, names, symbols, titles, designations, slogans, character names, and distinctive features of radio or other advertising used in commerce.

The term "certification mark" means a mark used upon or in connection with the products or services of one or more persons other than the owner of the mark to certify regional or other origin, material, mode of manufacture, quality, accuracy or other characteristics of such goods or services or that the work or labor on the goods or

services was performed by members of a union or other organization.

The term "collective mark" means a trade-mark or service mark used by the members of a cooperative, an association or other collective group or organization and includes marks used to indicate membership in a union, an association or other organization.

The term "mark" includes any trade-mark, service mark, collective mark, or certification mark entitled to registration under this Act whether registered or not.

Mark deemed to be used in commerce.

For the purposes of this Act a mark shall be deemed to be used in commerce (a) on goods when it is placed in any manner on the goods or their containers or the displays associated therewith or on the tags or labels affixed thereto and the goods are sold or transported in commerce and (b) on services when it is used or displayed in the sale or advertising of services and the services are rendered in commerce.

Mark deemed to be "abandoned."

A mark shall be deemed to be "abandoned"—

(a) When its use has been discontinued with intent not to resume. Intent not to resume may be inferred from circumstances. Nonuse for two consecutive years shall be prima facie abandonment.

(b) When any course of conduct of the registrant, including acts of omission as well as commission, causes the mark to lose its significance as an indication of origin.

The term "colorable imitation" includes any mark which so resembles a registered mark as to be likely to cause confusion or mistake or to deceive purchasers.

21 Stat. 502; 33 Stat. 724; 41 Stat. 533. 15 U. S. C. §§ 81-109, 121-128. *Infra post*, p. 445.

The term "registered mark" means a mark registered in the United States Patent Office under this Act or under the Act of March 3, 1881, or the Act of February 20, 1905, or the Act of March 19, 1920. The phrase "marks registered in the Patent Office" means registered marks.

Infra post, p. 445.

The term "Act of March 3, 1881", "Act of February 20, 1905", or "Act of March 19, 1920", means the respective Act as amended.

A "counterfeit" is a spurious mark which is identical with, or substantially indistinguishable from, a registered mark.

Intent of Act.

Words used in the singular include the plural and vice versa.

The intent of this Act is to regulate commerce within the control of Congress by making actionable the deceptive and misleading use of marks in such commerce; to protect registered marks used in such commerce from interference by State, or territorial legislation; to protect persons engaged in such commerce against unfair competition; to prevent fraud and deception in such commerce by the use of reproductions, copies, counterfeits, or colorable imitations of registered marks; and to provide rights and remedies stipulated by treaties and conventions respecting trade-marks, trade names, and unfair competition entered into between the United States and foreign nations.

TITLE XI—REPEAL OF PREVIOUS ACTS

Effective date.

Repeals.

21 Stat. 502.

22 Stat. 298.

33 Stat. 724.

SEC. 46. (a) This Act shall be in force and take effect one year from its enactment, but except as otherwise herein specifically provided shall not affect any suit, proceeding, or appeal then pending. All Acts and parts of Acts inconsistent herewith are hereby repealed effective one year from the enactment hereof, including the following Acts insofar as they are inconsistent herewith: The Act of Congress approved March 3, 1881, entitled "An Act to authorize the registration of trade-marks and protect the same"; the Act approved August 5, 1882, entitled "An Act relating to the registration of trade-marks"; the Act of February 20, 1905 (U. S. C., title 15, secs. 81 to 109, inclusive), entitled "An Act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or

with Indian tribes, and to protect the same", and the amendments thereto by the Acts of May 4, 1906 (U. S. C., title 15, secs. 131 and 132; 34 Stat. 169), March 2, 1907 (34 Stat. 1251, 1252), February 18, 1909 (35 Stat. 627, 628), February 18, 1911 (36 Stat. 918), January 8, 1913 (37 Stat. 649), June 7, 1924 (43 Stat. 647), March 4, 1925 (43 Stat. 1268, 1269), April 11, 1930 (46 Stat. 155), June 10, 1938 (Public, Numbered 586, Seventy-fifth Congress, ch. 332, third session); the Act of March 19, 1920 (U. S. C., title 15, secs. 121 to 128, inclusive), entitled "An Act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes", and the amendments thereto, including the Act of June 10, 1938 (Public, Numbered 586, Seventy-fifth Congress, ch. 332, third session): *Provided*, That this repeal shall not affect the validity of registrations granted or applied for under any of said Acts prior to the effective date of this Act, or rights or remedies thereunder except as provided in sections 8, 12, 14, 15, and 47 of this Act; but nothing contained in this Act shall be construed as limiting, restricting, modifying, or repealing any statute in force on the effective date of this Act which does not relate to trade-marks, or as restricting or increasing the authority of any Federal department or regulatory agency except as may be specifically provided in this Act.

(b) Registrations now existing under the Act of March 3, 1881, or the Act of February 20, 1905, shall continue in full force and effect for the unexpired terms thereof and may be renewed under the provisions of section 9 of this Act. Such registrations and the renewals thereof shall be subject to and shall be entitled to the benefits of the provisions of this Act to the same extent and with the same force and effect as though registered on the principal register established by this Act except as limited in sections 8, 12, 14, and 15 of this Act. Marks registered under the "ten-year proviso" of section 5 of the Act of February 20, 1905, as amended, shall be deemed to have become distinctive of the registrant's goods in commerce under paragraph (f) of section 2 of this Act and may be renewed under section 9 hereof as marks coming within said paragraph.

Registrations now existing under the Act of March 19, 1920, shall expire six months after the effective date of this Act, or twenty years from the dates of their registrations, whichever date is later. Such registrations shall be subject to and entitled to the benefits of the provisions of this Act relating to marks registered on the supplemental register established by this Act, and may not be renewed unless renewal is required to support foreign registrations. In that event renewal may be effected on the supplemental register under the provisions of section 9 of this Act.

Marks registered under previous Acts may, if eligible, also be registered under this Act.

Sec. 47. (a) All applications for registration pending in the Patent Office at the effective date of this Act may be amended, if practicable, to bring them under the provisions of this Act. The prosecution of such applications so amended and the grant of registrations thereon shall be proceeded with in accordance with the provisions of this Act. If such amendments are not made, the prosecution of said applications shall be proceeded with and registrations thereon granted in accordance with the Acts under which said applications were filed, and said Acts are hereby continued in force to this extent and for this purpose only, notwithstanding the foregoing general repeal thereof.

(b) In any case in which an appeal is pending before the United States Court of Customs and Patent Appeals or any United States Circuit Court of Appeals or the United States Court of Appeals for

52 Stat. 638; 41 Stat. 533.
15 U. S. C. § 81 *et seq.*; 23 U. S. C. § 673; 35 U. S. C. §§ 2, 7, 22, 23, 78, 88.

Validity of registrations, etc.

Ante, pp. 431-433; *infra*.

Existing registrations.
21 Stat. 502; 33 Stat. 724.
15 U. S. C. §§ 81-109.
Ante, p. 444.
Ante, p. 431.

Ante, pp. 431-433.

33 Stat. 725.
15 U. S. C. § 85.
Ante, p. 444.
Ante, p. 429.

41 Stat. 533.
15 U. S. C. §§ 81-121-128.
Supra.

Ante, p. 431.

Applications pending in Patent Office.

Appeal pending before court.

the District of Columbia or the United States Supreme Court at the effective date of this Act, the court, if it be of the opinion that the provisions of this Act are applicable to the subject matter of the appeal, may apply such provision or may remand the case to the Commissioner or to the district court for the taking of additional evidence or a new trial or for reconsideration of the decision on the record as made, as the appellate court may deem proper.

33 Stat. 600.

39 Stat. 228.

49 Stat. 1557.

SEC. 48. Section 4 of the Act of January 5, 1905 (U. S. C., title 36, sec. 4), as amended, entitled "An Act to incorporate the National Red Cross", and section 7 of the Act of June 15, 1916 (U. S. C., title 36, sec. 27), entitled "An Act to incorporate the Boy Scouts of America, and for other purposes", and the Act of June 20, 1936 (U. S. C., title 22, sec. 248), entitled "An Act to prohibit the commercial use of the coat of arms of the Swiss Confederation", are not repealed or affected by this Act.

Prior rights.

SEC. 49. Nothing herein shall adversely affect the rights or the enforcement of rights in marks acquired in good faith prior to the effective date of this Act.

Separability of provisions.

SEC. 50. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of the Act shall not be affected thereby.

Approved July 5, 1946.

[CHAPTER 541]

AN ACT

Making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1947, namely:

TITLE I—DEPARTMENT OF STATE

OFFICE OF THE SECRETARY OF STATE

Salaries: For Secretary of State; Under Secretary of State, \$12,000; Assistant Secretaries of State, \$10,000 each; and other personal services in the District of Columbia and elsewhere, including the employment of aliens; and not to exceed \$35,000 for the temporary employment of persons in the United States, without regard to civil service and classification laws; \$23,600,000.

Contingent expenses: For contingent and miscellaneous expenses, including stationery, furniture, fixtures; acquisition, production, and free distribution of informational materials for use in connection with the operation, independently or through individuals, including aliens, or public or private agencies (foreign or domestic), and without regard to section 3709 of the Revised Statutes, of an information program outside continental United States, including the purchase of radio time, except that funds herein appropriated shall not be used to purchase more than 75 per centum of the effective daily broadcasting time from any person or corporation holding an international short-wave broadcasting license from the Federal Communications Commission without the consent of such licensee, and the purchase, rental, construction, improvement, maintenance, and operation of facilities for radio transmission and reception; purchase of uniforms; microfilming equipment, including rental and repair thereof; translating services and services for the analysis and tabulation of technical information and the preparation of special maps, globes, and geographic aids by

July 5, 1946
[H. R. 6056]
[Public Law 490]

Departments of State, Justice, Commerce, and the Judiciary Appropriation Act, 1947.

Department of State Appropriation Act, 1947.
Post, pp. 594, 620, 621, 916, 999.

Materials, etc., for information program outside U. S.

41 U. S. C. § 5.
Post, p. 809.

contract without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); communications services, including the rental of tie lines; purchase or rental, maintenance, and operation of printing machines, and the transportation thereof without regard to section 3709 of the Revised Statutes; purchase and presentation of various objects of a cultural nature suitable for presentation (through diplomatic and consular offices) to foreign governments, schools, or other cultural or patriotic organizations, the purchase, rental, distribution, and operation of motion-picture projection equipment and supplies, including rental of halls, hire of motion-picture projector operators, and all other necessary services by contract or otherwise without regard to section 3709 of the Revised Statutes; purchase and exchange of books, maps, and periodicals, domestic and foreign, and, when authorized by the Secretary of State, dues for library membership in societies or associations which issue publications to members only, or at a price to members lower than to subscribers who are not members, newspapers, teletype rentals, and tolls (not to exceed \$525,000); maintenance, and repair of motortrucks and motor-propelled passenger-carrying vehicles; streetcar fare; traveling expenses, including not to exceed \$30,000 for expenses of attendance at meetings concerned with the work of the Department of State when authorized by the Secretary of State; transportation and other necessary expenses in accordance with the Standardized Government Travel Regulations, refund of fees erroneously charged and paid for the issue of passports as authorized by law (22 U. S. C. 214a); and the examination of estimates of appropriations in the field; \$10,221,221: *Provided*, That not to exceed \$3,000 of this appropriation may be expended for the purpose of carrying into effect the provisions of section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934, as amended (54 Stat. 107; Act of July 5, 1945, Public Law 130), this sum to be available in addition to the other authorized purposes of this appropriation for stenographic reporting services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes, and such other expenses as the President may deem necessary: *Provided further*, That notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), the Department of State is authorized in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose, against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities.

Cost of handling penalty mail, Department of State: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of State as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$85,000.

Printing and binding: For all printing and binding in the Department of State, including all of its bureaus, offices, institutions, and services, located in Washington, District of Columbia, and elsewhere, \$1,433,900: *Provided*, That printing and binding outside the continental limits of the United States shall be without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111).

Passport agencies: For salaries and expenses of maintenance, rent, and travel not to exceed \$500, for not to exceed five passport agencies, \$82,500.

Collecting and editing official papers of Territories of the United States: For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United States, including personal services in the District of Columbia and

Post, p. 809.

Objects for presentation to foreign governments.

41 U. S. C. § 5.
Post, p. 809.
Books, periodicals, etc.

Teletype rentals and tolls.

Traveling expenses.

Transportation, etc.

Refund of certain passport fees.
44 Stat. 887.

Foreign-trade agreements.

48 Stat. 945; 59 Stat. 411.
19 U. S. C. §§ 1354, 1352; Supp. V, §§ 1354, 1352.

41 U. S. C. § 5.
Post, p. 809.
Contracts for use of international short-wave radio stations.
31 U. S. C., Supp. V, § 665 note.

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

Printing and binding.

40 Stat. 1270.

59 Stat. 510.
5 U. S. C., Supp. V,
§ 168d.
Surplus property
disposal.

58 Stat. 765.
50 U. S. C., Supp.
V, app. §§ 1611-1646.
Ante, pp. 168, 169;
post, pp. 599, 764, 886.

41 U. S. C. § 5.
Post, p. 808.

40 Stat. 1270.

44 U. S. C. § 324.

Post, pp. 620, 1035.

elsewhere, printing and binding, and contingent and traveling expenses, as provided by the Act of July 31, 1945 (Public Law 168), \$25,000.

Surplus property disposal: For all expenses necessary to enable the Department of State to carry out its functions and activities relative to disposition of surplus property pursuant to the provisions of the Surplus Property Act of 1944 (Public Law 457), as amended, including personal services in the District of Columbia and elsewhere, and employment of persons outside the continental limits of the United States without regard to civil-service and classification laws; travel expenses, including attendance at meetings of organizations concerned with the activity for which this appropriation is made; transportation of prospective customers (not to exceed \$9,000); cost of living and living quarters allowances and transportation of families and effects including cost of living allowances for military personnel assigned or detailed to the Department, all under such regulations as the Secretary of State may prescribe; stenographic reporting, translating, appraising, and other services in foreign countries by contract, all without regard to section 3709 of the Revised Statutes; payment of rent in foreign countries in advance; purchase and exchange of books, maps, periodicals, and newspapers; printing and binding, including printing and binding outside the continental limits of the United States without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); entertainment (not to exceed \$50,000); hire, maintenance, operation, and repair of passenger automobiles; advertising without regard to section 3828 of the Revised Statutes; maintenance and operation of aircraft; \$6,000,000.

FOREIGN SERVICE

Salaries, ambassadors and ministers: For salaries of ambassadors and ministers appointed by the President, with the advice and consent of the Senate, to such countries and at such salary rates, not exceeding \$10,000 per annum each for ministers and not exceeding \$17,500 per annum each for ambassadors, as the President may determine, notwithstanding the provisions of any other law, \$830,500, including also salaries as authorized by section 1740, Revised Statutes, as amended (22 U. S. C. 3, 121): *Provided*, That no salary shall be paid to any official receiving any other salary from the United States Government: *Provided further*, That any ambassador or minister who, prior to appointment as ambassador or minister was legally appointed and served as a diplomatic or consular officer or as a Foreign Service officer, and who, on account of emergent conditions abroad, is unable properly to serve the United States at his regular post of duty, or, when in the public interest it becomes necessary to terminate his appointment as ambassador or minister at such post, may be appointed or assigned to serve in any capacity in which a Foreign Service officer is authorized by law to serve, and, notwithstanding the provisions of any other law, funds available for the payment of salaries of ambassadors and ministers shall be available also for the payment of the salary of such officer: *Provided further*, That no ambassador or minister, while serving under such emergency appointment or assignment, shall receive compensation in excess of \$9,800 per annum while serving in the continental United States or in excess of \$10,000 per annum while serving elsewhere: *Provided further*, That the funds for the payment of salaries to ambassadors and ministers shall be available also for the payment, at not to exceed \$10,000 per annum, of the salary of any person who, incident to the establishment or reestablishment of diplomatic representation, may be designated or assigned to serve as commissioner, adviser, or in any similar representative capacity and who,

59 Stat. 102.
22 U. S. C., Supp.
V, § 3.
Post, pp. 1038, 1035.
Double-salary re-
striction.
Emergency assign-
ment.

Limitation on com-
pensation.

Assignment as com-
missioner, etc.

prior to such designation, has served as ambassador or minister, having previously been legally appointed to serve as a diplomatic, consular, or Foreign Service officer of the United States.

Salaries, Foreign Service officers: For salaries of Foreign Service officers, including compensation while receiving instructions and training in the United States and while making direct transits between places of residence, when appointed, and posts of assignment, at the commencement and termination of periods of official service; and salaries of Foreign Service officers or vice consuls while acting as *chargés d'affaires ad interim* or while in charge of a consulate general or consulate during the absence of the principal officer (22 U. S. C. 20); \$6,450,000.

Post, p. 1035.

Transportation, Foreign Service: To pay the traveling expenses of diplomatic, consular, and Foreign Service officers, and other employees of the Foreign Service, including Foreign Service inspectors, and under such regulations as the Secretary of State may prescribe, of their families and expenses of transportation of effects, in going to and returning from their posts, including automobiles as authorized by the Act of April 30, 1940 (5 U. S. C. 73c), and storage of effects while such officers or employees are absent from their permanent posts of duty or are assigned to posts to which, because of emergency conditions as determined by the Secretary of State, they cannot take their effects, including expenses in connection with leaves of absence; attendance at trade and other conferences and congresses under orders of the Secretary of State as authorized by the Act approved February 23, 1931 (22 U. S. C. 16, 17); preparation and transportation of the remains of those officers and employees of the Foreign Service (including their families), who have died or may die abroad or in transit during the period of the employment of such officers and employees, to their former homes in this country or to a place not more distant for interment, and for the ordinary expenses of such interment, and also for payment under the provisions of section 1749 of the Revised Statutes (22 U. S. C. 130) of allowances to the widows or heirs at law of Diplomatic, Consular, and Foreign Service officers of the United States dying in foreign countries in the discharge of their duties; \$1,915,700: *Provided*, That this appropriation shall be available also for the authorized subsistence expenses of Consular and Foreign Service officers while on temporary detail under commission.

Post, p. 620.

54 Stat. 174.

Leaves of absence.

46 Stat. 1209, 1210.
22 U. S. C., Supp.
V, §§ 16, 17.
Post, p. 1038.
Transportation of
remains of personnel
dying abroad.

Post, p. 1036.

Subsistence while
on temporary detail.

Post, p. 620.

Foreign Service quarters: For rent, heat, fuel, light, gas, and electricity for the Foreign Service for offices, buildings, and grounds, and, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), and the Act of May 3, 1945 (Public Law 48), for living quarters and allowances for living quarters, \$5,219,000: *Provided*, That payment for rent may be made in advance: *Provided further*, That the Secretary of State may enter into leases for such offices, buildings, grounds, and living quarters for periods not exceeding ten years and without regard to section 3709 of the Revised Statutes (41 U. S. C. 5): *Provided further*, That no part of this appropriation shall be used for allowances for living quarters, including heat, fuel, and light, in an amount exceeding \$4,000 for an ambassador, minister, or *chargé d'affaires*, and not exceeding \$2,000 for any other Foreign Service officer, except that such limitations shall not apply to Foreign Service posts at Cairo, London, Ankara, Madrid, Rio de Janeiro, Panama, and Habana.

46 Stat. 818; 59
Stat. 102.
22 U. S. C., Supp.
V, §§ 1a-16, 23a-24.
Post, p. 1037 *et seq.*
Advance payment
of rent.
Leases.

Post, p. 800.

Limitations.

Exceptions.

Cost of living allowances, Foreign Service: To provide for post allowances authorized by the Act of May 3, 1945 (Public Law 48), \$3,360,000.

Post, p. 620.
59 Stat. 102.
22 U. S. C., Supp.
V, §§ 1a-16, 23a-24.
Post, p. 1037 *et seq.*

Representation allowances, Foreign Service: For representation allowances as authorized by section 8 of the Act of May 3, 1945 (Public Law 48), \$800,000.

Foreign Service retirement and disability fund: For financing the liability of the United States, created by the Act approved February 23, 1931, as amended by the Act of April 24, 1939 (22 U. S. C. 21-21 (o)), \$1,051,000, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund".

Salaries of clerical, administrative, and fiscal personnel, Foreign Service: For salaries of vice consuls commissioned by the Secretary of State and of clerical, administrative, and fiscal personnel in the Foreign Service, including salaries while under instruction in the United States and during transit to and from homes in the United States upon the beginning and after termination of services, \$10,200,000.

Miscellaneous salaries and allowances, Foreign Service: For salaries or compensation of kavasses, guards, dragomans, porters, interpreters, prison keepers, translators, archive collators, Chinese writers, messengers, couriers, telephone operators, radio operators, supervisors of construction, custodial and operating force for maintenance and operation of Government-owned and leased diplomatic and consular properties in foreign countries, and assignment of qualified persons as provided in section 5 of the Act of May 3, 1945 (Public Law 48), including salaries while under instruction in the United States and during transit to and from their homes in the United States upon the beginning and after termination of service in foreign countries; compensation of agents and employees of despatch agencies established by the Secretary of State; operation of motor-propelled and other passenger- and non-passenger-carrying vehicles; for allowances to consular officers, who are paid in whole or in part by fees, for services necessarily rendered to American vessels and seamen, as provided in the Act of June 26, 1884 (22 U. S. C. 89; 46 U. S. C. 101); and such other miscellaneous personal services as may be necessary; \$5,996,000: *Provided*, That no part of this appropriation shall be expended for salaries or wages of persons not American citizens performing clerical services (except interpreters, translators, and messengers), whether officially designated as clerks or not, in any diplomatic mission or in the diplomatic section of any combined mission: *Provided further*, That the Secretaries of War and Navy are authorized, upon request by the Secretary of State, to assign enlisted men of the Army, Navy, and Marine Corps to serve as custodians, under the immediate supervision of the Secretary of State or the chief of mission, whichever the Secretary of State shall direct, at embassies, legations, or consulates of the United States located in foreign countries.

Foreign Service, auxiliary: For all necessary expenses to enable the Department of State during the fiscal year 1947 to continue to perform functions or activities in connection with the Auxiliary Foreign Service for the performance of which, during the fiscal years 1941 and 1942, the Department of State received allocations of funds from the appropriation "Emergency fund for the President" contained in the Military Appropriation Act, 1941, including the objects for which and subject to the conditions under which such allocations were provided or expended during the fiscal years 1941 and 1942, \$3,300,000: *Provided*, That cost of living and representation allowances, as authorized by the Act approved February 23, 1931, as amended, may be paid from this appropriation to American citizens employed hereunder.

Contingent expenses, Foreign Service: For stationery; blanks,

59 Stat. 104.
22 U. S. C., Supp.
V, § 12.
Post, p. 1038.

46 Stat. 1211; 53
Stat. 584.
22 U. S. C., Supp.
V, § 21.
Post, p. 1038.
Post, p. 620.

Post, p. 620.

59 Stat. 103.
22 U. S. C., Supp.
V, § 3 (c).
Post, p. 1038.

Despatch agencies.

Services to American
vessels and sea-
men.

23 Stat. 56.

Citizenship require-
ment.

Assignment of mili-
tary and naval per-
sonnel as custodians.

54 Stat. 377.

46 Stat. 1207.
22 U. S. C. § 1 et
seq.; Supp. V, § 1a et
seq.
Post, p. 1037 et seq.
Post, p. 620.

record and other books; seals, presses, flags; signs; military equipment and supplies; repairs, alterations, preservation, and maintenance of Government-owned and leased diplomatic and consular properties in foreign countries, including minor construction on Government-owned properties, water, materials, supplies, tools, seeds, plants, shrubs, and similar objects; purchase, rental, repair, and operation of microfilm and motion-picture equipment; purchase, rental, operation, and maintenance of printing and binding machines, equipment, and devices outside the continental limits of the United States; purchase (from surplus Government stock) of two airplanes and maintenance and operation thereof; advertising in foreign newspapers without regard to section 3828 of the Revised Statutes (44 U. S. C. 324); newspapers (foreign and domestic); freight; postage; telegrams; advertising; ice and drinking water for office purposes; purchase (not to exceed one hundred and fifty-two passenger automobiles), maintenance and hire of motor-propelled, horse-drawn, or other passenger-carrying vehicles, including purchase of sixteen automobiles for chiefs of missions at not to exceed \$3,000 each; insurance of official motor vehicles in foreign countries when required by the law of such countries; excise taxes on negotiable instruments; funds for establishment and maintenance of commissary service; uniforms; furniture; household furniture and furnishings, except as provided by the Act of May 7, 1926, as amended (22 U. S. C. 292-299), for Government-owned or rented buildings without regard to section 3709 of the Revised Statutes; maintenance and rental of launch for embassy in Turkey, not exceeding \$3,500, including personnel for operation; rent and other expenses for despatch agencies established by the Secretary of State; traveling expenses, including the transportation of members of families and personal effects of diplomatic officers, Foreign Service officers, and other officers and employees of the Foreign Service, in traveling to seats of government at which they are assigned other than the city of usual assignment and returning to the city of usual assignment; travel of diplomatic couriers carrying confidential official mail, without regard to section 10 of the Act of March 3, 1933 (47 Stat. 1516); loss by exchange; radio broadcasting; payment in advance for subscriptions to commercial information, telephone and other similar services, including telephone service in residences as authorized by the Act of April 30, 1940 (31 U. S. C. 679); burial expenses and expenses in connection with last illness and death of certain native employees, as authorized by and in accordance with the Act of July 15, 1939 (5 U. S. C. 118f); expenses of vice consulates and consular agencies for any of the foregoing objects; allowances for special instruction, education, and individual training of officers and employees of the Foreign Service at home and abroad; for relief, protection, and burial of American seamen, and alien seamen as authorized by the Act of March 24, 1943 (57 Stat. 45), in foreign countries and in Territories and insular possessions of the United States, and for expenses which may be incurred in the acknowledgment of the services of officers and crews of foreign vessels and aircraft in rescuing American seamen, airmen, or citizens from shipwreck or other catastrophe abroad; for expenses of maintaining in Egypt, Ethiopia, Morocco, and Muscat, institutions for incarcerating American convicts and persons declared insane by any consular court, rent of quarters for prisons, ice and drinking water for prison purposes, and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane by any consular court in Egypt, Ethiopia, Morocco, and Muscat; for every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime as authorized by section 5275 of the Revised Statutes (18 U. S. C. 659); and such other

Commissary service.

44 Stat. 403.
22 U. S. C., Supp.
V, § 300.
41 U. S. C. § 5.
Post, p. 809.

Traveling expenses.

5 U. S. C. § 73b.
Post, p. 808.

Radio broadcasting.

54 Stat. 175.

53 Stat. 1043.

Relief, etc., of American seamen.

50 U. S. C., Supp.
V, app. § 1291 et seq.

Consular prisons, etc.

Bringing home persons charged with crime.

miscellaneous expenses as may be necessary; \$9,100,000: *Provided*, That this appropriation shall be available for reimbursement of appropriations for the Navy Department for materials, supplies, equipment, and services furnished by the Navy Department, including pay, subsistence, allowances, and transportation of enlisted men of the Navy and Marine Corps who may be assigned by the Secretary of the Navy, upon request of the Secretary of State, to embassies, legations, or consular offices of the United States located in foreign countries: *Provided further*, That reimbursements incident to the maintenance of commissary service authorized under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received: *Provided further*, That a detailed report shall be made to Congress annually of the receipts and expenditures of said commissary service: *Provided further*, That passenger automobiles provided for under this head shall be purchased from surplus Government stock if suitable vehicles are available from this source: *Provided further*, That pursuant to section 204 of Public Law 334, Seventy-ninth Congress, automobiles in possession of the Foreign Service abroad may be exchanged or sold and the exchange allowances or proceeds of such sales applied to replacement of an equal number of automobiles of the same general type and class.

Not to exceed 10 per centum of any of the foregoing appropriations under the caption "Foreign Service" may be transferred, with the approval of the Bureau of the Budget, to any other foregoing appropriation or appropriations under such caption in the same fiscal year, but no appropriation shall be increased more than 10 per centum thereby: *Provided*, That all such transfers shall be set forth in the Budget for the subsequent fiscal year.

Foreign Service buildings fund: For the purpose of carrying into effect the provisions of the Act of May 25, 1938, entitled "An Act to provide additional funds for buildings for the use of the diplomatic and consular establishments of the United States" (22 U. S. C. 295a), including the initial alterations, repair, and furnishing of buildings acquired under said Act, \$1,000,000.

Emergencies arising in the Diplomatic and Consular Service: To enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, to be expended pursuant to the requirement of section 291 of the Revised Statutes (31 U. S. C. 107), \$9,000,000, of which not to exceed \$25,000 shall, in the discretion of the Secretary of State, be available for personal services in the District of Columbia: *Provided*, That all refunds, repayments, or other credits on account of funds disbursed under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received: *Provided further*, That the Secretary of State may delegate to subordinate officials the authority vested in him by section 291 of the Revised Statutes pertaining to certification of expenditures.

American citizens holding positions in the Foreign Service of the United States and who on account of emergency conditions abroad are unable properly to serve the United States at their regular posts of duty may be assigned to the Department of State to perform temporary services in that Department or to be detailed for temporary services of comparable importance, difficulty, responsibility, and value in any other department or agency of the United States, in cases where there is found to be a need of services for the performance of which such persons have the requisite qualifications. The salaries of such persons shall, notwithstanding the provisions of any other law, continue to be paid during the periods of such assignments from the appropriations

Navy Department reimbursement.

Commissary service, reimbursements.

Annual report to Congress.

Automobiles.

Ante, p. 79.

Transfer of appropriations.

Post, p. 663.

52 Stat. 441.

Crediting of re-funds, etc.

Delegation of authority.
31 U. S. C. § 107.

Emergency assignments.

Payment of salaries.

under the caption "Foreign Service" in the Department of State Appropriation Act.

The exchange of funds for payment of expenses in connection with the operation of diplomatic and consular establishments abroad shall not be subject to the provisions of section 3651 of the Revised Statutes (31 U. S. C. 543).

INTERNATIONAL OBLIGATIONS

United States contributions to international commissions, congresses, and bureaus: For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts as follows: Pan American Union, \$377,662, including not to exceed \$20,000 for printing and binding; participation by the United States in the work of the Bureau of Interparliamentary Union for Promotion of International Arbitration, as authorized by Public Law 170, approved June 28, 1935, \$20,000; Pan American Sanitary Bureau, \$63,584.35; Bureau of International Telecommunication Union, Radio Section, \$8,215; Inter-American Radio Office, \$6,377.50; Government of Panama, \$430,000; International Hydrographic Bureau, \$9,147.60; International Bureau for Protection of Industrial Property, \$2,490.08; Gorgas Memorial Laboratory, \$50,000; American International Institute for the Protection of Childhood, \$2,000; International Map of the World on the Millionth Scale, \$50; International Penal and Penitentiary Commission, \$4,922; International Labor Organization, \$497,000; Implementing the Narcotics Convention of 1931, \$15,681.60; International Council of Scientific Unions and Associated Unions, as follows: International Council of Scientific Unions, \$32.67; International Astronomical Union, \$1,045.44; International Union of Geodesy and Geophysics, \$3,920.40; International Scientific Radio Union, \$392.04; in all, \$5,390.55; Pan American Institute of Geography and History, \$10,000; Inter-American Coffee Board, \$8,000; Inter-American Indian Institute, \$4,800; Inter-American Institute of Agricultural Sciences, \$158,960.89; Inter-American Statistical Institute, \$31,792.17; Inter-American Financial and Economic Advisory Committee, or its successor, \$23,000; Cape Spartel and Tangier Light, Coast of Morocco, \$800; International Bureau of Permanent Court of Arbitration, \$1,722.57; and participation by the United States in the Emergency Advisory Committee for Political Defense, as authorized by Public Law 80, approved June 19, 1943, \$105,519; International Bureau of Weights and Measures, \$7,350.75; International Technical Committee of Aerial Legal Experts, \$326.70; International Office of Public Health, \$5,104.68; International Statistical Bureau at The Hague, \$2,500; International Bureau for Publication of Customs Tariffs, \$2,232.53; and Food and Agriculture Organization of the United Nations, \$1,250,000; in all, \$3,104,631, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

United States participation in United Nations: For all necessary expenses authorized by section 7 of the United Nations Participation Act of 1945 incident to the participation by the United States in the United Nations pursuant to the provisions of said Act, including attendance at meetings of societies or associations concerned with the work of the United Nations; hire, maintenance, operation, and

Exchange of funds.

Post, p. 621.

Pan American Union.

49 Stat. 425.
22 U. S. C. §§ 276,
276a.

International Labor
Organization.
48 Stat. 1543.
International Council
of Scientific Unions,
etc.

57 Stat. 159.

Additional sums
due to increased rates
of exchange.

Participation in
United Nations.
Post, p. 621.
59 Stat. 621.
22 U. S. C., Supp.
V, § 287e.

40 Stat. 1270.

Acquisition of surplus property.

50 U. S. C., Supp. V, app. §§ 1611-1646.
Anze., pp. 168, 169;
post, pp. 599, 754, 886.

International activities.

41 U. S. C. § 5.
Post, p. 809.44 Stat. 688.
5 U. S. C. § 821;
Supp. V, § 823.

40 Stat. 1270.

46 Stat. 1207.
Post, pp. 1038, 1039.24 Stat. 1011; 26
Stat. 1512; 35 Stat.
1863; 34 Stat. 2953; 48
Stat. 1621; 59 Stat. 1219.
22 U. S. C. §§ 277-
277d; Supp. V, § 277.

repair of automobiles; purchase of uniforms; and printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); \$6,300,000, of which amount \$5,300,000 shall be available for contribution to the United Nations: *Provided*, That the Department of State, when requested by the United Nations, is authorized to acquire surplus property in accordance with the provisions of the Surplus Property Act of 1944 (58 Stat. 765-784), as amended, with funds hereby appropriated for the United States contribution to the United Nations, and such contribution shall be reduced by the value of the surplus property and necessary expenses, including transportation costs, incidental to the acquisition thereof.

International activities: For all necessary expenses, without regard to section 3709 of the Revised Statutes, of participation by the United States upon approval by the Secretary of State, in international activities which arise from time to time in the conduct of foreign affairs and for which specific appropriations have not been provided pursuant to treaties, conventions, or special Acts of Congress, including personal services in the District of Columbia or elsewhere without regard to civil-service and classification laws; employment of aliens; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; transportation of families and effects under such regulations as the Secretary of State may prescribe; stenographic and other services; rent of quarters by contract or otherwise; hire, maintenance, and operation of passenger automobiles; purchase or rental of equipment, purchase of supplies, books, maps, periodicals and newspapers; transportation of things; contributions for the share of the United States in expenses of international organizations; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); entertainment; and representation allowances as authorized by the Act of February 23, 1931, as amended (22 U. S. C. 12, 23c); \$3,000,000.

International Boundary and Water Commission, United States and Mexico: For all expenses necessary to enable the United States to meet its obligations under the treaties of 1884, 1889, 1905, 1906, 1933, and 1944 between the United States and Mexico, and to comply with the Act approved August 19, 1935, as amended (49 Stat. 660, 1370), including operation and maintenance of the Rio Grande rectification, canalization, flood control, bank protection, boundary fence, and sanitation projects; examinations, preliminary surveys, and investigations; detail plan preparation and construction (including surveys and operation and maintenance and protection during construction); and Rio Grande emergency flood protection; construction and operation of gaging stations; purchase of map-reproduction machines and other equipment and machinery; personal services in the District of Columbia and elsewhere; fees for professional or expert services at rates and in amounts to be determined by the Secretary of State; travel expenses, including, in the discretion of the Commissioner, expenses (not to exceed \$500) of attendance at meetings of organizations concerned with the activities of the International Boundary and Water Commission which may be necessary for the efficient discharge of the responsibilities of the Commission; printing and binding; lawbooks, books of reference, and periodicals; newspapers; purchase (not exceeding nineteen), maintenance, repair, and operation of passenger automobiles; hire, with or without personal services, of work animals, and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, purchase, or condemnation, of real and personal property, including expenses of abstracts and certificates of title; purchase of rubber boots and waders, asbestos gloves, and welders' goggles, for official use of employees; purchase of ice and drinking water; inspection of equipment, supplies, and materials by

contract; advertising in newspapers and technical publications without regard to section 3828 of the Revised Statutes; drilling and testing of foundations and dam sites, by contract if deemed necessary, purchase of planographs and lithographs, and leasing of private property to remove therefrom sand, gravel, stone, and other materials, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); as follows:

Salaries and expenses: For salaries and expenses, regular boundary activities, including examinations, preliminary surveys, and investigations, \$880,000.

Construction: For detail plan preparation and construction of projects authorized by the Convention concluded February 1, 1933, between the United States and Mexico, the Acts approved August 19, 1935, as amended (49 Stat. 660, 1370; 22 U. S. C. 277-277d), August 29, 1935 (49 Stat. 961), June 4, 1936 (49 Stat. 1463), and the projects stipulated in the treaty between the United States and Mexico signed at Washington on February 3, 1944, \$9,250,000, to be immediately available, and to remain available until expended: *Provided*, That no expenditures shall be made for the Lower Rio Grande flood-control project for construction on any land, site, or easement in connection with this project except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States: *Provided further*, That expenditures for the Rio Grande bank-protection project shall be subject to the provisions and conditions contained in the appropriation for said project as provided by the Act approved April 25, 1945 (Public Law 40): *Provided further*, That expenditures for the Douglas-Agua Prieta sanitation project shall be subject to the provisions and conditions contained in the appropriation for this project as provided by the Act approved July 2, 1942 (56 Stat. 477): *Provided further*, That expenditures for the Nogales sanitation project and an extension to the Nogales flood-control project shall be subject to the same provisions and conditions as to assurances by the city of Nogales, Arizona, as are required of the city of Douglas, Arizona, by this Act in connection with the Douglas-Agua Prieta sanitation project: *Provided further*, That no expenditures shall be made for the acquisition of lands or easements for sites for boundary fences except for procurement of abstracts or certificates of title, payment of recording fees, and examination of titles: *Provided further*, That unexpended balances of appropriations for construction under the International Boundary Commission available for the fiscal year 1946 shall be merged with this appropriation and shall continue available until expended.

Rio Grande emergency flood protection: For emergency flood-control work, including protection, reconstruction, and repair of all structures under the jurisdiction of the International Boundary and Water Commission, United States and Mexico, threatened or damaged by floodwaters of the Rio Grande, which have heretofore been authorized and erected under the provisions of treaties between the United States and Mexico, or in pursuance of Federal laws authorizing improvements on the Rio Grande, \$100,000, to be immediately available, to be merged with the unobligated balance of the appropriation for this purpose in the Department of State Appropriation Act, 1945, and to remain available until expended.

American Mexican Claims Commission: For all expenses necessary to carry into effect the provisions of the Settlement of Mexican Claims Act of 1942 (22 U. S. C. 661), as amended by the Act of April 3, 1945 (Public Law 29), including personal services in the District of Columbia; printing and binding; lawbooks and books of reference; \$90,000, to be expended under the direction of the Secretary of State.

Advertising.
44 U. S. C. § 324.

Post, p. 809.

48 Stat. 1621.

59 Stat. 1219.
Lower Rio Grande
flood-control project.

59 Stat. 89.
Douglas-Agua Prieta
sanitation project.

Nogales sanitation
and flood-control projects.

Acquisition of lands
for boundary fences.

International
Boundary Commission.
59 Stat. 177.

58 Stat. 404.

56 Stat. 1058.
59 Stat. 49.
22 U. S. C., Supp.
V. § 661 *et seq.*

International Boundary Commission, United States and Canada and Alaska and Canada: To enable the President to perform the obligations of the United States under the treaty between the United States and Great Britain in respect to Canada, signed February 24, 1925; for salaries and expenses, including the salary of the Commissioner and salaries of the necessary engineers, clerks, and other employees for duty at the seat of government and in the field; necessary traveling expenses; commutation of subsistence to employees while on field duty, not to exceed \$4 per day each, but not to exceed \$2 per day each when a member of a field party and subsisting in camp; for payment for timber necessarily cut in keeping the boundary line clear, not to exceed \$500; for purchase of books of reference; and for all other necessary and reasonable expenses incurred by the United States in maintaining an effective demarcation of the international boundary line between the United States and Canada, and Alaska and Canada under the terms of the treaty aforesaid, including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain and including the hire of freight- and passenger-carrying vehicles from temporary field employees, to be disbursed under the direction of the Secretary of State, \$49,000.

44 Stat. 2102.

Demarcation of boundary line.

International Joint Commission, U. S. and Canada.

Salaries and expenses, International Joint Commission, United States and Canada: For salaries and expenses, including not to exceed \$7,500 for the salary of one Commissioner on the part of the United States, who shall serve at the pleasure of the President (the other Commissioners to serve in that capacity without compensation therefor), and salaries of clerks and other employees appointed by the Commissioners on the part of the United States, with the approval solely of the Secretary of State; for necessary traveling expenses, and for expenses incident to holding hearings and conferences at such places in Canada and the United States as shall be determined by the Commission or by the American Commissioners to be necessary, including traveling expense and compensation of necessary witnesses, making necessary transcript of testimony and proceedings; for cost of law-books, books of reference, and periodicals; and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909, \$32,800, to be disbursed under the direction of the Secretary of State.

Joint expenses.

36 Stat. 2448.

Post, p. 621.

Special and technical investigations, International Joint Commission, United States and Canada: For an additional amount for necessary special or technical investigations in connection with matters which fall within the scope of the jurisdiction of the International Joint Commission, including personal services in the District of Columbia or elsewhere, traveling expenses, procurement of technical and scientific equipment, and the purchase (not to exceed three passenger automobiles), hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, \$87,500, to be disbursed under the direction of the Secretary of State, who is authorized to transfer to any department or independent establishment of the Government, with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation.

Transfer of funds.

International Fisheries Commission: For the share of the United States of the expenses of the International Fisheries Commission, under the convention between the United States and Canada, concluded January 29, 1937, including personal services, traveling expenses,

50 Stat. 1351.

charter of vessels, purchase of books, periodicals, furniture, and scientific instruments, contingent expenses, rent, and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, to be disbursed under the direction of the Secretary of State, \$30,000, to be available immediately: *Provided*, That not to exceed \$750 may be expended by the Commissioners in attending meetings of the Commission.

International Pacific Salmon Fisheries Commission: For the share of the United States of the expenses of the International Pacific Salmon Fisheries Commission, under the convention between the United States and Canada, concluded May 26, 1930; including personal services; traveling expenses; purchase, maintenance, repair, and operation of not to exceed four motor-propelled passenger-carrying vehicles; charter of vessels; purchase of books, periodicals, furniture, and scientific instruments; contingent expenses; rent; and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, \$40,000, to be available immediately.

Cooperation with the American Republics: For all expenses necessary to enable the Secretary of State to meet the obligations of the United States under the Convention for the Promotion of Inter-American Cultural Relations between the United States and the other American Republics, signed at Buenos Aires, December 23, 1936, and to carry out the purposes of the Act entitled "An Act to authorize the President to render closer and more effective the relationship between the American Republics", approved August 9, 1939, and to supplement appropriations available for carrying out other provisions of law authorizing related activities, including the establishment and operation of agricultural and other experiment and demonstration stations in other American countries, on land acquired by gift or lease for the duration of the experiments and demonstrations, and construction of necessary buildings thereon; such expenses to include personal services in the District of Columbia; not to exceed \$150,000 for printing and binding; stenographic reporting, translating and other services by contract, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); not to exceed \$15,000 for entertainment; not to exceed \$5,000 for expenses of attendance at meetings or conventions of societies and associations concerned with the furtherance of the purposes hereof; and, under such regulations as the Secretary of State may prescribe, tuition, compensation, allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American Republics: *Provided*, That the Secretary of State is authorized under such regulations as he may adopt, to pay the actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses, of citizens of the other American Republics while traveling in the Western Hemisphere, without regard to the Standardized Government Travel Regulations, and to make advances of funds notwithstanding section 3648 of the Revised Statutes; traveling expenses of members of advisory committees in accordance with section 2 of said Act of August 9, 1939 (22 U. S. C. 249a); purchase (not to exceed six passenger automobiles), hire, mainte-

50 Stat. 1355.

Reimbursement of other appropriations.

51 Stat. 178.

53 Stat. 1290.
22 U. S. C. §§ 501, 502.

Experiment and demonstration stations.

Printing and binding.

Post, p. 8⁰⁰.

Traveling expenses

44 Stat. 688.
5 U. S. C. § 821;
Supp. V, § 823.

Transportation expenses.

31 U. S. C. § 529.
Post, p. 809.53 Stat. 1290.
22 U. S. C. § 502.

Microfilming equipment, etc.	<p>nance, operation, and repair of motor-propelled and animal-drawn passenger-carrying vehicles; purchase of books and periodicals; rental of halls and boats; and purchase, rental, and repair of microfilming equipment and supplies, and colored photographic enlargements, \$5,375,000; and the Secretary of State, or such official as he may designate is hereby authorized, in his discretion, and, subject to the approval of the President, to transfer from this appropriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the other American Republics any part of this amount for direct expenditure by such department or independent establishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred: <i>Provided further</i>, That not to exceed \$100,000 of this appropriation shall be available until June 30, 1948: <i>Provided further</i>, That this appropriation shall be available to make contracts with, and grants of money or property to, nonprofit institutions in the United States and the other American Republics, including the distribution of materials and other services in the fields of education and travel, arts and sciences, publications, the radio, the press, and the cinema.</p> <p>Upon request of the Secretary of State and with the approval of the heads of the departments concerned, personnel of the Army, Navy, Treasury Department, or Federal Works Agency may be assigned for duty as inspectors of buildings owned or occupied by the United States in foreign countries, or as inspectors or supervisors of buildings under construction or repair by or for the United States in foreign countries, under the jurisdiction of the Department of State, or for duty as couriers of the Department of State, and when so assigned they may receive the same traveling expenses as are authorized for officers of the Foreign Service, payable from the applicable appropriations of the Department of State.</p> <p>Contracts entered into in foreign countries involving expenditures from any of the foregoing appropriations shall not be subject to the provisions of section 3741 of the Revised Statutes (41 U. S. C. 22).</p> <p>Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Secretary of State may, in his absolute discretion, on or before June 30, 1947, terminate the employment of any officer or employee of the Department of State or of the Foreign Service of the United States whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.</p> <p>This title may be cited as the "Department of State Appropriation Act, 1947".</p>
Transfer of funds.	
Availability.	
Grants to nonprofit institutions.	
Inspectors or supervisors of buildings abroad.	
Couriers.	
Termination of employment. 5 U. S. C. § 652.	
Citation of title.	
Department of Justice Appropriation Act, 1947. <i>Post</i> , p. 594.	

TITLE II—DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

For personal services in the District of Columbia and for special attorneys and special assistants to the Attorney General in the District of Columbia or elsewhere as follows:

For the offices of the Attorney General, Solicitor General, Assistant to the Attorney General, Assistant Solicitor General, Pardon Attorney, Board of Immigration Appeals, and Board of Parole, \$667,250.

For the Administrative Division, \$1,190,000.

For the Tax Division, \$730,000.

For the Criminal Division, \$898,000.

For the Claims Division, \$1,275,000.

Not to exceed \$250,000 of the foregoing appropriations for personal services shall be available for the employment, on duties properly chargeable to each of said appropriations, of special assistants to the Attorney General without regard to the Classification Act of 1923, as amended.

Special assistants to
Attorney General.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

Contingent expenses: For stationery, furniture and repairs, floor coverings, file holders and cases; miscellaneous expenditures, including newspapers not exceeding \$850, stenographic reporting services by contract, purchase of one at not to exceed \$2,500 for the Attorney General and repair, maintenance, and operation of five motor-driven passenger cars; purchase of lawbooks, books of reference, and periodicals, including the exchange thereof; examination of estimates of appropriation in the field; and miscellaneous and emergency expenses authorized or approved by the Attorney General or his Administrative Assistant, \$200,000.

Traveling expenses: For all necessary traveling expenses, Department of Justice, not otherwise provided for, \$160,000.

Printing and binding: For printing and binding for the Department of Justice, \$475,000.

Cost of handling penalty mail, Department of Justice: For deposit in the general fund of the Treasury for cost of penalty mail for the Department of Justice as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$200,000.

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

Salaries and expenses, Customs Division: For necessary expenses, including travel expenses, purchase and exchange of lawbooks and books of reference, and employment of special attorneys and expert witnesses at such rates of compensation as may be authorized or approved by the Attorney General or his Administrative Assistant, \$165,000.

Salaries and expenses, Antitrust Division: For expenses necessary for the enforcement of antitrust and kindred laws, including traveling expenses, and experts at such rates of compensation as may be authorized or approved by the Attorney General, except that the compensation paid to any person employed hereunder shall not exceed the rate of \$10,000 per annum, including personal services in the District of Columbia, \$1,900,000: *Provided*, That none of this appropriation shall be expended for the establishment and maintenance of permanent regional offices of the Antitrust Division: *Provided further*, That no part of this appropriation shall be used for the payment of any person hereafter appointed at a salary of \$8,225 or more unless such person is appointed by the President, by and with the advice and consent of the Senate.

Salary limitation.

Permanent regional
offices.

Senate approval of
appointments at
\$8,225 or more.

Examination of judicial offices: For the investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; and also the official acts, records, and accounts of referees and trustees of such courts; travel expenses; in all, \$80,000, to be expended under the direction of the Attorney General.

Salaries and expenses, Lands Division: For personal services in the District of Columbia and for other necessary expenses, including travel expenses, employment of experts, stenographic reporting services by contract, and notarial fees or like services, \$2,650,000.

Miscellaneous salaries and expenses, field: For salaries not otherwise specifically provided for, and for such other expenses for the field service, Department of Justice, including travel expenses,

experts, and notarial fees or like services and stenographic work in taking depositions at such rates of compensation as may be authorized or approved by the Attorney General or his Administrative Assistant; firearms and ammunition therefor; and purchase of law-books, including exchange thereof; \$410,000.

Salaries and expenses of district attorneys, and so forth: For salaries, travel, and other expenses of United States district attorneys and their regular assistants, clerks, and other employees, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, \$4,560,000.

Compensation of special attorneys, and so forth: For compensation of special attorneys and assistants to the Attorney General and to United States district attorneys not otherwise provided for employed by the Attorney General to aid in special matters and cases, and for payment of foreign counsel employed by the Attorney General in special cases, \$100,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed \$10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each, together with a description of their duties: *Provided further*, That no part of this appropriation shall be used for the payment of any person hereafter appointed at a salary of \$8,225 or more and paid from this appropriation unless such person is appointed by the President, by and with the advice and consent of the Senate.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals, deputy marshals, and clerical assistants, including services rendered in behalf of the United States or otherwise; services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General; traveling expenses, including the actual and necessary expenses incident to the transfer of prisoners in the custody of United States marshals to narcotic farms; purchase of eight, at not to exceed \$2,000 each, and maintenance, repair, and operation of motor-propelled passenger-carrying station wagons, busses, and vans; \$4,642,000: *Provided*, That United States marshals and their deputies may be allowed, in lieu of actual expenses of transportation, not to exceed 4 cents per mile for the use of privately owned automobiles when traveling on official business within the limits of their official station.

Fees of witnesses: For expenses, mileage, and per diems of witnesses and for per diems in lieu of subsistence, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (28 U. S. C. 577), \$700,000: *Provided*, That not to exceed \$25,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day, which fee shall not exceed \$1.50 except in the District of Alaska: *Provided further*, That whenever an employee of the United States performs travel in order to appear as a witness on behalf of the United States in any case involving the activity in connection with which such per-

Foreign counsel.

Salary limitation.

Reports to Congress.

Senate approval of appointments at \$8,225 or more.

Services in Alaska.

Transfer of prisoners to narcotic farms.

Transportation allowances.

28 U. S. C., Supp. V, § 577. Authorization by Attorney General.

Limitation on attendance fees.

Travel expenses of Federal employees.

son is employed, his travel expenses in connection therewith shall be payable from the appropriation otherwise available for the travel expenses of such employee.

Pay and expenses of bailiffs: For pay of bailiffs, not exceeding three bailiffs in each court, and meals and lodging for bailiffs or deputy marshals in attendance upon juries when ordered by the court, \$250,000: *Provided*, That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals are available for the duties ordinarily executed by bailiffs, the fact of unavailability to be determined by the certificate of the marshal.

Restriction on use of funds.

FEDERAL BUREAU OF INVESTIGATION

Salaries and expenses, detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; personal services in the District of Columbia; purchase of not to exceed fifty (for replacement only), and hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; purchase at not to exceed \$7,000 of one, and maintenance and operation of not more than four armored automobiles; firearms and ammunition; stationery, supplies, floor coverings, equipment, and telegraph, teletype, and telephone service; not to exceed \$10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; traveling expenses, including the cost of a compartment or such other accommodations as may be authorized by the Director for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment, and including expenses, in an amount not to exceed \$4,500, of attendance at meetings concerned with the work of such Bureau when authorized in writing by the Attorney General; not to exceed \$1,500 for membership in the International Criminal Police Commission; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice; and not to exceed \$20,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended; \$8,600,000: *Provided*, That, effective on the first day of the first pay period next following the approval of this Act, the compensation of the Director of the Federal Bureau of Investigation shall be \$14,000 per annum so long as the position is filled by the present incumbent.

Protection of the President.

Traveling expenses.

Rewards for information.

Emergencies of confidential character.

Compensation of Director.

Reserve for certain emergencies.

Salaries and expenses for certain emergencies: For an additional amount for salaries and expenses, including the purposes and under the conditions specified in the preceding paragraph, \$100,000, to be held as a reserve for emergencies arising in connection with kidnaping, extortion, bank robbery, and to be released for expenditure in such amounts and at such times as the Attorney General may determine.

Salaries and expenses, detection and prosecution of crimes (emergency): For salaries and expenses, during the national emergency, in the detection and prosecution of crimes against the United States; for

Detection and prosecution of crimes (emergency).

Protection of the President. the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; personal services in the District of Columbia; purchase of not to exceed one hundred and fifty (for replacement only), and hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; firearms and ammunition; stationery, supplies, floor coverings, equipment, and telegraph, teletype, and telephone service; not to exceed \$3,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; traveling expenses, including the cost of a compartment or such other accommodations as may be authorized by the Director for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice; and including not to exceed \$50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended, \$23,000,000.

Traveling expenses.

Emergencies of confidential character.

Civil-service employees.

None of the funds appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any civil-service employee.

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses, Immigration and Naturalization Service: For all expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration; including personal services in the District of Columbia; care, detention, maintenance, transportation, and other expenses incident to the deportation, removal, and exclusion of aliens in the United States and to, through, or in foreign countries; payment of rewards for information leading to the apprehension or conviction of violators of the immigration laws; stationery, supplies, floor coverings, equipment, and telegraph, teletype, and telephone services; traveling expenses, including not to exceed \$5,000 for attendance at meetings concerned with the purposes of this appropriation; purchase for replacement only (not to exceed three hundred), hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; maintenance and operation of aircraft; firearms and ammunition; lawbooks, citizenship textbooks for free distribution, books of reference, and periodicals, including the exchange thereof; refunds of head tax, maintenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; mileage and fees of witnesses subpoenaed on behalf of the United States; stenographic reporting services by contract; and operation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto; \$25,500,000: *Provided*, That the Attorney General may transfer to, or reimburse, any other department, agency, or office of Federal, State, or local governments, funds in such amounts as may be necessary for salaries and expenses incurred by them in rendering authorized assistance to the Department of Justice in connection with the administration and enforcement of said laws; for detention of alien enemies, including the construction of temporary

Mileage and fees of witnesses.

Reimbursement of cooperating agencies.

Alien enemies.

buildings, and for all necessary expenses, including household equipment, incident to the maintenance, care, detention, surveillance, parole, and transportation of alien enemies and their wives and dependent children, including transportation and other expenses in the return of such persons to place of bona fide residence or to such other place as may be authorized by the Attorney General, advance of cash to aliens for meals and lodging while en route, and for the payment of wages to alien enemy detainees for work performed under conditions prescribed by the Geneva Convention: *Provided further*, That the Commissioner of Immigration and Naturalization may contract with officers and employees for the use, on official business, of privately owned horses: *Provided further*, That provisions of law prohibiting or restricting the employment of aliens in the Government service shall not apply to the employment of interpreters in the Immigration and Naturalization Service (not to exceed ten permanent and such temporary employees as are required from time to time) where competent citizen interpreters are not available.

Use of privately owned horses.

Interpreters.

FEDERAL PRISON SYSTEM

Salaries and expenses, Bureau of Prisons: For salaries and travel expenses in the District of Columbia and elsewhere in connection with the supervision of the maintenance and care of United States prisoners, \$400,000: *Provided*, That not to exceed \$3,500 of this amount shall be available for expenses of attendance at meetings concerned with the work of the Bureau of Prisons when incurred on the written authorization of the Attorney General.

Salaries and expenses, penal and correctional institutions: For salaries and expenses for the support of prisoners, and the maintenance and operation of Federal penal and correctional institutions and the construction of buildings at prison camps; expenses of interment or transporting remains of deceased inmates to their relatives or friends in the United States; expenses of transporting persons released from custody of the United States to place of conviction or arrest or place of bona fide residence within the United States or to such place within the United States as may be authorized by the Attorney General, and the furnishing of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed \$30, regardless of length of sentence; purchase of not to exceed thirty passenger-carrying automobiles; purchase of one bus at not to exceed \$3,000; maintenance and repair of passenger-carrying automobiles; not to exceed \$10,000 for expenses of attendance at meetings concerned with the work of the Federal Prison System when authorized in writing by the Attorney General; traveling expenses, including traveling expenses of members of the advisory boards authorized by law incurred in the discharge of their official duties; furnishing of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; newspapers, books, and periodicals; not to exceed \$35,000 for the acquisition of land adjacent to any Federal penal or correctional institution when, in the opinion of the Attorney General, the additional land is essential to the protection of the health or safety of the institution; firearms and ammunition; purchase and exchange of farm products and livestock; \$17,200,000: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed \$500.

Automobiles, etc.

Acquisition of land.

41 U. S. C. § 6.
Post, p. 809.

Medical and hospital service: For medical relief for inmates of penal and correctional institutions and appliances necessary for patients including personal services in the District of Columbia; and

- Transfer of funds. furnishing and laundering of uniforms and other distinctive wearing apparel necessary for the employees in the performance of their official duties, \$1,300,000: *Provided*, That there may be transferred to the appropriation "Pay, and so forth, commissioned officers, Public Health Service", \$106,883 without limitation accounts, and to other appropriations of the Public Health Service such amounts as may be necessary, in the discretion of the Attorney General for direct expenditure by that Service.
- 56 Stat. 487. Construction of buildings and facilities: For construction, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions and all necessary expenses incident thereto, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct, \$600,000: *Provided*, That \$635,000 of the amount transferred to this appropriation by the Navy Department under the authority contained in the Department of Justice Appropriation Act, 1943, shall be available for the construction of dwellings at existing institutions.
- U. S. prisoners in non-Federal institutions and in Alaska. Support of United States prisoners: For support of United States prisoners in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid; expenses of transporting persons released from custody of the United States to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General, and the furnishing to them of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed \$30, regardless of length of sentence; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (18 U. S. C. 753c, 753d); support of prisoners becoming insane during imprisonment and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their capture; and for repairs, betterments, and improvements of United States jails, including sidewalks; \$1,800,000.
- 46 Stat. 326. None of the money appropriated by this title shall be used to pay any witness or bailiff more than one per diem for any one day's service, even though he serves in more than one of such capacities on the same day.
- Per diem restriction. None of the funds appropriated by this title may be used to pay the compensation of any person hereafter employed as an attorney unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, Territory, or the District of Columbia.
- License requirement for attorneys. Sixty per centum of the expenditures for the offices of the United States District Attorney and the United States Marshal for the District of Columbia from all appropriations in this title shall be reimbursed to the United States from any funds in the Treasury of the United States to the credit of the District of Columbia.
- Reimbursement to U. S. This title may be cited as the "Department of Justice Appropriation Act, 1947".
- Citation of title.

TITLE III—DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Department of
Commerce Appropri-
ation Act, 1947.
Post, pp. 594, 618,
916.

Salaries and expenses: For all necessary expenses of the Office of the Secretary of Commerce (hereafter in this title referred to as the Secretary) including personal services in the District of Columbia; teletype news service (not exceeding \$1,000); newspapers (not exceeding \$500); contract stenographic reporting services; lawbooks, books of reference, and periodicals; purchase of one passenger automobile; maintenance, operation, and repair of motor vehicles; not exceeding \$2,000 for expenses of attendance at meetings of organizations concerned with the work of the Office of the Secretary and not to exceed \$5,000 for the entertainment of representatives of other countries by officials of the Department when specifically authorized and approved by the Secretary; \$925,000.

Printing and binding: For all printing and binding for the Department of Commerce, except for technical and scientific services in the Office of the Secretary and for the Patent Office, the Civil Aeronautics Board, and work done at the field printing plants of the Weather Bureau authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220), \$1,110,000.

Post, pp. 466, 467,
468.

40 Stat. 1270.
44 U. S. C. § 4.

Technical and scientific services: For all necessary expenses of the Office of the Secretary in the performance of activities and services relating to technological development as an aid to business in the development of foreign and domestic commerce, including all the objects for which the appropriation "Salaries and expenses, Office of the Secretary", is available, and including (not to exceed \$75,000) for the temporary employment of persons by contract or otherwise, without regard to the Classification Act of 1923, as amended, the employment of persons, including State, county, or municipal officers and employees, with or without compensation, and not to exceed \$130,000 for printing and binding, \$3,800,000: *Provided*, That of the sum herein appropriated the Secretary may transfer not to exceed \$500,000 to the National Bureau of Standards for testing and other scientific studies and expend not to exceed \$1,000,000 for temporary employment of persons or organizations by contract or otherwise, for scientific research on new products, materials, material substitutes, and such other subjects and special services determined necessary, including the encouragement of inventive genius, without regard to sections 3709 and 3648 of the Revised Statutes and the civil-service and classification laws.

Temporary employ-
ment.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

Scientific study and
research.

41 U. S. C. § 5; 31
U. S. C. § 529.
Post, p. 809.

Post, p. 471.

Penalty mail, Department of Commerce: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of Commerce, except the Civil Aeronautics Board, as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$600,000.

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

Post, p. 618.

BUREAU OF THE CENSUS

Salaries and expenses, age and citizenship certification: For salaries and expenses necessary for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, and other statutory requirements with respect to age and citizenship certification, including personal services at the seat of government, travel, microfilm, and binding records, books of reference, periodicals, and photographic supplies, \$150,000: *Provided*, That the procedure hereunder for the furnishing from census records of evidence

49 Stat. 620.
42 U. S. C. §§ 301-
1307; Supp. V, § 401 *et seq.*
Post, p. 979 *et seq.*
Procedure for fur-
nishing evidence of
age.

for the establishment of age of individuals shall be pursuant to regulations approved jointly by the Secretary and the Social Security Board.

Post, p. 618.

Temporary employ-
ees.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

Travel in privately
owned automobiles.

Compilation of for-
eign trade statistics.

Compiling census reports and so forth: For salaries and expenses necessary for securing information for and compiling and publishing the census reports provided for by law, the collection, compilation, and periodic publication of statistics showing United States exports and imports; temporary employees at rates to be fixed by the Director of the Census without regard to the Classification Act; the cost of transcribing State, municipal, and other records; preparation of monographs on census subjects and other work of specialized character by contract or otherwise; travel expenses, including not to exceed \$4,000 for attendance at meetings of organizations concerned with the collection of statistics, when incurred on the written authority of the Secretary; reimbursement for actual cost of ferry fares and bridge, road, and tunnel tolls, and not to exceed 3 cents per mile for travel performed in privately owned automobiles within the limits of their official posts of duty, of employees engaged in census enumeration or surveys; maintenance, repair, and operation of five motor-propelled passenger-carrying vehicles; construction and repair of tabulating machines and other mechanical appliances, and the rental or purchase and exchange of necessary machinery, appliances, and supplies, including tabulating cards and continuous form tabulating paper; books of reference, periodicals, maps, newspapers (not exceeding \$200), \$12,000,000: *Provided*, That on and after October 1, 1946, all functions necessary to the compilation of foreign trade statistics shall be performed in New York, New York: *Provided further*, That not to exceed \$950,000 shall be expended for this purpose.

OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

52 Stat. 973.
49 U. S. C. § 401 *et seq.*; Supp. V, §§ 481, 492, 643.
Post, p. 944.

Entertainment of
foreign officials.

Transfer of funds.
Ante, p. 465.

General administration, Office of the Administrator: For necessary expenses of the Office of Administrator of Civil Aeronautics in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), including personal services in the District of Columbia and elsewhere; contract stenographic reporting services; not to exceed \$14,000 for expenses of attendance at meetings of organizations concerned with aeronautics, when specifically authorized by the Administrator; newspapers (not exceeding \$200); not to exceed \$5,000 for entertainment of officials in the field of aviation of other countries when specifically authorized and approved by the Administrator; fees and mileage of expert and other witnesses; expenses of examination of estimates of appropriations in the field; purchase (not to exceed eight), hire, maintenance, repair, and operation of passenger automobiles; \$4,353,102, of which \$54,000 may be transferred to the appropriation "Printing and binding, Department of Commerce".

Transfer of facilities
from War and Navy
Departments.

Establishment of air-navigation facilities: For the acquisition and establishment by contract or purchase and hire of air-navigation facilities, including the equipment of additional civil airways for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing air-navigation facilities; the acquisition of the necessary sites by lease or grant; personal services in the District of Columbia and elsewhere; and hire, maintenance, repair, and operation of passenger automobiles, \$19,622,200, and the War and Navy Departments are authorized, during the fiscal year 1947, to transfer without charge, subject to the approval of the

Director of the Bureau of the Budget, air navigation and communication facilities, including appurtenances thereto, to the Administrator of Civil Aeronautics: *Provided*, That the consolidated appropriation under this head for the fiscal year 1946 is hereby continued available until June 30, 1947.

Availability of funds.
59 Stat. 189.

Maintenance and operation of air-navigation facilities: For necessary expenses of operation and maintenance of air-navigation facilities and air-traffic control, including personal services in the District of Columbia and elsewhere; purchase (not to exceed thirty-four), hire, maintenance, repair, and operation of passenger automobiles; and not to exceed 3 cents per mile for travel, in privately owned automobiles within the limits of their official posts of duty, of employees engaged in the maintenance and operation of remotely controlled air-navigation facilities; \$36,544,418: *Provided*, That there may be credited to the appropriation "Maintenance and operation of air-navigation facilities" sums received from States, counties, municipalities, and other public authorities for expenses incurred in the maintenance and operation of airport traffic control towers.

Credits.

Maintenance and operation of air-navigation facilities (Executive Order 9709): For all necessary expenses of maintenance and operation of air-navigation facilities, by contract or otherwise, in foreign countries and in territories and possessions of the United States, in accordance with Executive Order 9709, dated March 29, 1946, including personal services in the District of Columbia and elsewhere, \$2,500,000, of which not to exceed \$200,000 may be transferred to the appropriation "General administration, Office of Administrator of Civil Aeronautics", for necessary expenses in connection with the general administration of the program.

11 F. R. 3389.

Technical development: For expenses necessary in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), relative to such developmental work and service testing as tends to the creation of improved air-navigation facilities, including landing areas, aircraft, aircraft engines, propellers, appliances, personnel, and operation methods, including personal services in the District of Columbia and elsewhere; acquisition of necessary sites by lease or grant; cleaning and repair of uniforms for guards; purchase (not to exceed one), operation, maintenance, and repair of passenger automobiles; and purchase of reports, documents, plans, and specifications, \$875,000, together with not to exceed \$120,000 of the unexpended balance of this appropriation for the fiscal year 1946.

Transfer of funds.

52 Stat. 973.
49 U. S. C. § 401 et seq.; Supp. V, §§ 481, 492, 643.
Post, p. 944.

Enforcement of safety regulations: For expenses necessary in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), relating to safety regulations, except air-traffic control, including personal services in the District of Columbia and elsewhere; purchase (not to exceed forty-four), hire, maintenance, repair, and operation of passenger automobiles, \$7,075,000, of which not to exceed \$39,000 may be transferred to the appropriation "General administration, Office of Administrator of Civil Aeronautics", and not to exceed \$3,000 may be transferred to the appropriation "Printing and binding, Department of Commerce".

52 Stat. 973.
49 U. S. C. § 401 et seq.; Supp. V, §§ 481, 492, 643.
Post, p. 944.
Transfer of funds.

Ante, p. 465.

Airport Advisory Service: For necessary expenses in furnishing advisory services to State and other public and private agencies in connection with the construction and operation of airports and landing areas, including personal services in the District of Columbia and elsewhere, and the operation, repair, and maintenance of passenger automobiles, \$250,000.

Maintenance and operation of aircraft: For all expenses necessary for the maintenance, operation, and overhaul of two hundred and thirty-one aircraft for the use of all the activities under the Office of the Administrator, and the repair of aircraft engines and other

Post, p. 468.

Transfer of surplus equipment from War and Navy Departments.

Limitation on expenditures.

Washington National Airport.

aircraft parts, including personal services in the District of Columbia, \$1,593,000; and the War and Navy Departments are authorized to transfer to the Civil Aeronautics Administration aircraft (for replacement purposes only), aircraft engines, parts, and accessories, and hangar, line and shop equipment surplus to the needs of such Departments, such transfer to be without charge therefor, and the appropriation "Maintenance and Operation of Aircraft" is hereby made available for the costs of transportation and storage incident to the procurement and care of such items: *Provided*, That no funds in this paragraph shall be expended for the pay of any employee of the Civil Aeronautics Administration for the maintenance of more than one major parts warehouse, or for the repair or overhaul of aircraft when such repair or overhaul cannot be performed by the Civil Aeronautics Administration through exchange or substitution of parts or materials maintained by the Civil Aeronautics Administration, and the cost of labor, parts and materials not maintained in stock would be in excess of \$200: *Provided further*, That all repair and overhaul of aircraft of the Civil Aeronautics Administration which cannot be performed within the foregoing limitation shall be done on contract after submission of bids.

Maintenance and operation, Washington National Airport: For salaries and expenses incident to the care, operation, maintenance, and protection of the Washington National Airport, including the purchase (not to exceed two) operation, repair, and maintenance of passenger automobiles, and not to exceed \$2,900 for the purchase, cleaning, and repair of uniforms, \$750,000; and the War and Navy Departments are authorized to transfer to the Administrator without payment therefor a heavy duty fire-crash truck, crane, and such other equipment as is commonly used in ground operation at airports for use of the Washington National Airport.

Preliminary planning and surveys, Federal Airport Act: For all expenses necessary for preliminary planning and surveys required for the initiation of the Federal-aid airport program as authorized in section 5 (a) of the Federal Airport Act, approved May 13, 1946 (Public Law 377), including personal services in the District of Columbia; the purchase (not to exceed nineteen), repair, and operation of passenger automobiles; \$2,975,000, to be immediately available and to remain available until expended, of which amount not to exceed \$15,000 may be transferred to the appropriation "Maintenance and operation of aircraft, Office of the Administrator of Civil Aeronautics", to provide for the maintenance and operation of aircraft, and \$5,000 may be transferred to the appropriation "Printing and binding, Department of Commerce".

Federal-aid airport program, Federal Airport Act: For carrying out the provisions of the Federal Airport Act of May 13, 1946 (except section 5 (a)), \$45,000,000, to be available until June 30, 1953, of which \$43,260,000 shall be for projects in the States in accordance with sections 5 (b) and 6 of said Act, and \$1,740,000 shall be for projects in Alaska, Hawaii, and Puerto Rico in accordance with section 5 (c): *Provided*, That not to exceed \$2,250,000 of the foregoing amounts shall be available for necessary planning, research, and administrative expenses, including personal services in the District of Columbia; the purchase (not to exceed eighty-three), repair, and operation of passenger automobiles; of which \$2,250,000 not to exceed \$25,000 may be transferred to the appropriation "Maintenance and operation of aircraft, Office of Administrator of Civil Aeronautics", to provide for the maintenance and operation of aircraft, and \$30,000 may be transferred to the appropriation "Printing and binding, Department of Commerce".

Ante, p. 172.

Transfer of funds.

Ante, p. 467.

Ante, p. 465.

Ante, pp. 170, 172.

Ante, pp. 172, 173.

Planning, research, etc.

Transfer of funds.

Ante, p. 467.

Ante, p. 465.

Development of landing areas: For completion of the program for the construction, improvement, and repair of public airports for national defense the consolidated appropriation under this head in the Department of Commerce Appropriation Act, 1943, shall remain available until June 30, 1947, and the portion thereof available for administrative expenses shall be available also for the operation, maintenance, and repair of passenger automobiles: *Provided*, That the total number of sites shall not exceed five hundred and thirty-five.

56 Stat. 492.

Limitation.

The foregoing appropriations under the Office of Administrator of Civil Aeronautics shall be available for the purchase and exchange of lawbooks, books of reference, atlases, maps, and periodicals; traveling expenses; salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or other agencies serving aviation; and the purchase, cleaning, and repair of special wearing apparel (including skis and snowshoes).

CIVIL AERONAUTICS BOARD

Civil Aeronautics Board, salaries and expenses: For necessary expenses of the Civil Aeronautics Board, including personal services in the District of Columbia; traveling expenses; contract stenographic reporting services; fees and mileage of expert and other witnesses; temporary employment of attorneys, examiners, consultants, and experts, and in the case of airplane accidents the employment of temporary guards on a contract or fee basis without regard to section 3709 of the Revised Statutes; salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or industries serving aviation; expenses of examination of estimates of appropriations in the field; purchase and exchange of lawbooks, books of reference, periodicals, and newspapers; not to exceed \$4,500 for deposit in the general fund of the Treasury, for cost of penalty mail, as required by section 2 of the Act of June 28, 1944 (Public Law 364); purchase of motor-propelled passenger-carrying vehicles (not to exceed ten) and hire, operation, maintenance, and repair of same and aircraft; purchase and hire of special wearing apparel and equipment for aviation purposes (including rubber boots, snowshoes, and skis); \$2,300,000; and the War and Navy Departments and the Civil Aeronautics Administration are authorized to transfer to the Civil Aeronautics Board, without payment therefor, not to exceed five aircraft: *Provided*, That this appropriation shall be available when specifically authorized by the Chairman of the Board, for expenses of attendance at meetings of organizations concerned with aeronautics (not to exceed \$4,000).

41 U. S. C. § 5.
Post, p. 800.58 Stat. 394.
39 U. S. C., Supp.
V, § 321d.

Transfer of aircraft.

Attendance at meet-
ings.

Printing and binding: For printing and binding, \$32,000.

COAST AND GEODETIC SURVEY

Salaries and expenses, departmental: For all expenses necessary for the work of the Survey in the District of Columbia, including the compilation of field surveys and other data; the production, purchase, or printing of maps and nautical and aeronautical charts; maintenance of and equipment for an instrument shop and procurement or exchange of woodworking supplies and equipment; motion-picture equipment; chart paper, drafting, photographic, photolithographic, and printing supplies and equipment; newspapers not to exceed \$25; instruments (except surveying instruments); stationery for field stations and parties; travel; and purchase of lawbooks, books of reference, and periodicals; \$3,014,000, of which not to exceed \$2,700,000 shall be available for personal services.

Field units.

Salaries and expenses, field: For all expenses necessary to man, equip, repair, and supply vessels and other field units of the Survey engaged in surveys and other operations required for the production of maps, nautical charts, Coast Pilots, tide and current tables, and related publications of all coasts and islands under the jurisdiction of the United States; research in physical hydrography; geodetic surveying operations to provide control for national mapping and for other purposes, magnetic and seismological observations, and the establishment of meridian lines, in the United States and in other regions under the jurisdiction of the United States; gravity surveys in United States territory and adjacent areas; operation of two latitude observatories, including replacement of dwelling at one observatory; field surveys required for the production of aeronautical charts; purchase of plans and specifications of vessels; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; construction of magnetic and seismological observatory and auxiliary buildings at Fairbanks, Alaska; purchase of two motor-propelled station wagons and hire, maintenance, operation, and repair of motor vehicles; operation, maintenance, and repair of an airplane for photographic surveys; special aviation clothing; packing, crating, and transporting personal household effects of commissioned officers when transferred from one official station to another, and of commissioned officers who die on active duty, and funeral expenses of commissioned officers, as authorized by law; extra compensation at not to exceed \$15 per month to each member of the crew of a vessel when assigned duties as bomber or fathometer reader, and at not to exceed \$1 per day for each station to employees of other Federal agencies while observing tides or currents or tending seismographs; and reimbursement, under rules prescribed by the Secretary, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them (not to exceed a total of \$500); \$4,800,000.

Coast Pilots.

Aeronautical charts.

Extra compensation for duties as bomber or fathometer reader.

Pay, commissioned officers: For pay and allowances prescribed by law for not to exceed one hundred and seventy-one commissioned officers on the active list and of officers retired in accordance with existing law, including payment of six months' death gratuity as authorized by law, \$1,000,000.

Death gratuity.

Transfer of vessels.

The Navy Department is authorized to transfer without charge to the Coast and Geodetic Survey two AGP seaplane tenders, two PCS submarine chasers, and three SC submarine chasers from the reserve or surplus to the needs of the Navy Department, each of the seven vessels equipped with the necessary launches and ship's outfit.

Attendance at meetings.

Not to exceed \$650 of the appropriations herein made for the Coast and Geodetic Survey shall be available for expenses of attendance at meetings concerned with the work of the Coast and Geodetic Survey when incurred on the written authority of the Secretary.

The foregoing appropriations for the Coast and Geodetic Survey shall be available for the pay of missing or captured civilian or commissioned personnel of the Coast and Geodetic Survey under the Act of March 7, 1942, as amended (50 U. S. C. App. 1001), and for the six months' death gratuity, regardless of the fiscal year during which such obligations accrued; the purchase of special clothing for protection of employees while engaged in their official duties; not to exceed \$2,500 for the payment of part-time or intermittent employment in the District of Columbia, or elsewhere, of such architects, engineers, scientists, and technicians as may be contracted for by the Secretary, at a rate of pay not exceeding \$25 per diem for any person so employed; and not to exceed \$10,000 for special geodetic surveys in regions subject to earthquakes.

56 Stat. 143.
50 U. S. C., Supp.
V, app. §§ 1001-1017.
Ante, p. 5.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Departmental salaries and expenses: For personal services (not to exceed \$4,500,000, \$500,000 of which is to be used at the seat of government for aids and services to small business) and other necessary expenses of the Bureau of Foreign and Domestic Commerce at the seat of government in performing the duties imposed by law or in pursuance of law, including the purchase of commercial and trade reports; employment of aliens; temporary employment of persons or organizations by contract or otherwise without regard to the civil service and classification laws (not exceeding \$50,000); maintenance, operation, and repair of passenger automobiles; travel; newspapers (not exceeding \$1,500), periodicals, and books of reference; and other contingent expenses in the District of Columbia; \$4,900,000: *Provided*, That expenses, except printing and binding, of field studies or surveys conducted by departmental personnel of the Bureau shall be payable from the amount herein appropriated.

Aids to small business.

Temporary employment.

Field studies or surveys.

Field office service: For salaries, travel, and all other expenses necessary to operate and maintain regional, district, and cooperative branch offices for the collection and dissemination of information useful in the development and improvement of commerce throughout the United States and its possessions, including newspapers (not exceeding \$1,000), periodicals, and books of reference, and not to exceed \$90,000 for personal services in the District of Columbia, \$4,750,000.

Export control: For all expenses necessary, fiscal year 1947, to carry out the purposes of section 6 of the Act of July 2, 1940, as amended (56 Stat. 463), and as further amended (by Public Law 389 approved May 23, 1946), including personal services in the District of Columbia, travel, newspapers, periodicals, and books of reference, \$500,000, of which not to exceed \$57,000 shall be available for printing and binding, and not to exceed \$21,000 may be transferred to the appropriation "Penalty mail, Department of Commerce".

Post, p. 916.54 Stat. 714.
50 U. S. C., Supp.
V, app. § 701.
Ante, p. 215.

Transfer of funds.

Ante, p. 465.

Attendance at meetings.

The appropriations for the Bureau of Foreign and Domestic Commerce shall be available in an amount not to exceed \$12,000 for expenses of attendance at meetings concerned with the promotion of foreign and domestic commerce, or either, and also expenses of illustrating the work of the Bureau of Foreign and Domestic Commerce by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary.

PATENT OFFICE

Salaries: For personal services in the District of Columbia and elsewhere, \$5,620,000.

Photolithographing: For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade-marks, and other papers, such other papers when reproduced for sale to be sold at not less than cost plus 10 per centum; reproduction of foreign patent drawings; photo prints of pending application drawings; and photostat and photographic supplies and dry mounts, \$660,000: *Provided*, That the headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography: *Provided*, That hereafter on July 1, 1946, and thereafter 25 cents per copy shall be charged for uncertified copies of specifications and drawings of patents, and 10 cents per copy for design patents and certificates of trade-mark registration.

Multigraphing of headings.

Copies of drawings, certificates, etc.

Miscellaneous expenses: For purchase and exchange of law, professional, and other reference books and publications and scientific books;

expenses of transporting publications of patents issued by the Patent Office to foreign governments; directories, furniture, filing cases; maintenance, operation, and repair of passenger-carrying automobiles; for investigating the question of public use or sale of inventions for one year or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of suits instituted against the Commissioner of Patents; for travel, including not to exceed \$500 for attendance at meetings concerned with the work of the Patent Office, when incurred on the written authority of the Secretary; and for other contingent and miscellaneous expenses of the Patent Office; \$147,000.

Printing and binding: For printing the weekly issue of patents, designs, trade-marks, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, \$875,000; for miscellaneous printing and binding, \$77,000; in all, \$952,000.

NATIONAL BUREAU OF STANDARDS

Salaries and expenses: For all salaries and expenses necessary in carrying out the provisions of the Act establishing the National Bureau of Standards, approved March 3, 1901 (5 U. S. C. 591, 597; 15 U. S. C. 271-278), and of Acts supplementary thereto affecting the functions of the Bureau and specifically including the functions as set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", including personal services in the District of Columbia; rental of laboratories in the field, building of temporary experimental structures, communication service, transportation service; travel, including not to exceed \$4,500 for expenses of attendance at meetings of organizations concerned with standardization or research in science, when incurred on the written authority of the Secretary; streetcar fare not exceeding \$100, expenses of the visiting committee, compensation and expenses of medical officers of the Public Health Service detailed to the National Bureau of Standards for the purpose of maintaining a first-aid station and making clinical observations; compiling and disseminating scientific and technical data; demonstrating the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchases of supplies, materials, stationery, electric power, fuel for heat, light, and power, and accessories of all kinds needed in the work of the Bureau, including supplies for office, laboratory, shop, and plant, and cleaning and toilet supplies, gloves, goggles, rubber boots and aprons; purchase, repair, and cleaning of uniforms for guards; operation, maintenance, and repair of a passenger automobile; purchases of equipment of all kinds, including its repair and exchange; periodicals and reference books, including their exchange; purchase of newspapers (not to exceed \$25); and translation of technical articles:

Operation and administration: For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; necessary repairs and alterations to buildings; \$630,000.

Testing, inspection, and information service: For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the broadcasting of radio signals of standard frequency; the testing of equipment, materials, and supplies in connection with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and

31 Stat. 1449.

48 Stat. 552.

Medical officers of
Public Health Service.

Supplies, etc.

technical matters; and supplying available information to the public, upon request, in the field of physics, chemistry, and engineering; \$1,900,000.

Research and development: For the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the study of conditions affecting radio transmission; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; and the solutions of problems arising in connection with standards, \$2,225,000.

Standards for commerce: For cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; for encouraging the application of the latest developments in the utilization and standardization of building materials; for the development of engineering and safety codes, simplified-practice recommendations, and commercial standards of quality and performance, \$232,000.

Purchase and installation of betatron: For the purchase and installation of a betatron and auxiliary equipment, and the construction of an annex to the X-radiation laboratory of the National Bureau of Standards with underground chambers for housing the betatron, for the purpose of conducting studies of X and beta radiation above 1.4 million volts, \$250,000, to remain available until expended.

Improvement of facilities: For the purchase of materials, equipment, and apparatus as may be necessary to improve and modernize the laboratories, shops, and other facilities of the National Bureau of Standards, \$600,000, to be immediately available and to remain available until expended, of which amount not to exceed \$7,000 shall be available for personal services and travel expenses: *Provided*, That this appropriation shall be available only for purchase, including packing, crating, transportation, and warehousing charges, of such materials, equipment, and apparatus as have been declared surplus under the provisions of the Surplus Property Act.

During the fiscal year 1947 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the National Bureau of Standards on scientific investigations within the scope of the functions of that Bureau, and which the National Bureau of Standards is unable to perform within the limits of its appropriations, may, with the approval of the Secretary, transfer to the National Bureau of Standards such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the National Bureau of Standards for performance of work for the department or establishment from which the transfer is made, including, where necessary, travel expenses and compensation for personal services in the District of Columbia and in the field.

Not to exceed \$100,000 of funds available to the Bureau by appropriations and transfer shall be available for payment of part-time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicians as may be contracted for by the Secretary, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed.

Betatron and auxiliary equipment.

Restriction.

58 Stat. 765.
50 U. S. C., Supp.
V, app. §§ 1611-1646.
Amte, pp. 163, 169;
post, pp. 599, 764, 886.
Scientific investigations for Government agencies.

Transfer of funds.

Intermittent employment of scientists, etc.

Personal services.

Of the foregoing amounts for the National Bureau of Standards not to exceed \$4,170,000 may be expended for personal services in the District of Columbia.

WEATHER BUREAU

Salaries and expenses: For expenses necessary for carrying into effect in the United States and possessions, on ships at sea, and elsewhere when directed by the Secretary, the provisions of sections 1 and 3 of an Act approved October 1, 1890 (15 U. S. C. 311-313), the Act approved October 29, 1942 (15 U. S. C. 323), and section 803 of the Civil Aeronautics Act of 1938 (49 U. S. C. 603), including investigations of atmospheric phenomena; cooperation with other public agencies and societies and institutions of learning; purchase of books of reference; purchase of newspapers (not to exceed \$50); traveling expenses, including not to exceed \$1,500 for attendance at meetings concerned with the work of the Bureau when authorized by the Secretary; purchase (not to exceed eight), maintenance, operation, and repair of passenger automobiles; maintenance, operation, and repair of one airplane, which the War or Navy Department is authorized to transfer to the Weather Bureau without payment therefor; repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; the erection of temporary buildings for living and working quarters of observers; telephone rentals, and telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary by agreement with the companies performing the service; and establishment, equipment, and maintenance of meteorological offices and stations; \$17,500,000, of which not to exceed \$1,525,000 may be expended for departmental personal services in the District of Columbia; not to exceed \$1,500 for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee; and not to exceed \$10,000 for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau: *Provided further*, That the War and Navy Departments are authorized, during the fiscal year 1947, to transfer without charge to the Weather Bureau, subject to the approval of the Director of the Bureau of the Budget, equipment and supplies for upper air soundings: *Provided further*, That in the conduct of meteorological investigations in the Arctic region, pursuant to Public Law 296, approved February 12, 1946, the funds herein appropriated shall be available for the appointment of employees at rates to be fixed by the Chief of the Weather Bureau without regard to the civil-service laws and Classification Act, but the maximum base rate of pay shall not be in excess of \$7,500 per annum and at no time more than three employees shall be in a pay status at such rate of pay, and no other employees shall receive in excess of the base rate of pay of \$5,000 per annum; the furnishing of food, shelter, and protective clothing and equipment, without repayment therefor, to employees of the Government assigned to Arctic stations; and the War and Navy Departments are authorized in the fiscal year 1947, subject to the approval of the Director of the Bureau of the Budget, to transfer without charge to the Weather Bureau materials, equipment, and supplies, surplus to the needs of the War and Navy Departments and necessary for the establishment, maintenance, and operation of Arctic weather stations: *Provided*

26 Stat. 653.
56 Stat. 1012.
15 U. S. C., Supp.
V, § 323.
52 Stat. 1014.
Post, p. 944.

Maintenance, etc.,
of airplane.

International Mete-
orological Committee.

Printing office.

Transfer of equip-
ment from War and
Navy Departments.

Investigations in
Arctic region.
Ante, p. 4.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

Transfer of surplus
equipment from War
and Navy Depart-
ments.

further, That the unexpended balance of the amount appropriated for Arctic weather stations under authority of said Act for the fiscal year 1946 is hereby merged with this appropriation and continued available for the purposes thereof until June 30, 1947.

Maintenance and operation of meteorological facilities (Executive Order 9709): For all necessary expenses of maintenance and operation of meteorological facilities, by contract or otherwise, in foreign countries and in Territories and possessions of the United States, in accordance with Executive Order 9709, dated March 29, 1946, including personal services in the District of Columbia and elsewhere, \$1,750,000, of which not to exceed \$40,000 may be expended for departmental personal services in the District of Columbia.

11 F. R. 3389.

Extra compensation at not to exceed \$5 per day may be paid to employees of other Government agencies in Alaska, and in other Territorial possessions for taking and transmitting meteorological observations for the Weather Bureau.

Extra compensation, Alaska, etc.

During the fiscal year 1947 the Secretary of Commerce may delegate his authority to subordinate officials of the Coast and Geodetic Survey, the Weather Bureau, and the Civil Aeronautics Administration, to authorize payment of expenses of travel and transportation of household goods of officers and employees on change of official station and the payment of expenses of transportation of the immediate families of such officers and employees: *Provided*, That in no case shall such authority be delegated to any official below the level of the heads of regional or field offices.

Delegation of authority.

The appropriations "Maintenance and operation of air-navigation facilities", Office of Administrator of Civil Aeronautics; "Salaries and expenses", Civil Aeronautics Board; and "Salaries and expenses", Weather Bureau, shall be available, under regulations to be prescribed by the Secretary, for furnishing to employees of the Civil Aeronautics Administration, the Civil Aeronautics Board, and the Weather Bureau in Alaska free emergency medical services by contract or otherwise and medical supplies, and for the purchase, transportation, and storage of food and other subsistence supplies for resale to such employees, the proceeds from such resales to be credited to the appropriation from which the expenditure for such supplies was made and a report shall be made to Congress annually showing the expenditures made for such supplies and the proceeds from such resales; and appropriations of the Civil Aeronautics Administration and the Weather Bureau, available for travel, shall be available for the travel expenses of appointees of said agencies from the point of engagement in the United States to their posts of duty at any point outside the continental limits of the United States or in Alaska; and appropriations of the Civil Aeronautics Administration and the Weather Bureau shall be available in an amount not to exceed \$20,000 for furnishing food, clothing, medicines, and other supplies for the temporary relief of distressed persons in remote localities, reimbursement for such relief to be in accordance with regulations prescribed by the Secretary.

Free emergency medical services, etc., Alaska.

Credit of proceeds from resales. Report to Congress.

Relief of distressed persons.

Citation of title.

This title may be cited as the "Department of Commerce Appropriation Act, 1947".

Judiciary Appropriation Act, 1947. Post, p. 624.

TITLE IV—THE JUDICIARY

UNITED STATES SUPREME COURT

Salaries: For the Chief Justice and eight Associate Justices; Reporter of the Court; and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, \$598,590.

Post, p. 624.

Rules for criminal proceedings.

58 Stat. 151.

The unexpended balance of the appropriation "Preparation of Rules for Criminal Proceedings, Supreme Court", fiscal 1944, continued in the First Deficiency Appropriation Act, 1944, is hereby made available for the fiscal year 1947.

Rules for civil procedure.

58 Stat. 854.

The unexpended balance of the appropriation "Preparation of Rules for Civil Procedure, Supreme Court", fiscal year 1945, continued in the First Supplemental Appropriation Act, 1945, is hereby made available for the fiscal year 1947.

Printing and binding: For printing and binding for the Supreme Court of the United States, \$37,000, to be expended as required without allotment by quarters, and to be executed by such printer as the Court may designate.

Miscellaneous expenses: For miscellaneous expenses of the Supreme Court of the United States, to be expended as the Chief Justice may approve, \$28,600, of which amount not to exceed \$1,600 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

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

Structural and mechanical care of the building and grounds: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U. S. C. 13a-13d), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances; special clothing for workmen; purchase of waterproof wearing apparel; and personal and other services (including temporary labor without reference to the Classification and Retirement Acts, as amended), and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 and 3744 of the Revised Statutes (41 U. S. C. 5, 16); \$102,600.

48 Stat. 668.

41 U. S. C., Supp.
V, § 16.
Post, p. 809.

UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Reimbursements to U. S.

Sixty per centum of the expenditures for the District Court of the United States for the District of Columbia from all appropriations under this title and 30 per centum of the expenditures for the United States Court of Appeals for the District of Columbia from all appropriations under this title shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia.

Repairs and improvements, District Court of the United States for the District of Columbia: For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$12,500, to be expended under the direction of the Architect of the Capitol.

Post, p. 624.

Repairs and improvements, United States Court of Appeals for the District of Columbia: For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$11,000, to be expended under the direction of the Architect of the Capitol.

COURT OF CUSTOMS AND PATENT APPEALS

Salaries and expenses: For salaries of the presiding judge, four associate judges, and all other officers and employees of the court, and all necessary expenses of the court, including the purchase and exchange of books and periodicals, stationery, supplies, traveling expenses, drugs, chemicals, cleansers, furniture, printing and binding, and for such other miscellaneous expenses as may be approved by the presiding judge, \$136,000: *Provided*, That not to exceed \$180 of this appropriation shall be available for deposit in the general fund

of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

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

UNITED STATES CUSTOMS COURT

Salaries and expenses: For salaries of the presiding judge, eight judges, and all other officers and employees of the court, and all necessary expenses of the court including the purchase and exchange of books and periodicals, stationery, supplies, traveling expenses, printing and binding and for such other miscellaneous expenses as may be approved by the presiding judge, \$295,700: *Provided*, That traveling expenses of judges of the Customs Court shall be paid upon the written certificate of the judge: *Provided further*, That not to exceed \$500 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

Traveling expenses.

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

COURT OF CLAIMS

Salaries and expenses: For salaries of the chief justice, four judges, seven regular and ten additional commissioners, and all other officers and employees of the court, including the compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (28 U. S. C. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930, and as also amended by an Act approved July 1, 1944; and all necessary expenses of the court including the cost of stationery, court library, repairs, fuel, electric light, traveling expenses, printing and binding, and other miscellaneous expenses, \$450,000: *Provided*, That not to exceed \$500 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

46 Stat. 799.
28 U. S. C., Supp.
V, §§ 270, 275a.

58 Stat. 663.
41 U. S. C., Supp.
V, § 114.

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

Repairs and improvements: For necessary repairs and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, \$9,000.

TERRITORIAL COURTS

Hawaii: For salaries of the chief justice and two associate justices of the Supreme Court of the Territory of Hawaii, of judges of the circuit courts in Hawaii, and of judges retired under the Act of May 31, 1938, \$96,500.

52 Stat. 591.
48 U. S. C., §§ 634b,
634c.
Ante, p. 90.

MISCELLANEOUS ITEMS OF EXPENSE

Salaries of judges: For salaries of circuit judges; district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, one in the Virgin Islands, and one in the Panama Canal Zone); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, \$3,200,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto whether active or retired.

Retired judges.
36 Stat. 1161.
28 U. S. C., Supp.
V, § 375.
46 Stat. 737.
28 U. S. C. § 296
note.

Salaries of clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, \$3,368,000.

Clerks' offices.
Restriction on use
of funds.

No part of any appropriation in this Act shall be used to pay the cost of maintaining an office of the clerk of the United States District Court at Anniston, Alabama; Florence, Alabama; Jasper, Alabama; Gadsden, Alabama; Grand Junction, Colorado; Montrose, Colorado; Durango, Colorado; Sterling, Colorado; Newnan, Georgia; Benton, Illinois; Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico; Bryson City, North Carolina; Shelby, North Carolina; Ardmore, Oklahoma; Guthrie, Oklahoma; Aberdeen, South Dakota; Pierre, South Dakota; Deadwood, South Dakota; Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or Lander, Wyoming; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

Detail of employ-
ees.

Probation system, United States courts: For salaries of probation officers and their clerical assistants, as authorized by the Act entitled "An Act to amend the Act of March 4, 1925, chapter 521, and for other purposes", approved June 6, 1930 (18 U. S. C. 726), \$1,472,000: *Provided*, That nothing herein contained shall be construed to abridge the right of the district judges to appoint probation officers, or to make such orders as may be necessary to govern probation officers in their own courts: *Provided further*, That no part of this appropriation shall be used to pay the salary or expenses of any probation officer who, in the judgment of the senior or presiding judge certified to the Attorney General, fails to carry out the official orders of the Attorney General with respect to supervising or furnishing information concerning any prisoner released conditionally or on parole from any Federal penal or correctional institution.

46 Stat. 503.
Appointment, etc.,
of probation officers.

Failure to carry out
Attorney General's or-
ders.

Salaries of criers: For salaries of criers as authorized by the Act of December 7, 1944 (Public Law 468), and Acts of March 3, 1911, and March 3, 1891, as amended (28 U. S. C. 224 and 547), \$320,000.

58 Stat. 796.
28 U. S. C., Supp.
V, § 9.
36 Stat. 1133, 1167;
26 Stat. 829.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (18 U. S. C. 591), including fees and expenses of conciliation commissioners, United States courts, including the objects and subject to the conditions specified for such fees and expenses of conciliation commissioners in the Department of Justice Appropriation Act, 1937, \$475,000.

49 Stat. 1327.

Fees of jurors: For mileage and per diems of jurors; meals and lodging for jurors when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (31 Stat. 362), and compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court, \$1,400,000: *Provided*, That the compensation of jury commissioners for the District of Columbia shall conform to the provisions of title 18, chapter 10, section 341, of the Code of the District of Columbia, but such compensation shall not exceed \$250 each per annum.

Jury commissioners.

41 Stat. 558.
D. C. Code § 11-
1401.

Miscellaneous salaries: For salaries of all officials and employees of the Federal judiciary, not otherwise specifically provided for, \$1,750,000: *Provided*, That the compensation of secretaries and law clerks of circuit and district judges (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other Acts of similar purport subsequently enacted) shall be fixed by the Director of the Administrative Office without regard to the Classification Act of 1923, as amended, except that the salary of a secretary shall conform with that of the main (CAF-4), senior (CAF-5), or principal (CAF-6) clerical grade, or assistant (CAF-7) or associate (CAF-8) administrative grade, as the appointing judge shall determine, and the salary of a law clerk shall conform with that of the junior (P-1), assistant (P-2), associate (P-3), full (P-4), or senior

59 Stat. 295.
5 U. S. C., Supp.
V, § 901 note.
Ante, p. 216 *et seq.*

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

(P-5) professional grade, as the appointing judge shall determine, subject to review by the judicial council of the circuit if requested by the Director, such determination by the judge otherwise to be final: *Provided further*, That (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other Acts of similar purport subsequently enacted) the aggregate salaries paid to secretaries and law clerks appointed by one judge shall not exceed \$6,500 per annum, except in the case of the senior circuit judge of each circuit and senior district judge of each district having five or more district judges, in which case the aggregate salaries shall not exceed \$7,500.

Aggregate salaries.
59 Stat. 295.
5 U. S. C., Supp. V,
§ 901 note.
Ante, p. 216 *et seq.*

Miscellaneous expenses (other than salaries): For miscellaneous expenses of the United States courts and their officers; purchase of lawbooks, books of reference, and periodicals; purchase of firearms and ammunition; purchase of envelopes without regard to the Act of June 26, 1906 (34 Stat. 476); and not to exceed \$84,000 for deposit in the general fund of the Treasury for cost of penalty mail for the United States courts and the Administrative Office of the United States Courts as required by section 2 of the Act of June 28, 1944 (Public Law 364); \$500,000.

39 U. S. C. § 355.

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

Traveling expenses: For all necessary traveling expenses, not otherwise provided for, incurred by the Judiciary, including traveling expenses of probation officers and their clerks, and transfer of household goods and effects as provided by the Act of October 10, 1940, \$590,000: *Provided*, That this sum shall be available, in an amount not to exceed \$6,000, for expenses of attendance at meetings concerned with the work of Federal probation when incurred on the written authorization of the Director of the Administrative Office of the United States Courts: *Provided further*, That United States probation officers may be allowed, in lieu of actual expenses of transportation, not to exceed 4 cents per mile for the use of their own automobiles for transportation when traveling on official business within the city limits of their official station.

54 Stat. 1105.
5 U. S. C. § 73 c-1.
Post, p. 807.
Attendance at meet-
ings.

Probation officers.
Allowance for use of
own automobiles.

Printing and binding: For printing and binding for the Administrative Office and Courts of the United States, \$80,000.

Salaries, court reporters: For salaries of court reporters for the district courts of the United States, as authorized by the Act of January 20, 1944 (Public Law 222), \$800,000.

58 Stat. 6.
28 U. S. C., Supp.
V, § 9 a (c).

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Salaries: For the Director of the Administrative Office of the United States Courts, the Assistant Director, and for other personal services in the District of Columbia and elsewhere, as may be necessary to enable the Director to carry into effect the provisions of the Act entitled "An Act to provide for the administration of the United States courts, and for other purposes", approved August 7, 1939 (53 Stat. 1223), \$295,000: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia, the Director shall fix compensation according to the Classification Act of 1923, as amended.

28 U. S. C. §§ 444-
450.
Personal services.

Miscellaneous expenses: For stationery, supplies, materials and equipment, freight, express, and drayage charges, washing towels, advertising, purchase of lawbooks and books of reference, periodicals and newspapers, communication service and postage; for the maintenance, repair, and operation of one motor-propelled delivery truck; for rent in the District of Columbia, and elsewhere; for official traveling expenses, including examination of estimates for appropriations in the field, and other miscellaneous expenses, not otherwise provided for, necessary to effectively carry out the provisions of the

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

Act providing for the administration of the United States courts, and for other purposes; \$30,000.

"Circuit court of appeals."

"Senior circuit judge."
"Circuit judge."

"Judge."

U. S. Court of Appeals, D. C., reports.

Marking of books.

Citation of title.

As used in this title, the term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "senior circuit judge" includes the chief justice of the United States Court of Appeals for the District of Columbia; the term "circuit judge" includes associate justice of the United States Court of Appeals for the District of Columbia; and the term "judge" includes justice.

The reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume: *Provided*, That all books purchased hereunder for United States judges and other judicial officers shall be marked plainly "The Property of the United States", and such books shall in all cases be transmitted to their successors in office.

This title may be cited as the "Judiciary Appropriation Act, 1947".

TITLE V—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Short title.

SEC. 501. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 502. This Act may be cited as the "Departments of State, Justice, Commerce, and the Judiciary Appropriation Act, 1947".

Approved July 5, 1946.

[CHAPTER 542]

AN ACT

To increase the salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House

July 5, 1946
[H. R. 6516]
[Public Law 491]

District of Columbia.
Salary adjustment for policemen and firemen.
Ante, p. 261.

Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia", approved July 14, 1945 (Public Law 151, Seventy-ninth Congress), is amended by inserting before the period at the end thereof a comma and the following: "plus 14 per centum of such annual basic salary as increased by the foregoing percentages".

SEC. 2. Notwithstanding the amendment to such Act of July 14, 1945, made by the first section of this Act, no officer or member of the Metropolitan Police, the United States Park Police, the White House Police, or the Fire Department of the District of Columbia shall, by reason of the enactment of this Act, be paid with respect to any pay period basic salary, or basic salary plus additional compensation, at a rate in excess of \$10,000 per annum.

SEC. 3. This Act shall take effect on July 1, 1946.

Approved July 5, 1946.

[CHAPTER 543]

AN ACT

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1947, namely:

NAVAL ESTABLISHMENT

TITLE I—OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

For traveling expenses of civilian employees, including travel of dependents of employees to and from navy yards or stations outside the continental limits of the United States; expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy (hereafter in this Act referred to as the Secretary), such attendance would be of benefit in the conduct of the work of the Navy Department; physical examinations by civilian physicians and in other than naval hospitals of civilian employees engaged in hazardous occupations; expenses of courts and boards; purchase of law and reference books; expenses of prisoners and prisons; clerical assistance; witnesses' fees and traveling expenses; promoting accident prevention and safety in shore establishments of the Navy, to be expended in the discretion of the Secretary; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Naval Personnel); costs of suits; maintenance of attachés and others abroad, including office rental and pay of employees, and not to exceed \$900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), special cost of living allowances for employees abroad, contingencies for the Chief of Naval Intelligence, to be expended in his discretion, not to exceed \$5,200; collection and classification of information pertaining to Naval Intelligence; telephone, telegraph, and teletype rental and tolls (including not to exceed \$300 for extension telephones between the telephone switchboards at the official stations of naval officials and the

59 Stat. 470.
D. C. Code, Supp.
V, §§ 4-803 to 4-805.

Limitation.

Effective date.

July 8, 1946
[H. R. 6496]
[Public Law 492]

Naval Appropriation Act, 1947.
Post, p. 619.

Physical examination of civilian employees.

Living quarters.

46 Stat. 818.

Interned persons
and prisoners of war

Damage claims.
41 Stat. 132.
34 U. S. C., Supp.
V, § 600 note.
Post, p. 847.
58 Stat. 723.
46 U. S. C., Supp.
V, §§ 791-798.
Post, p. 803.
57 Stat. 582.
34 U. S. C., Supp.
V, §§ 984-989.
56 Stat. 175.
15 U. S. C., Supp.
V, § 606b-2.

living quarters of such officials), telegrams, radiograms, and cablegrams for the Navy Department and the naval service; postage, foreign and domestic and post-office box rentals; microphotographic services; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; payment of claims for damages as provided in the Act approved July 11, 1919 (34 U. S. C. 600), and the Act approved July 3, 1944 (46 U. S. C. 797), and for the payment of claims of civilian employees of the Naval Establishment as provided in the Act approved October 27, 1943 (34 U. S. C. 984), which have not been or may be eligible for payment under the provisions of the Act approved March 27, 1942 (15 U. S. C. 606b-2); and other necessary and incidental expenses; \$13,844,000.

CONTINGENCIES OF THE NAVY

For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at the seat of government, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary, and his determination shall be final and conclusive upon the accounting officers of the Government, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, \$100,000, of which \$15,000 shall be immediately available.

RESEARCH, NAVY

For the encouragement, promotion, planning, initiation, coordination, and conduct of naval research, experiment, test and development work; operation and maintenance, including upkeep of buildings, grounds, and equipment, of naval research laboratories not otherwise provided for; additions to equipment; control of activities within or on behalf of the Department of the Navy relating to patents, inventions, trade-marks, copyrights, royalty payments, and matters connected therewith; purchase of reference books, newspapers, periodicals, apparatus, and necessary supplies for use in the District of Columbia and in the field; \$45,000,000: *Provided*, That not more than \$2,000,000 may be expended for administrative expenses, exclusive of the Naval Research Laboratory.

Administrative expenses,
restriction.

OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

To enable the Secretary to carry out the provisions contained in the Act approved June 4, 1920, as amended (34 U. S. C. 524), requiring him to explore, prospect, conserve, develop, use, and operate the naval petroleum reserves, and to drill and equip exploratory wells in Naval Petroleum Reserve Numbered 4, \$9,710,000, of which amount \$9,600,000 shall remain available until July 1, 1950, for the exploration of Naval Petroleum Reserve Numbered 4 by contract as negotiated by the Secretary of the Navy: *Provided*, That out of any sums appropriated for naval purposes by this Act, any portion thereof, not to exceed \$10,000,000, shall be available to enable the Secretary to protect Naval Petroleum Reserve Numbered 1, by drilling wells and performing any work incident thereto: *Provided further*, That no part of the sum made available in the foregoing provision for the protection of Naval Petroleum Reserve Numbered 1 shall be expended if satisfactory agreement or agreements can be made with owners of land within or adjoining said Reserve Numbered 1 not to drill wells for the purpose of producing oil or gas.

41 Stat. 813.
34 U. S. C., Supp.
V, § 524.

Agreements with
landowners.

OCEAN AND LAKE SURVEYS, NAVY

For hydrographic surveys, including pay of hydrographic surveyors, cartographic draftsmen, and recorders, and for purchase of nautical books, charts, and sailing directions, \$175,000.

BUREAU OF NAVAL PERSONNEL

TRAINING, EDUCATION, AND WELFARE, NAVY

Naval War College: For maintenance, operation, and other necessary expenses of the Naval War College; services of a professor of international law, \$2,000; services of lecturers, \$3,000; library expenses, including purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; and not exceeding \$1,000 for contingencies of the president of the Naval War College to be expended in his discretion, \$212,000.

Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow:

San Diego, California, \$1,500,000;
Newport, Rhode Island, \$1,500,000;
Great Lakes, Illinois, \$2,675,000;
Port Deposit, Maryland, \$1,500,000;

Fleet training: For trophies and badges for excellence in gunnery, target practice, communication, engineering exercises, and economy in fuel consumption, to be awarded under such rules as the Secretary may formulate; recording, classifying, compiling, and publishing the rules and results; establishment and maintenance of shooting galleries, target houses, targets, and ranges; hiring established ranges; entrance fees in matches for the rifle team, and special equipment therefor; \$140,000;

Instruction: For postgraduate instruction of officers in other than civil government and literature, including such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (34 U. S. C. 1073), and special instruction and education, including rental, maintenance, and operation of property for instruction purposes, and individual training of officers and enlisted personnel at home and abroad, including maintenance of students abroad, except aviation and submarine training otherwise appropriated for, \$8,136,000: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of any expense incident to giving special educational courses or postgraduate instruction to officers with view to qualifying them or better qualifying them for the performance of duties required to be performed by or in pursuance of law by officers of the Supply Corps, the Corps of Civil Engineers, and officers assigned to engineering duty only, except present students and except such officers who are commissioned in such corps or have been assigned to engineering duty only or who have not been commissioned in the line of the Navy more than five years prior to the commencement of such educational courses or postgraduate instruction;

Libraries: For libraries, including professional books, textbooks, and religious books for ships and shore stations not otherwise appropriated for, \$450,000;

Welfare and recreation: For welfare and recreation of the Navy, including periodicals and newspaper subscriptions, to be expended in the discretion of the Secretary, \$2,750,000;

Naval Reserve Officers' Training Corps: For all expenses incident to the conduct of the Naval Reserve Officers' Training Corps under

49 Stat. 1002.
34 U. S. C. §§ 1073-
1073e; Supp. V, §§
1073c-1, 1073d.
Post, p. 804.

Special educational
courses.

43 Stat. 1276; 50 Stat. 563.
34 U. S. C., Supp. V, § 821.
Post, p. 1061.
Furnishing of uniforms, etc.

such regulations as the President may prescribe under the provisions of section 22 of the Act approved March 4, 1925, as amended by the Act of August 6, 1937 (34 U. S. C. 821), \$3,346,000: *Provided*, That uniforms and other equipment or material issued to the Naval Reserve Officers' Training Corps in accordance with law may be furnished from surplus or reserve stocks of the Navy without payment under this appropriation;

In all, training, education, and welfare, Navy, \$22,209,000.

MISCELLANEOUS EXPENSES, BUREAU OF NAVAL PERSONNEL

For all miscellaneous expenses, including supplies for seamen's quarters; commissions, warrants, diplomas, discharges, good-conduct badges, medals, and identification tags, \$200,000.

NAVAL RESERVE

52 Stat. 1175.
34 U. S. C. § 853; Supp. V, §§ 853 *et seq.*, 850a note.
Ante, p. 245; post, pp. 892, 993, 994, 1062.

For all expenses not otherwise provided for, authorized by the "Naval Reserve Act of 1938", as amended, and the "Naval Aviation Cadet Act of 1942" (56 Stat. 737), in connection with organizing, administering, recruiting, instructing, training, and drilling the Naval Reserve, including designing, purchasing, and engraving of medals and trophies; medical supplies and equipment; purchase, maintenance, and operation of ambulances; maintenance and operation of floating equipment; rental, maintenance, and operation of such shore stations as may be required in connection with Naval Reserve activities; \$133,800,000: *Provided*, That no appropriation in this Act shall be available for pay, allowances, travel, or other expenses of any officer or enlisted person of the Naval or Marine Corps Reserve who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States, and "retired pay" as here used shall not include the pay of members of the Fleet Reserve, Fleet Marine Corps Reserve, or members on the honorary retired list of such Reserve forces.

Pay, allowances, etc., restrictions.

NAVAL ACADEMY

49 Stat. 1092.
34 U. S. C. §§ 1073-1073c; Supp. V, §§ 1073c-1, 1073d.
Post, p. 804.

Pay: For pay of employees, professors, and instructors, including one professor as librarian, and such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (34 U. S. C. 1073), \$1,980,000: *Provided*, That this appropriation shall not be available for the employment of more than fourteen masters and instructors in swordsmanship and physical training.

Maintenance: For all expenses necessary for maintenance and operation of the Naval Academy; expenses of lecturers and entertainment (not exceeding \$3,000); expenses of the Board of Visitors to the Naval Academy; contingencies for the Superintendent of the Naval Academy (not exceeding \$5,200) and for the commandant of Midshipmen (not exceeding \$1,200), to be expended in their respective discretions; reference books, newspapers, periodicals, apparatus, equipment, and necessary supplies; purchase without regard to section 3709, Revised Statutes, binding, and repairs of books for the library, \$1,950,000, of which amount \$2,000 shall be available exclusively for the care of a collection of ship models.

41 U. S. C. § 5.
Post, p. 809.

NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

48 Stat. 1229.

For all salaries and expenses as authorized by law (31 U. S. C. 725h) necessary for the maintenance and operation of the Naval Home and plot in cemetery, including burial expenses and headstones; music in chapel and entertainment for beneficiaries; transportation of indigent, destitute, sick, and insane beneficiaries and their attendants and

necessary subsistence for both; employment and support of such beneficiaries; and maintenance, repair, and operation of one motor-propelled passenger-carrying vehicle; \$301,000.

BUREAU OF SHIPS

MAINTENANCE OF BUREAU OF SHIPS

For designing hulls, machinery, and equipment of naval vessels, except armament; experimental, developmental, and research work; maintenance, repairs, renewal, and alterations of hulls, machinery, and equipment of naval vessels, nonnaval vessels operated for naval requirements, and yard and district craft except machinery and equipment under the cognizance of other bureaus; docking of vessels; leasing of laying up facilities and docks, not to exceed \$1,125,000; maritime salvage services and other purposes in connection therewith authorized by law; relief of vessels in distress; hire of lighters, tugs, and small craft; charter and hire of vessels for auxiliary purposes where considered necessary by the Secretary of the Navy; pay, subsistence, and incidental expenses of civilian crews temporarily employed on naval vessels; equipage, appliances, supplies, materials, and services, at home and abroad, under the cognizance of the Bureau of Ships; searchlights and fire-control equipment for antiaircraft defense at shore stations; maintenance and operation of the Naval Communication Service (including teletype), the experimental model basin, Carderock, Maryland, and the engineering experiment station, Annapolis, Maryland, including maintenance and equipment of buildings and grounds and appurtenances; purchase, installation, repair, and preservation of machine tools, plant appliances, and equipment (including furniture in industrial activities) in naval establishments or private plants; accident prevention; incidental expenses for naval vessels, naval shipyards and stations, and other activities under the cognizance of the Bureau of Ships, such as photographing, plans, stationery, drafting instruments and other materials; and technical books and publications for said Bureau; \$443,750,000: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore, except for messes temporarily set up on shore for bachelor officers and officers attached to seagoing or district defense vessels, to aviation units based on seagoing vessels, to the fleet air bases, to the submarine bases, or to landing forces and expeditions.

Antiaircraft defense
at shore stations.

Machine tools, plant
appliances, etc.

Tableware, etc., in
officers' quarters.

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, NAVY

For developing and for research incidental thereto, procuring, producing, preserving, and handling ordnance supplies, material, and equipment for naval purposes; for essential equipment, facilities, machine tools, including replacements, and services at naval or private establishments to expedite the production of ordnance material; minor improvements (not to exceed \$20,000 upon any building project of a permanent character), maintenance, operation, and other necessary expenses of naval ordnance shore activities; technical books and periodicals; maintenance, repair, and operation of motor-propelled and other freight and passenger-carrying vehicles at such activities; target practice; and for care and operation of schools at Dahlgren, Virginia; Indianhead, Maryland; Hawthorne, Nevada; Inyokern, California;

Expediting produc-
tion.

Care and operation
of schools.

and Solomons, Maryland; \$246,390,000, of which \$350,000 shall be available for placing the equipment at the Naval Torpedo Station, Newport, Rhode Island, in condition for operation.

BUREAU OF SUPPLIES AND ACCOUNTS

PAY AND SUBSISTENCE OF NAVAL PERSONNEL

For pay and allowances and subsistence prescribed by law for naval personnel, including reserves on active duty—

Pay and allowances: Officers, active duty, no part of which shall be available for increased pay for making aerial flights, by more than eighty-five officers above the rank of captain nor by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers; midshipmen; officers, retired, inactive; enlisted personnel, active, including cash prizes for men for excellence in gunnery, target practice, communication, engineering competition and additional pay for duty as messmen; enlisted men, retired, inactive; men of the Fleet Reserve, inactive; nurses, female, active; nurses, female, retired, inactive; six months' death gratuity, officers, nurses, and enlisted personnel; cash allowances for uniforms for officers; clothing furnished annually to enlisted personnel and issued in kind to members of the Navy Nurse Corps or cash in lieu thereof; civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement in kind or in cash as authorized by law to persons in the naval service, for personal property lost, destroyed, or damaged; including reimbursement, under rules prescribed by the Secretary, of naval personnel who furnish from their personal stock subsistence and clothing to shipwrecked and destitute persons; purchase of medals, crosses, bars, emblems, and other insignia; miscellaneous items, including hire of quarters for officers serving with troops where sufficient quarters are not possessed by the United States to accommodate them; rent of quarters for members of the Nurse Corps; and hire of quarters for naval personnel, comparable to quarters assignable on a capital ship, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel; interest on deposits by enlisted personnel; losses in the accounts of Navy and Marine Corps officers certified under the Act of July 11, 1919 (31 U. S. C. 105), and the Act of June 10, 1921 (31 U. S. C. 104), and payments in settlement of claims under the Act of January 2, 1942 (31 U. S. C. 224d); total pay and allowances, \$894,250,000: *Provided*, That, except for the public quarters occupied by the Chief of Naval Operations, the Superintendent of the Naval Academy, and the Commandant of the Marine Corps, and messes temporarily set up on shore for officers attached to seagoing vessels, aviation units based on seagoing vessels (including officers' messes at naval air stations), submarine bases, overseas bases (including Alaska), mobile hospitals, landing forces and expeditions, and such bachelor officers' quarters and messes as may be specifically designated by the Secretary and, in addition, not to exceed three hundred in number at such other places as shall be designated by the Secretary, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer

Personal property losses, reimbursement.

Quarters for personnel.

Quarters for dependents, restriction.

41 Stat. 132; 42 Stat. 24.
Post, p. 868.

55 Stat. 880.
31 U. S. C., Supp. V, § 224d.

Enlisted men or civil employees as household servants.

or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department;

Subsistence: For provisions for messes, subsistence in messes, commuted rations, including commuted rations for enlisted personnel on leave at 65 cents per diem, and other subsistence in kind; midshipmen's rations at 85 cents per diem; subsistence in kind in hospital messes of female nurses, hospital corpsmen, and other enlisted personnel on duty in hospitals, active duty enlisted personnel, active and inactive retired enlisted personnel and members of the Fleet Reserve when sick and in hospitals, credited, when applicable, to the appropriation "Medical Department, Navy", at the rate of 80 cents per ration; subsistence of supernumeraries on naval vessels because of war conditions, including expenses heretofore incurred for such purpose; subsistence of Navy and Marine Corps general courts-martial prisoners undergoing imprisonment; money allowances for subsistence and quarters of enlisted personnel when not furnished quarters or subsistence in kind, and for enlisted personnel absent from messes on temporary duty not involving travel (during which time all other subsistence shall be stopped); total subsistence, \$102,590,000;

In all, for pay and subsistence of naval personnel, \$996,840,000, and the money herein specifically appropriated for "Pay and subsistence, Navy", shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That until September 1, 1946, qualified enlisted men of the Navy, Naval Reserve, and Marine Corps may be appointed to the Naval Academy after nine months of service.

In addition to the foregoing amount, the Secretary of the Navy is hereby directed to transfer to this appropriation, at such time during the fiscal year 1947 as he may deem advisable, not to exceed \$500,000,000 from the naval stock fund: *Provided*, That the cash working capital of the naval stock fund shall not be reduced below \$50,000,000 as the result of such transfer.

Total.

Appointment of enlisted men to Naval Academy.

Transfer of funds.

Limitation.

TRANSPORTATION AND RECRUITING OF NAVAL PERSONNEL

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers and nurses while traveling under orders, including expenses when on duty with traveling recruiting parties, and the cost of a compartment or such other accommodations as may be authorized by the Secretary for security when secret documents are transported by officer messenger or when valuable naval property is transported as hand baggage by personnel of the Naval Establishment, and expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary, such attendance would be of benefit in the conduct of the work of the Navy Department; for mileage at 5 cents per mile to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment, and for transportation of midshipmen, including reimbursement of traveling expenses, while traveling under orders after appointment, and transportation in kind and subsistence to discharged midshipmen; transportation and subsistence of enlisted personnel upon discharge, including enlisted personnel discharged on medical survey to their homes if residents of the United States; transportation of enlisted personnel and applicants

Secret documents.

Midshipmen.

for enlistment at home and abroad, transportation of prisoners, and insane supernumerary patients to hospitals, all with subsistence and transfers en route or cash in lieu thereof; expenses of funeral escorts of naval personnel and apprehension and delivery of deserters and stragglers, and for railway, steamship, and airway guides and expenses incident to transportation; transportation of dependents of officers and enlisted personnel, including those of retired and Reserve officers, and of retired and Reserve enlisted personnel of grades entitled to transportation of dependents in the Regular Navy when ordered to active duty (other than training) and upon release therefrom; for actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of the shore-patrol detachment; for all necessary expenses for recruiting for the naval service, including lodging and subsistence of applicants, rent of rendezvous and expenses of maintaining the same, and advertising for and obtaining men; total transportation, \$79,000,000: *Provided*, That the Secretary, in prescribing per diem rates of allowance in accordance with law, is hereby authorized to prescribe such per diem, whether or not orders are given to officers for travel to be performed repeatedly between two or more places in the same vicinity and without regard to the length of time away from their designated posts of duty under such orders, and also the actual and necessary expenses or per diem in lieu thereof as he may determine and approve for naval personnel on special duty in foreign countries, including per diem allowances, not exceeding \$7, to naval personnel of, or under training for, the Naval Air Transport Service while on such duty or training away from their permanent stations.

MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including scientific investigations, commissions, interest, and exchange; ferrriage and bridge tolls, including streetcar fares; rent of buildings and offices not in navy yards for naval purposes, not otherwise provided for; accident prevention; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; packing, unpacking, and local handling, as authorized by law, of household goods and effects of civilian and naval personnel of the Naval Establishment; ice and mechanical devices for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards); \$212,000,000: *Provided*, That without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Navy and Marine Corps on disbursing duty and charged in their official accounts may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts: *Provided further*, That during the fiscal year 1947 the dependents and household effects of such civilian and naval personnel of the Naval Establishment (without regard to rank or grade) on duty at stations outside the continental limits of the United States, or in Alaska, as may be determined upon by the Secretary, may, prior or subsequent to the issuance of orders for the relief of such personnel from their stations, or subsequent to the discharge or release of such personnel from active service, be moved (including packing and unpacking of household effects) from such locations outside the continental limits of the United States, or in Alaska, to such locations in continental United States as may be designated by such personnel, by the use of either Government or commercial means of transportation, and later from such locations to

Transportation of dependents.

Per diem rates of allowance.

Use of receipts for expenditures.

Transportation of dependents, etc.

the duty stations to which such personnel may be ordered, and current appropriations of the Naval Establishment available for travel and transportation may be used for this purpose.

TRANSPORTATION OF THINGS

For transportation of things (as defined by Budget-Treasury Regulation Numbered 1) pertaining to the Navy (excluding Marine Corps and Coast Guard), \$71,000,000.

Post, p. 619.

FUEL, NAVY

For coal and other fuel for submarine bases and steamers' and ships' use, including expenses of storage and handling the same and the removal of fuel refuse from ships; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels, and ice for the cooling of water, including expense of transportation and storage of both; \$45,000,000.

NAVAL PROCUREMENT FUND

For the purpose of settlement of war contracts under the Contract Settlement Act of 1944, during the fiscal year ending June 30, 1947, advances by check or warrant and reimbursements to the Naval Procurement Fund from naval appropriations may be made on the basis of the estimated cost of a project without further accounting distribution of expenditures to the individual appropriations involved.

58 Stat. 649.
41 U. S. C., Supp.
V, §§ 101-125.

BUREAU OF MEDICINE AND SURGERY

MEDICAL DEPARTMENT

For equipment, supplies, maintenance, and operation of Medical Department activities ashore and afloat, including repairs, minor extensions, and improvements of buildings and grounds thereof (not to exceed \$20,000 upon any building project of a permanent character), and compensation of employees; tolls and ferrriage; necessary instruction of personnel, including equipment; issuance of medical bulletins and information; laundry supplies and services; maintenance, operation, and repair of motor-propelled busses; care of the dead as authorized by law, including transportation; purchase of technical books and periodicals; optical supplies for naval personnel under regulations prescribed by the Secretary; and other necessary expenses, including care, maintenance, and treatment of patients in naval and other hospitals, as provided by regulation and for the manufacture or production of products by patients in naval hospitals and other naval medical facilities incident to their convalescence and rehabilitation, and ownership thereof shall be vested in the patients manufacturing or producing such products, except that the ownership of such items manufactured or produced specifically for the use of a naval hospital or other naval medical facility shall be vested in the Government and such items shall be accounted for and disposed of accordingly; \$31,500,000.

Ownership of items
produced by hospital
patients.

BUREAU OF YARDS AND DOCKS

MAINTENANCE, BUREAU OF YARDS AND DOCKS

For the labor, materials, supplies, and facilities necessary for the general maintenance of activities and properties under the cognizance of the Bureau of Yards and Docks, including accident prevention; contingent expenses and minor extensions and improvements of public

works at naval shipyards and stations; purchase of motortruck chassis with station-wagon type bodies and motorbusses, maintenance, repair, rental outside continental United States (not exceeding \$5,000), and operation of passenger-carrying vehicles for the Navy Department and the Naval Establishment not otherwise provided for; \$128,809,100; for expenses of operation and maintenance of housing projects maintained and operated as such by the Navy Department and developed under the provisions of the Acts of June 28, 1940 (54 Stat. 676); September 9, 1940 (54 Stat. 872); October 14, 1940 (54 Stat. 1125); March 1, 1941 (55 Stat. 14); May 24, 1941 (55 Stat. 197); and December 17, 1941 (55 Stat. 810), including utilities, roads, walks, and accessories, and expenses found necessary in the disposition of any such property or the removal of temporary housing, \$3,450,900; in all, \$132,260,000: *Provided*, That none of these funds shall be used to pay for the maintenance or operation of any defense housing unit for any civilian employees of the Navy Department unless the rental rate charged for the civilian occupancy of any such defense housing unit shall be at the rate prescribed by the Office of Price Administration for housing of similar character and size in the general geographical area where any such defense housing may be located.

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works inside continental United States: For public works and public utilities within the United States, as authorized in Public Law 289, Seventy-eighth Congress (58 Stat. 189), and Public Law 13, Seventy-ninth Congress, needed by the Navy and specifically approved by the Secretary, including collateral public works items, projects for personal services (including group IV (b) personnel in the Bureau of Yards and Docks) and other expenses, \$70,966,300: *Provided*, That for obligations other than architectural or engineering contracts not more than 10 per centum of the foregoing amount may be expended without regard to the provisions of section 3709, Revised Statutes: *Provided further*, That wherever there are architectural and engineering services in any State in which a project is located qualified to do the work, such services shall be utilized.

Public works outside continental United States: For public works and public utilities heretofore authorized outside the continental United States, needed by the Navy and approved by the Secretary, including collateral public works items, personal services (including group IV (b) personnel in the Bureau of Yards and Docks), as authorized in Public Law 13, Seventy-ninth Congress, \$60,052,000: *Provided*, That all of the foregoing amount may be expended without regard to the provisions of section 3709, Revised Statutes: *Provided further*, That all unobligated balances of any contractual authority for advance base construction heretofore authorized and unobligated as of July 1, 1946, is hereby repealed.

In all, \$131,018,300, to remain available until expended, and the money herein specifically appropriated for public works and public utilities shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That this fund shall be available for the payment of obligations incurred under the provisions of Section 3 of the Act approved April 25, 1939 (53 Stat. 591).

No part of the appropriations in this Act under the Navy Department shall be used for a permanent type of construction at any shore establishment of any character acquired subsequent to the calendar year 1938, unless such establishment shall be designated by the Secretary as a permanent establishment, and, in that event, a permanent type of construction shall be used only to meet such permanent requirements as the Secretary may approve: *Provided*, That nothing herein

Housing projects.

42 U. S. C. §§ 1501-1505; Supp. V, §§ 1501-1505, 1521-1524.

Restriction.

50 Stat. 9.

Limitation.

41 U. S. C. § 5.
Post, p. 809.
Use of local architectural, etc., services.

59 Stat. 9.

41 U. S. C. § 5.
Post, p. 809.
Repeal.
An/e, p. 17.

Total; availability.

34 U. S. C. § 556.

Permanent type of construction, restriction.

Exceptions.

shall prevent construction of a type sufficiently substantial for the use intended nor apply to construction projects now under contract or in progress: *Provided further*, That no part of such appropriations may be used for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, for greater amounts per unit than follow:

Permanent construction:

For commissioned officer, \$10,000.

For commissioned warrant or warrant officer, \$7,500.

For enlisted man, \$6,000.

Temporary construction:

For commissioned officer, \$7,500.

For commissioned warrant or warrant officer, \$5,000.

For enlisted man, \$3,500.

The fixed fee to be paid the contractor as a result of any contract hereafter entered into under this appropriation shall not exceed 4 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary.

Maximum obligations, designated units.

Contractor's fee, restriction.

BUREAU OF AERONAUTICS

AVIATION, NAVY

For new construction and procurement of aircraft and equipment, spare parts and accessories, including expansions of and facilities in public or private plants, \$310,776,000; for replacement of navigational and radio equipment for aircraft in service, aerological, photographic, and miscellaneous equipment, including repairs thereto, \$23,800,000; for maintenance, repair, and operation of aircraft, aircraft factory, air stations, testing laboratories, fleet and all other aviation activities, accident prevention, technical books and periodicals for use in the Bureau of Aeronautics and field, outfits for aviation messes, the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, and for care and operation of a school at one air station for the children of commissioned, enlisted, and civilian personnel of the Navy, \$370,558,000; for continuing experiments and development work on all types of aircraft, \$100,626,000; in all, \$805,760,000, of which amount \$310,000,000 shall remain available until expended.

Experiments, etc.

Not to exceed \$36,000,000 of the funds appropriated for "Aviation, Navy", fiscal year 1944, shall continue available during the fiscal year 1947 for the liquidation of contractual obligations for aircraft and aircraft equipment procurement incurred during the fiscal year 1944.

Liquidation of contractual obligations. 57 Stat. 206.

MARINE CORPS

PAY, MARINE CORPS

Pay of officers: For pay and allowances prescribed by law for all officers on active duty—pay and allowances, \$36,825,800, including \$4,225,700 for increased pay for making aerial flights, none of which shall be available for increased pay for making aerial flights by non-flying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such non-flying officers or observers; subsistence allowance, \$5,007,550; rental allowance, \$6,942,650; in all, \$48,776,000;

Officers on active duty.

For pay of officers prescribed by law on the retired list, not on active duty, \$2,900,000;

Officers on retired list.

Pay of enlisted personnel: For pay and allowances of all enlisted personnel and musicians on active duty as prescribed by law; expenses of clerks of the Marine Corps traveling under orders, including not to exceed \$2,500 for expenses of attendance upon meetings of technical,

professional, scientific, and other organizations, when, in the judgment of the Secretary, such attendance would be of benefit in the conduct of the work of the Marine Corps; additional compensation for enlisted personnel of the Marine Corps qualified as experts, sharpshooters, marksmen, aircraft machine gunners, or regularly detailed as gun captains, gun pointers, messmen; interest on deposits by enlisted personnel; post-exchange debts of deserters, and of personnel discharged or sentenced to terms of imprisonment while in debt to the United States, under such rules as the Secretary may prescribe; authorized travel allowance of discharged enlisted personnel; prizes for excellence in gunnery exercises, target practices, and communication competitions; pay of enlisted personnel designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore; and for gratuities to enlisted personnel discharged not under honorable conditions—pay and allowances, \$159,285,610; allowance for lodging and subsistence, \$7,209,390; in all, \$166,495,000;

Enlisted personnel
on retired list.

For pay and allowances prescribed by law of enlisted personnel on the retired list not on active duty, \$1,650,000;

Marine Corps Re-
serve.

For pay and allowances of personnel of the Marine Corps Reserve as prescribed by law, \$5,963,000;

Mileage, etc.

For mileage, actual and necessary expenses, and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$2,210,000;

In all, \$227,994,000, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

PAY OF CIVIL FORCE, MARINE CORPS

Pay of civil force: For personal services at the seat of government, as follows:

Offices of the Commandant of the Marine Corps and the Director of Personnel, Marine Corps, \$1,239,500;

Office of the Paymaster General of the Marine Corps, \$325,500;

Office of the Quartermaster General of the Marine Corps, \$706,000; in all, \$2,271,000.

GENERAL EXPENSES, MARINE CORPS

General expenses, Marine Corps: For all necessary expenses for the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

For provisions, subsistence, board, and lodging of enlisted personnel, recruits and recruiting parties, and applicants for enlistment; cash allowance for lodging and subsistence to enlisted personnel traveling on duty; ice, ice machines and their maintenance, \$23,630,000;

For clothing for enlisted personnel and for civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude, \$15,725,000;

For fuel, heat, light, and power, including sales to officers, \$3,000,000;

For military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted personnel by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions; \$17,425,000;

For transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; for payment for transportation of general court-martial prisoners; toilet kits for issue to recruits upon their first enlistment and other incidental expenses of the recruiting service; and transportation for dependents of officers and enlisted personnel; \$10,400,000;

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; leasing and improvement of buildings at such places as the public exigencies require; and erection of temporary buildings upon approval of the Secretary at a total cost of not to exceed \$70,000 during the year; \$2,040,000;

For forage and stabling of public animals and the authorized number of officers' horses, \$70,000;

For miscellaneous supplies, material, equipment, personal and other services, and other incidental expenses for the Marine Corps not otherwise provided for; purchase and repair of furniture and fixtures; purchase of motor truck chassis with station-wagon type bodies, motor-busses, and motorcycles and repair of passenger-carrying and other vehicles, including parts; veterinary services, shoeing, and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers, enlisted personnel, accepted applicants for enlistment, and retired officers on active duty, including transportation of their bodies, arms, and wearing apparel from the place of demise to their homes in the United States; construction, operation, and maintenance of laundries; and care and operation of schools at Marine Corps posts; \$49,000,000;

Vehicles.

Schools.

Marine Corps Reserve: For clothing, including clothing for aviation cadets, subsistence, heat, light, transportation, and miscellaneous expenses, \$2,857,000;

In all, general expenses, \$124,147,000, to be accounted for as one fund.

In all, Marine Corps, \$354,412,000.

INCREASE AND REPLACEMENT OF NAVAL VESSELS

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part); on account of the acquisition, conversion, alteration, and repair of vessels heretofore authorized (and appropriated for in part); and for the replacement of combatant vessels as authorized by the Act of July 9, 1942; for necessary tools, equipment, and facilities in public or private plants for shipbuilding; \$300,000,000, and, in addition, \$50,000,000 by transfer from the appropriation "Increase and replacement of naval vessels, armor, armament, and ammunition", to remain available until expended: *Provided*, That, of the appropriations made available by this Act under the head of "Increase and replacement of naval vessels", there shall be available such sums as the Secretary may from time to time determine to be necessary for the engagement of technical services, and the employment of personnel in the field, the purchase of plans, drafting and other supplies, subject to the limitations hereinafter established, owing to the construction of vessels which have been or hereafter may be authorized: *Provided, further*, That the balance remaining of appropriations under "Increase and replacement of naval vessels" shall not be available for beginning the construction of any new vessels during the fiscal year 1947.

56 Stat. 656.
34 U. S. C., Supp.
V, § 498a-5.
Transfer of funds.

Technical services,
etc.

Construction of new
vessels.

NAVY DEPARTMENT

SALARIES

For compensation for personal services at the seat of government, as follows:

Office of the Secretary of the Navy: Secretary of the Navy, Under Secretary of the Navy, Assistant Secretaries of the Navy, and other personal services, including Executive Officer, not to exceed \$7,000, \$4,785,000;

General Board, \$15,500;

Naval examining and retiring boards, \$17,500;

Office of Naval Records and Library, \$57,000;

Office of Judge Advocate General, \$275,000;

Office of Chief of Naval Operations, \$1,642,500;

Board of Inspection and Survey, \$31,000;

Office of Director of Naval Communications, \$1,425,000;

Office of Naval Intelligence, \$967,500;

Bureau of Naval Personnel, \$3,626,000, and the compensation of the employee in charge of the Naval Academy section shall be as to base in accordance with the rates applying to grade 13 of the clerical, administrative, and fiscal service, so long as the position is held by the present incumbent;

Hydrographic Office, \$2,200,000;

Naval Observatory, including \$2,500 for pay of computers on piece work, \$383,500;

Bureau of Ships, \$6,140,000;

Bureau of Ordnance, \$3,456,500;

Bureau of Supplies and Accounts, \$4,705,000;

Bureau of Medicine and Surgery, \$1,075,000;

Bureau of Yards and Docks, \$2,045,000;

Bureau of Aeronautics, \$2,715,000: *Provided*, That the services of technical and clerical personnel may be employed only in the Bureau of Aeronautics in connection with the design and construction of aircraft, to be paid from the appropriation "Aviation, Navy, 1947";

In all, salaries, Navy Department, \$35,562,000.

Employee in charge of Naval Academy section.

Aircraft design and construction.

Ante, p. 491.

CONTINGENT EXPENSES

For technical reference and lawbooks, periodicals, and photostating for Department library; purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase, maintenance, repair, and operation of motor-trucks and other necessary expenses of the Navy Department and its various bureaus and offices, \$1,250,000: *Provided*, That it shall not be lawful to expend, unless otherwise specifically provided by law, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

Use of naval service appropriations.

PRINTING AND BINDING

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, \$3,100,000.

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

For all necessary expenses (except salaries) for the maintenance and operation of the Hydrographic Office at the seat of government and for all necessary salaries and expenses for the branch offices, including purchase and printing of nautical books, charts, and sailing directions; modernization, care, and repair of lithographic presses and machinery; pilot and aeronautical charts; reference books and periodicals; \$1,500,000.

CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

For professional and scientific books, books of reference, periodicals, engravings, photographs, and fixtures for the library; apparatus and instruments, and repairs of the same; repairs to buildings (including quarters), fixtures, and fences; cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; maintenance, repair, and operation of passenger automobiles; rental of tabulating and other mechanical equipment; and other necessary expenses, \$48,000.

GENERAL PROVISIONS

Sec. 102. The appropriations made in this Act for the purchase or manufacture of equipment or material or of a particular class of equipment or material shall be available for the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

Letters patent.

Sec. 103. No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department at the seat of government, including personal services of civilians, except as expressly authorized by law.

Navy funds.
Restriction on use.

Sec. 104. No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no moneys herein appropriated for the Naval Establishment or made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government naval shipyards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government, except when the repair, purchase, or acquirement, by or from any private contractor, would, in the opinion of the Secretary, be advantageous to the national defense.

Time-measuring devices, restriction.

Cash rewards, etc.

Work by private contractors, restriction.

Estimates to accompany bids.

SEC. 105. No funds herein appropriated shall be available to pay a contractor upon any contract for a naval vessel entered into under authority of this Act unless, at the time of filing his bid, he shall also file the estimates upon which such bid was based.

Inductees, pay and expenses.

SEC. 106. The appropriations available to the Navy Department and the naval service shall be available for the pay and other expenses of men inducted into the Navy and Marine Corps in accordance with law.

Canal Zone. Citizenship requirement for civilian personnel.

SEC. 107. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend, from time to time in whole or in part, compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1947, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

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

Employees with 15 or more years of service.

Selection of personnel.

Hours of employment; pay rates.

Applicability of section.

Suspension of compliance in emergency, etc.

Statutory limit on repairs, etc.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

SEC. 108. The Secretary is authorized where necessary to exceed the statutory limit on repairs and alterations to vessels during the fiscal year 1947.

SEC. 109. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike

against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 110. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

SEC. 111. The appropriations for the Naval Establishment for the fiscal year 1947 shall be available for providing transportation of naval and civilian personnel between their domiciles and places of employment as authorized by law; carrying out the provisions of Executive Order Numbered 9112 of March 26, 1942, Public Law 395, approved July 1, 1944, Public Law 119, approved July 2, 1945, Public Law 277, approved December 28, 1945, and Public Law 457, approved October 3, 1944; services of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the field service of the Navy Department; accident prevention programs and for safety engineering and occupational health measures; pay of commissioned medical officers who are graduates of reputable schools of osteopathy; actual and necessary expenses or per diem in lieu thereof, as may be determined and approved by the Secretary, of civilian personnel in and under the Naval Establishment on special duty in foreign countries; expenses authorized in Public Law 99, approved June 29, 1943; expenses including those heretofore incurred in connection with the administration by the Navy of liberated and occupied areas; expenses including those heretofore incurred incident to the operation by the Navy of private plants taken over at the direction of the President, and the Secretary may designate any naval appropriation to be charged with such expenses, proper adjustments to be made on the basis of final costs between applicable appropriations; and payment of rewards to civilian officers or employees and other persons in civil life for suggestions resulting in improvement or economy in manufacturing process or plant or naval material as authorized by the Act of July 1, 1918 (5 U. S. C. 416), and for suggestions resulting in efficiency or economy in the operation or administration of the Navy Department and the Naval Establishment.

SEC. 112. Appropriations in this Act available for travel expenses of civilian employees of the Navy Department shall be available for reimbursement, at not to exceed 4 cents per mile, for travel performed by such employees in privately owned automobiles within the limits of their official stations and for their reimbursement for ferry, bridge, road, and tunnel tolls paid.

SEC. 113. Funds available for heat and light for public quarters occupied by personnel of the Navy and Marine Corps for the fiscal

Penalty.

Commissions on land purchase contracts.

Transportation of personnel.

Financing war contracts.

50 U. S. C., Supp. V, app. § 611 note.

58 Stat. 649.

41 U. S. C., Supp. V, §§ 101-125.

59 Stat. 315, 662.

39 U. S. C., Supp. V, § 135 and note; 31 U. S. C., Supp. V, §§ 215-217 notes, 222e, 222f, 223d.

Ante, p. 333; *post*, pp. 846, 847.

58 Stat. 765.

50 U. S. C., Supp. V, app. §§ 1611-1646.

Ante, pp. 168, 169; *post*, pp. 569, 754, 886.

57 Stat. 247.

36 U. S. C., Supp. V, §§ 10, 11.

Rewards.

40 Stat. 718.

Post, p. 857.

Travel expenses of civilian employees.

Water; mechanical refrigerators.

year 1947 shall be available for furnishing water and for operating mechanical refrigerators in such quarters.

Missing or captured personnel.

56 Stat. 143.
50 U. S. C., Supp.
V, app. §§ 1001-1017.
Ante, p. 5.

SEC. 114. Appropriations in this Act shall be available for the pay of missing or captured civilian or naval personnel under the provisions of Public Law 490, approved March 7, 1942, as amended, and for that which accrued during fiscal year 1946 or prior years and was not paid, including accruals of pay authorized by law for retired and Reserve officers, nurses, enlisted personnel, and family allowances.

Employment of technical and professional personnel.

41 U. S. C. § 5.
Post, p. 809.
5 U. S. C. § 55.

SEC. 115. Whenever, during the fiscal year ending June 30, 1947, the Secretary should deem it to be advantageous to the national defense, and if in his opinion the existing facilities of the Navy Department are inadequate, he is hereby authorized to employ at the seat of government and elsewhere, by contract or otherwise, without reference to section 3709, Revised Statutes, civil-service or classification laws, or section 5 of the Act of April 6, 1914 (38 Stat. 335), and at such rates of compensation (not to exceed \$40 per day, and travel expenses, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized in travel orders or letters of appointment for individuals) as he may determine, the services of architects, engineers, and other technical and professional personnel as may be necessary.

Compensation to noncitizens.

SEC. 116. Provisions of law prohibiting the payment of compensation to any person not a citizen of the United States shall not apply to personnel under the Naval Establishment during the fiscal year ending June 30, 1947.

Transfer of foreign vessels, etc.

SEC. 117. The appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1947, shall be available for expenses in connection with the transfer to the United States of foreign vessels, including pay, subsistence, transportation, and repatriation of alien crews; and such expenses incident to observers of tests of the atomic bomb as the Secretary may deem necessary.

Observers of atomic bomb tests.

Transfer of funds.

SEC. 118. The Secretary may transfer not to exceed 5 per centum of any of the foregoing appropriations to any other appropriation or appropriations, but no appropriation shall be increased more than 5 per centum as a result of such transfers: *Provided*, That a quarterly statement of any such transfers shall be transmitted to the chairmen of the Appropriations Committees of the House of Representatives and the Senate.

Quarterly statement.

Surplus property:

SEC. 119. None of the funds appropriated in this Act for the Navy Department and the naval service for the fiscal year ending June 30, 1947, other than funds for which reimbursement is made hereunder, shall be available for any expenses (including the pay, allowances, and subsistence of naval and Marine Corps personnel) for care, upkeep, repair, handling, and assistance in the sale of any property, material, or equipment subsequent to the date of a declaration of surplus covering such property to a disposal agency, or, if procedures are prescribed whereby declarations of surplus are made at approximately the time of disposal or removal, subsequent to the date of notice by the owning agency to the disposal agency that property has been determined to be surplus and is subject to such procedures. With respect to all such expenses, disposal agencies shall provide reimbursement to the Navy Department, for credit to the appropriations from which such expenses would be normally paid: *Provided*, That advance payments based on the estimated expenses of the Navy Department may be made by any disposal agency: *Provided further*, That in lieu of ascertaining the direct expenses and the applicable portion of the indirect expenses, the Navy Department and the disposal agencies may agree on any basis for determining such expenses as will equitably accomplish the purpose of this section.

Advance payments by disposal agency.

SEC. 120. The Secretary of the Navy may delegate to the commanders of the naval districts, for administration within their respective districts, his authority to authorize payment of the expenses of the transfer of household goods of employees, and of the costs of transportation of their immediate families on change from one official duty station to another.

Transfer of household goods, etc.

TITLE II

UNITED STATES MARITIME COMMISSION

Post, p. 614.

The construction fund established by the Merchant Marine Act, 1936, shall be available during the fiscal year 1947 for administrative expenses of the United States Maritime Commission, including personal services at the seat of government; printing and binding; law-books and books of reference; periodicals and newspapers (not to exceed \$6,500); teletype services; purchase (not to exceed three used passenger automobiles at \$1,050 each), maintenance, repair, and operation of passenger automobiles; reimbursement, at not to exceed 4 cents per mile, of employees for expenses incurred by them in official travel in privately owned automobiles within the limits of their official stations; and for examination of estimates of appropriations in the field; expenses of attendance, when specifically authorized by the Chairman, at meetings concerned with the work of the Commission: *Provided*, That the following limitations shall apply to expenditures from such fund:

49 Stat. 1987.
46 U. S. C. § 1116;
Supp. V, § 1116 notes.
Amdt, pp. 8, 12.

Personal services, \$13,550,000;
Administrative expenses, other than personal services, \$1,350,000;
Reconversion of vessels, \$89,450,000;
Restoration of shipyard facilities, \$17,150,000;
Maintenance of shipyard facilities, \$1,325,000;
Operation of warehouses, \$3,200,000;
Grants, subsidies, and contributions (operating differential subsidies), \$15,000,000;

Limitations.

Reserve fleet expense, \$15,600,000;
Miscellaneous expenses, \$2,000,000;
Cost of penalty mail of the United States Maritime Commission and the War Shipping Administration as required by section 2 of the Act of June 28, 1944 (39 U. S. C. 826), for deposit in the general fund of the Treasury, \$80,000;

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

Entertainment of officials of other countries when specifically authorized by the Chairman, \$1,500;

Employment, by contract or otherwise, of persons, firms, or corporations for the performance of legal and other special services, without regard to section 3709 of the Revised Statutes or the civil-service and classification laws, \$100,000.

41 U. S. C. § 5.
Post, p. 809.

During the fiscal year ending June 30, 1947, the salaries of the Commissioners of the United States Maritime Commission, with the exception of the Chairman, shall be at the rate of \$10,000 per annum.

Salaries of Commissioners.

WAR SHIPPING ADMINISTRATION

The War Shipping Administration revolving fund shall be available during the fiscal year 1947 for administrative expenses of the War Shipping Administration in carrying on all the activities and functions prescribed in Executive Orders 9054, 9350, 9387, 9495, and 9336, dated February 7, 1942, June 10, 1943, October 15, 1943, November 2, 1944, and April 24, 1943, including the recruitment, repatriation, and placement of personnel for the manning of the merchant marine, and the establishment and maintenance of policies respecting

Revolving fund.

50 U. S. C., Supp.
V, app. §§ 1295 note,
1271 note, 601 note,
611 note.

maritime labor relations and conditions, including the employment and compensation of persons in the District of Columbia and elsewhere in accordance with laws applicable to the employment and compensation of persons by the United States Maritime Commission except section 201 (b) of the Merchant Marine Act, 1936 (49 Stat. 1985); expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; reimbursement, at not to exceed 4 cents per mile, of employees for expenses incurred by them in official travel in privately owned automobiles within the limits of their official stations; printing and binding; lawbooks, books of reference, periodicals, and newspapers; teletype services; purchase (not to exceed three used), maintenance, repair, rental in foreign countries, and operation of passenger-carrying automobiles; travel expenses, including transportation of effects under regulations prescribed by the Administrator, of employees from their homes to their posts of duty outside continental United States (including Alaska) and return; necessary advance payments in foreign countries; reimbursement of employees for loss of personal effects in case of marine or aircraft disaster: *Provided*, That the following limitations shall apply to expenditures from such fund:

Personal services, \$5,100,000;

Administrative expenses, other than personal services, \$1,450,000;

Charter hire, \$6,750,000;

Agency cost and compensation, \$44,150,000;

Insurance, \$9,350,000;

Vessel and voyage expenses, \$401,000,000;

Repairs to vessels, \$125,000,000;

Miscellaneous expenses, \$1,850,000;

Reconversion of chartered vessels, \$10,000,000;

Entertainment of officials of other countries when specifically authorized by the Administrator, \$500;

Temporary employment of persons or organizations by contract or otherwise without regard to section 3709 of the Revised Statutes or the civil-service and classification laws, \$75,000.

Maritime training: For the training of personnel for the manning of the merchant marine and for administrative expenses (not to exceed \$500,000) including personal services in the District of Columbia and elsewhere without regard to section 201 (b) and (e) of the Merchant Marine Act, 1936 (46 U. S. C. 1111 (b) and 1111 (e)); expenses of attendance when specifically authorized by the War Shipping Administrator, at meetings concerned with the work of the Administration; printing and binding; law books, books of reference, periodicals, and newspapers; maintenance, repair, and operation of passenger automobiles; reimbursement, at not to exceed 4 cents per mile, of employees for expenses incurred by them in official travel in privately owned automobiles within the limits of their official stations; teletype services; and not to exceed \$2,500 for contingencies for the Superintendent, United States Merchant Marine Academy, to be expended in his discretion, \$15,000,000, which is hereby transferred from the War Shipping Administration revolving fund for use during the fiscal year 1947, of which amount not to exceed \$54,050 may be transferred to applicable appropriations of the Public Health Service for payment of salaries and other expenses of the Public Health Service in performing services for the War Shipping Administration, and the unobligated balance of said \$15,000,000 on June 30, 1947, shall be carried to the surplus fund of the Treasury.

State marine schools: To reimburse the State of California, \$50,000; the State of Maine, \$50,000; the State of Massachusetts, \$50,000; the State of New York, \$50,000; and the State of Pennsylvania, \$50,000; for expenses incurred in the maintenance and support

46 U. S. C. § 1111b.

Limitations.

41 U. S. C. § 5.
Post, p. 809.

Personnel for manning merchant marine.

49 Stat. 1985.

Transfer of funds.

Maintenance of marine schools and vessels.

of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911, as amended (34 U. S. C. 1121-1123); and for the maintenance and repair of vessels loaned by the United States to the said States for use in connection with such State marine schools, \$125,000; in all, \$375,000, which is hereby transferred from the War Shipping Administration revolving fund for use during the fiscal year 1947, the unobligated balance of said amount on June 30, 1947, to be carried to the surplus fund of the Treasury.

SEC. 202. For the purposes of the liquidation by December 31, 1946, of all of the functions of the War Shipping Administration under Executive orders 9054, 9350, 9387, 9495, and 9336, dated February 7, 1942; June 10, 1943; October 15, 1943; November 2, 1944; and April 24, 1943; effective September 1, 1946, and continuing only during the period ending December 31, 1946, all functions, powers, and duties of the War Shipping Administration, including all of the foregoing provisions in this Act relating to said Administration are hereby transferred to and shall be exercised by the United States Maritime Commission under the same legal authorities and subject to the same conditions and limitations not otherwise altered by the foregoing provisions in this Act relating to said Administration, as will be applicable to the War Shipping Administration on August 30, 1946, and the War Shipping Administration shall cease to exist as of September 1, 1946: *Provided*, That effective September 1, 1946, there shall be transferred to the United States Maritime Commission the unexpended balance of all funds available to the War Shipping Administration, together with all records, property, and personnel appertaining thereto: *Provided further*, That the unobligated balance of the War Shipping Administration revolving fund, as of the close of business on December 31, 1946, shall be covered into miscellaneous receipts of the Treasury.

Approved July 8, 1946.

[CHAPTER 544]

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are appropriated for the District of Columbia for the fiscal year ending June 30, 1947, out of (1) the general fund of the District of Columbia, hereinafter known as the general fund, such fund being composed of the revenues of the District of Columbia other than those applied by law to special funds, and \$8,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1946), (2) the highway fund, established by law (D. C. Code, title 47, ch. 19), and (3) the water fund, established by law (D. C. Code, title 43, ch. 15), sums as follows:

From the general fund: All sums appropriated under the following heads: General administration, fiscal service, compensation and retirement fund expenses, District debt service (excluding those items designated as payable from the highway fund), regulatory agencies, public schools, Public Library, Recreation Department, Metropolitan Police, Fire Department, policemen's and firemen's relief, Veterans' Services, courts, Health Department, public welfare, public works (excluding those items designated as payable from the highway and water funds), National Guard, National Capital Parks, National Capital Park and Planning Commission, and National Zoological Park;

36 Stat. 1353.
34 U. S. C., Supp.
V, §§ 1121, 1122.

Liquidation.

50 U. S. C., Supp.
V, app. §§ 1295 note,
1271 note, 601 note, 611
note.

Transfer of func-
tions, etc., to U. S.
Maritime Commis-
sion.

Date of termina-
tion.
Transfer of funds.

Unobligated bal-
ance of revolving fund.

July 9, 1946
[H. R. 5990]
[Public Law 493]

District of Colum-
bia Appropriation
Act, 1947.
Ante, pp. 188, 189;
post, pp. 615-617.

D. C. Code, Supp.
V, § 47-1901a *et seq.*

Post, p. 617.

From the highway fund: All sums appropriated under District debt service and public works designated as payable from the highway fund; and

From the water fund: All sums appropriated under public works and Washington aqueduct, designated as payable from the water fund; namely:

GENERAL ADMINISTRATION

For all expenses necessary for the offices named under this general head, including, in addition to the objects specified respectively under each head, personal services; lawbooks, books of reference, periodicals, and newspapers; and printing and binding:

Executive office, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners of the District of Columbia, hereafter in this Act referred to as the Commissioners; \$11,910 for examination of estimates of appropriations without regard to the civil-service and classification laws; \$250 to aid in support of the National Conference of Commissioners on Uniform State Laws; general advertising in newspapers and legal periodicals in the District of Columbia but not elsewhere, unless the need for advertising outside the District of Columbia shall have been specifically approved by the Commissioners, including notices of public hearings, publication of orders and regulations, tax and school notices, and notices of changes in regulations; and \$20,000 for expenses in case of emergency, such as riot, pestilence, public insanitary conditions, flood, fire, or storm, and for expenses of investigations; \$195,300: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of \$1,500 of this appropriation for such purposes as they may deem necessary.

Office of the corporation counsel, including extra compensation for the corporation counsel as general counsel of the Public Utilities Commission; \$4,500 for the settlement of claims not in excess of \$250 each, approved by the Commissioners in accordance with the Act approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500); and judicial expenses, including witness fees and expert services, in District of Columbia cases before the courts of the United States and of the District of Columbia; \$174,200.

Board of Tax Appeals, \$17,800.

FISCAL SERVICE

For all expenses necessary for the offices named under this general head, including, in addition to the objects specified respectively under each head, personal services; books of reference, periodicals, and newspapers; and printing and binding:

Assessor's office, including advertising notice of taxes in arrears July 1, 1946, to be reimbursed by a charge of 75 cents for each lot or piece of property advertised, \$461,400: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one newspaper published in the District of Columbia.

Collector's office, including refunding, wholly or in part, erroneous payments of taxes, special assessments, school tuition charges, payment for lost library books, rents, fines, fees, or collections of any character, which have been erroneously covered into the Treasury to the credit of the general fund, including the refunding of fees paid

42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Anie, pp. 216, 219.

National Conference of Commissioners on Uniform State Laws.

D. C. Code §§ 1-902 to 1-905.

Post, p. 616.

for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat. 967), \$218,400: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

D. C. Code § 5-430.

Auditor's office, \$308,544.

Purchasing Division, \$77,827.

COMPENSATION AND RETIREMENT FUND EXPENSES

For compensation and retirement fund expenses, as follows:

District government employees' compensation: For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, authorizing compensation for employees of the government of the District of Columbia suffering injuries while in the performance of their duties, \$62,000.

41 Stat. 104.
D. C. Code § 1-311.

Workmen's compensation, administrative expenses: For reimbursement to the Employees' Compensation Commission for administration of the law providing compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, \$99,200.

District government employees' retirement: For financing of the liability of the government of the District of Columbia, created by the Act approved May 22, 1920, as amended (5 U. S. C. 707a), \$1,193,000, which amount shall be placed to the credit of the "Civil-service retirement and disability fund".

Retirement Act,
contribution.41 Stat. 614.
5 U. S. C. § 691 *et seq.*; Supp. V, § 691 *et seq.**Anie*, p. 339; *post*, pp. 658, 659, 705, 706, 850, 939.

DISTRICT DEBT SERVICE

For reimbursement to the United States of funds loaned, in compliance with section 4 of the Act of May 29, 1930 (46 Stat. 482), as amended, and section 3 of the Act of December 20, 1941 (55 Stat. 847), including interest as required thereby, \$800,000.

46 Stat. 485.
D. C. Code §§ 8-106
note, 9-210, 9-217;
Supp. V, § 6-1009 note.

District debt service (payable from highway fund): For reimbursement to the United States of funds loaned, including interest as required, in compliance with sections 3 and 4 of the Act of December 20, 1941 (55 Stat. 847), as amended, \$125,000.

REGULATORY AGENCIES

Regulatory agencies: For all expenses necessary for agencies named under this general head, including, in addition to the objects specified respectively under each head, personal services, books of reference and periodicals, and printing and binding:

Alcoholic Beverage Control Board, including witness fees, and \$1,000 for the purchase of samples, \$79,307.

Board of Indeterminate Sentence and Parole, \$35,300.

Coroner's office, including juror and witness fees, and repairs to the morgue, \$30,820.

Department of Insurance, \$52,700.

Department of Weights, Measures, and Markets, including maintenance and repairs to markets, \$2,500 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, maintenance and repair of motor vehicles, and for the purchase, including exchange, of one motor vehicle, \$124,500: *Provided*, That the Disbursing Officer of the District of Columbia is authorized to advance to the Superintendent of the Department of Weights, Measures, and Markets, upon requisition previously approved by the Auditor of the District of Columbia, sums of money, not exceeding \$200 at any one time, to

be used exclusively in connection with investigations and detection of short weights and measures.

License bureau, \$25,898.

Minimum Wage and Industrial Safety Board, \$46,468.

Post, p. 615.

Office of Administrator of Rent Control, \$45,200.

Office of Recorder of Deeds, including lawbooks, purchase of one passenger-carrying motor vehicle, and \$100 for equipment and medical supplies for rest room, \$190,850.

Poundmaster's Office, including uniforms for dog catchers, \$27,950.

Meters in taxicabs.

Public Utilities Commission, including a people's counsel and newspapers, \$112,500: *Provided*, That no appropriation in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission: *Provided further*, That the foregoing provision shall not be construed to prevent the Public Utilities Commission from holding a hearing upon any application that may be made for the installation of meters in taxicabs.

Zoning Commission, \$19,600.

PUBLIC SCHOOLS

OPERATING EXPENSES

General administration: For all expenses necessary for the general administration of the public-school system of the District of Columbia, including personal services; printing and binding; lawbooks, books of reference, and periodicals; purchase and maintenance of one passenger automobile; \$425,972, of which \$10,000 shall be immediately available.

General supervision and instruction: For all expenses necessary for supervision, instruction, and education in the teachers colleges and in the day, evening, and summer public schools of the District of Columbia, and the education of foreigners of all ages in the Americanization schools; including personal services; printing and binding; textbooks, lawbooks, books of reference, newspapers, and periodicals; and subsistence supplies for pupils attending the schools for crippled children; \$10,710,300, of which \$300,000 shall be immediately available: *Provided*, That hereafter no part of the funds appropriated for the public schools shall be available for the operation of any school which denies to legally adopted children the same treatment as that given to children living with their natural parents.

Treatment of legally adopted children.

Vocational education, George-Deen program: For all expenses necessary for the development of vocational education in the District of Columbia in accordance with the Act of June 8, 1936 (49 Stat. 1488), including personal services, and allowances for privately owned automobiles used for the performance of official duties within the District of Columbia (not to exceed \$100 per annum for each automobile), \$139,600.

20 U. S. C. §§ 15b-15p.
Post, p. 775.

Operation of buildings and grounds and maintenance of equipment: For all expenses necessary for the operation of school buildings and grounds and the purchase and repair of equipment, including personal services, insurance and operation, maintenance, and repair of District-owned or borrowed automobiles used in driver-training courses, \$2,248,500, of which \$150,000 shall be immediately available.

Repairs and maintenance of buildings and grounds: For all expenses necessary for the repair, maintenance, and improvement of school buildings, mechanical equipment, and school grounds, including personal services; printing and binding; \$815,000, of which \$100,000 shall be immediately available: *Provided*, That this appropriation shall be available for making repairs to other municipal buildings, subject to reimbursement from other applicable appropriations for the cost of such work, and a report of all such expenditures shall be submitted to Congress in the annual Budget.

Repairs to other municipal buildings.

Report to Congress.

Auxiliary educational services: For the maintenance and instruction of deaf and dumb persons of the District of Columbia admitted to the Columbia Institution for the Deaf, and for the maintenance and instruction of colored deaf mutes of teachable age, and blind children, of the District of Columbia, in Maryland or some other State, by contract entered into by the Commissioners, for the transportation of children attending schools or classes established by the Board of Education for physically handicapped children, and for carrying out the provisions of the Act of December 16, 1944 (58 Stat. 811), \$89,600.

Deaf and dumb, and blind persons.

Teachers' retirement appropriated fund: To carry out the purposes of the Act of January 15, 1920, as amended by the Act of June 11, 1926 (44 Stat. 727), \$609,000: *Provided*, That the Treasury Department shall prepare the estimates of the annual appropriations required to be made to the teachers' retirement fund, and shall make actuarial valuations of such fund at intervals of five years, or oftener if deemed necessary by the Secretary of the Treasury, and the Commissioners are authorized to expend from money to the credit of the teachers' retirement fund not exceeding \$5,000 per annum for this purpose, including personal services, without regard to the civil-service and classification laws.

34 U. S. C., Supp. V, § 945.

41 Stat. 387.
D. C. Code §§ 31-701 to 31-720.

CAPITAL OUTLAY

For furnishing and equipping the following school buildings: Chamberlain Vocational High School, Davis Elementary School, Dunbar Senior High School, Phelps Vocational High School, Randall Junior High School, Richardson Elementary School, Anacostia Senior High School, Logan Elementary School, Tyler Elementary School, and new elementary school in the vicinity of East Capitol Street and Benning Road Southeast, \$189,500, to remain available until expended.

For construction, as follows:

Construction of school buildings.

For continuing the construction of the Miller Junior High School, including recreation facilities and treatment of grounds, in the vicinity of Forty-ninth Street and Washington Place Northeast, \$400,000: *Provided*, That not to exceed \$7,770 may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

The contract authorization of \$1,190,000 for the construction of the Alexander Graham Bell (Abbot) Vocational School, contained in the First Deficiency Appropriation Act, 1946, Public Law 269, Seventy-ninth Congress, first session, is hereby rescinded, and the unobligated balances of appropriations heretofore made for beginning and continuing construction of this school shall be covered into the general fund of the District of Columbia;

Authorization rescinded.

59 Stat. 643.

For continuing the construction of the Spingarn Senior High School, to be located in the vicinity of Twenty-fourth Street and Benning Road Northeast, \$500,000;

For continuing construction of a new junior high school building (Sousa), including recreation facilities and treatment of grounds, to be located in the vicinity of Thirty-fourth Street and Minnesota

59 Stat. 276.

Avenue Southeast, \$400,000, and the limit of cost of said building as specified in the District of Columbia Appropriation Act, 1946, is increased to \$1,350,000: *Provided*, That not to exceed \$7,770 may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

For beginning construction of a new twenty-four-room elementary school building, including an assembly hall-gymnasium, recreation facilities, and treatment of grounds, in the vicinity of East Capitol Street and Benning Road Southeast, \$300,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed \$600,000: *Provided*, That not to exceed \$12,600 may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

For completion of the second floor of the Davis Elementary School, removal of the present temporary building, and treatment of grounds, \$38,000;

For an additional amount for the construction of an eight-room elementary-school addition to the Logan School, including an assembly hall-gymnasium, recreation facilities, treatment of grounds, and the necessary remodeling of the present building, \$200,000;

For an additional amount for the construction of a sixteen-room extensible elementary-school building, including an assembly hall-gymnasium, and treatment of grounds, in the vicinity of Fifty-third and Blaine Streets Northeast (Richardson School), \$100,000;

59 Stat. 277.

For the construction of a seven-room addition on the third floor of the Anacostia Senior High School, including the necessary remodeling of the present building, \$93,320, and the limit of cost as specified in the District of Columbia Appropriation Act, 1946, is increased to \$95,000;

For an additional amount for the construction of an eight-room extensible elementary-school building (Slowe), four rooms to be left unfinished, to be located in the vicinity of Fifteenth and Hamlin Streets Northeast, \$50,000;

For building improvements and alterations at Western Senior High School, including structural changes in the gymnasiums, \$147,900, and the limit of cost as specified in the District of Columbia Appropriation Act, 1946, is increased to \$150,000;

59 Stat. 276.

Preparation of plans
and specifications.

For the preparation of plans and specifications for a new junior high school building to replace the present Terrell Junior High School building, including recreation facilities and treatment of grounds, to be constructed at a total cost of not to exceed \$1,350,000, on a site in the vicinity of First and Pierce Streets Northwest, \$28,350, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for an addition to the Armstrong Senior High School, including the necessary remodeling of the present building and treatment of grounds, to be constructed at a total cost of not to exceed \$1,560,000, \$32,760, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for an addition to the Eliot Junior High School, including ten classrooms, a gymnasium, necessary remodeling of the present building, and treatment of grounds, to be constructed at a total cost not to exceed \$350,000, \$7,350, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

In all, for construction, including preparation of plans and specifications, \$2,297,680, to be immediately available as one fund and to remain available until expended, to be disbursed and accounted for as "Capital outlay, construction public schools, District of Columbia".

For the purchase of sites as follows:

In the vicinity of Pomeroy Road, Douglas Place, and Stanton Road Southeast, to provide for a new junior high school and a new twenty-four-room elementary school, and for school playground purposes;

At the Shaw Junior High School, to replace present playground area needed for building alterations, and to provide additional playground space;

For an additional amount for the school building and playground sites specified for the public schools in the District of Columbia Appropriation Act, 1944, \$160,000, to remain available until expended.

In all, for sites, \$296,200, to remain available until expended, and to be disbursed and accounted for as "Capital outlay, school building and playground sites, public schools, District of Columbia".

Section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended, shall not apply from July 1 to September 15, 1946, to teachers of the public schools of the District of Columbia when employed by any of the executive departments or independent establishments of the United States Government.

Total; accounting.

Purchase of sites,
etc.

57 Stat. 312.

Total for sites.

Double salaries.
39 Stat. 120.
5 U. S. C. §§ 58, 59.

PUBLIC LIBRARY

OPERATING EXPENSES

For all expenses necessary for the operation of the Public Library, including personal services; extra services on Sundays and holidays; newspapers, books, periodicals, and other printed material, including payment in advance for subscription thereto; music records, sound recordings, and educational films; printing and binding; alterations, repairs; fitting up buildings; care of grounds; and rent of suitable quarters for branch libraries in Anacostia, Chevy Chase, and Woodridge; \$859,500: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the Public Library, upon requisition previously approved by the auditor of the District of Columbia, not exceeding \$50 at the first of each month, for the purchase of certain books, pamphlets, periodicals, or newspapers, or other printed material.

CAPITAL OUTLAY

For an additional amount for the acquisition of sites for branch libraries in Brookland, Tenley, Benning, and Cleveland Park, to be approved by the board of library trustees and the Commissioners, \$30,000, to remain available until expended.

For the preparation of plans and specifications for construction of branch library buildings in Benning, Brightwood, Woodridge, and Cleveland Park, and for remodeling of existing structure at Mount Pleasant, \$32,200.

The unexpended balances of the amounts made available by the District of Columbia Appropriation Act, 1940, for the preparation of plans and specifications for the new central building of the Public Library of the District of Columbia shall remain available for the same purposes and under the same conditions and limitations until June 30, 1947.

Branch libraries.

53 Stat. 1011.

RECREATION DEPARTMENT

Operating expenses: For all expenses necessary for operation and maintenance of recreation facilities in and for the District of Columbia, including personal services; books of reference, newspapers, and periodicals; and printing and binding; \$767,309.

Capital outlay: For improvement of various municipal playgrounds and recreation centers, including erection of shelter houses, and preparation of architectural and landscaping plans, \$156,700.

Acquisition of site.

For the acquisition of parcel 101/25, known as the Emery estate, as a site for recreational, library and other community purposes in the discretion of the Commissioners, \$204,000.

Advances.

The disbursing officer of the District of Columbia is authorized to advance to the superintendent of recreation, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as the Commissioners may require of said superintendent, sums of money to be used for the expense of conducting its activities under the trust fund created by the Act of April 29, 1942, the total of such advancements not to exceed \$1,000 at any one time.

56 Stat. 261.
D. C. Code, Supp.
V, §§ 8-201 to 8-219.

METROPOLITAN POLICE

For all expenses necessary for the Metropolitan Police, including pay and allowances and other personal services; the present property clerk with the rank and pay of inspector; the present acting sergeant in charge of police automobiles with the rank and pay of sergeant; the present acting sergeant in charge of the police radio station with the rank and pay of lieutenant; the present private in charge of purchasing and accounts with the rank and pay of sergeant; corporals at \$2,600 per annum each; technicians with additional compensation of \$240 per annum each; not to exceed four detectives in the salary grade of captain; meals for prisoners; rewards for fugitives; medals of award; books of reference, periodicals, newspapers, and photographs; printing and binding; rental and maintenance of teletype system; travel expenses incurred in prevention and detection of crime; \$3,000 for expenses of attendance, without loss of pay or time, at specialized police training classes and pistol matches, including tuition and entrance fees; \$2,500 for expenses of the police training school, including travel expenses of visiting lecturers or experts in criminology; police equipment and repairs to same; insignia of office, uniforms, and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase, exchange, and maintenance of passenger-carrying motor vehicles; expenses of harbor patrol; and the maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise; \$5,225,000, of which amount \$16,000 shall be exclusively available for expenditure by the Superintendent of Police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Technicians.

Prevention and detection of crime.

Maintenance of public order, etc.

For all expenses necessary to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District during the period of public recognition extended to returning military or naval personnel or visiting dignitaries, including the cost of removing and relocating streetcar loading platforms, roping of streets, erection of stands, printing of signs, and operation of temporary comfort stations, \$5,000: *Provided, That*

the certificate of the Commissioners shall be sufficient voucher for the expenditure of \$1,000 of this appropriation for such purposes as they may deem necessary.

The disbursing officer of the District of Columbia is authorized to advance to the Superintendent of Police upon the approval of the Commissioners, sums of money to be used in the prevention and detection of crime, the total of such advancements not to exceed \$5,000 at any one time.

Advances.

FIRE DEPARTMENT

For all expenses necessary for the Fire Department, including pay and allowances and other personal services; books of reference and periodicals; printing and binding; uniforms and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase, operation, and maintenance of passenger-carrying automobiles; repairs and improvements to buildings and grounds; \$3,106,000: *Provided*, That the Commissioners, in their discretion, may authorize the construction, in whole or in part, of fire-fighting apparatus in the Fire Department repair shop.

POLICEMEN'S AND FIREMEN'S RELIEF

For policemen's and firemen's relief and other allowances as authorized by law, \$1,875,000.

VETERANS' SERVICES

For all expenses necessary to provide services to veterans and war workers, including personal services without regard to classification or civil-service laws, and printing and binding, \$75,000.

Utilities for veterans' housing: For all expenses necessary to enable the Commissioners of the District of Columbia to provide necessary utilities for veterans' housing furnished and erected by the National Housing Administrator, including necessary sewers, water, and streets for temporary housing for families of servicemen and for veterans and their families, \$250,000, to be immediately available.

Ante, p. 203

COURTS

District of Columbia courts: For all expenses of the following District of Columbia courts, including personal services; witness fees and compensation of jurors; lawbooks, books of reference, and periodicals; printing and binding; lodging and meals for jurors, bailiffs, and deputy United States marshals while in attendance upon jurors, when ordered by the courts; and meals for prisoners:

Juvenile court, \$173,131, of which \$470 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), and of which \$11,200 shall be available for payment to the United States Public Health Service for furnishing psychiatric service, including the detail of necessary medical and other personnel: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, not to exceed \$50 at any one time, to be expended for travel expenses to secure the return of absconding probationers.

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

Return of absconding probationers.

Municipal court, including pay of retired judges and \$525 for deposit in the general fund of the Treasury for cost of penalty mail

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

D. C. Code § 11-722.

Advances for pay
ment of witness fees.

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

Reimbursement.

Ante, pp. 476, 464.

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

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

as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$406,225: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived: *Provided further*, That hereafter the disbursing officer of the District of Columbia is authorized to advance to the clerk of the court, upon requisition previously approved by the Auditor of the District of Columbia, sums of money not exceeding \$500 at any one time, to be used for the payment of witness fees.

Municipal court of appeals, \$67,700, of which \$500 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

United States courts: For reimbursement to the United States for services rendered to the District of Columbia by the Judiciary and the Department of Justice as specified under the head "United States courts for the District of Columbia" in the Judiciary Appropriation Act, 1947, and in the Department of Justice Appropriation Act, 1947, \$682,000.

Probation system: For all expenses necessary for the probation system, including personal services, \$125 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), and printing and binding, \$41,800.

Office of Register of Wills: For all expenses necessary for the Office of Register of Wills, including personal services; \$500 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); lawbooks, books of reference, periodicals, and newspapers; printing and binding; and contract statistical services, \$112,500.

Commission on Mental Health: For all expenses necessary for the Commission on Mental Health, including an executive secretary at \$3,640 per annum and physician-members at \$4,520 per annum, and other personal services; lawbooks, books of reference, and periodicals; and printing and binding; \$29,100.

HEALTH DEPARTMENT

Operating expenses, Health Department (excluding hospitals): For all expenses necessary for the general administration, medical services, laboratories, and inspection services of the Health Department, including the enforcement of the Acts relating to the prevention of the spread of contagious and infectious diseases in the District of Columbia; the maintenance of tuberculosis and venereal-disease clinics and dispensaries; the conduct of hygiene and sanitation work in schools; the maintenance of a dental-health service; the maintenance of a maternal and child-health service; housekeeping assistance in cases of authentic indigent sick; the maintenance of a nursing service; the maintenance of a psychiatric service; the maintenance of an emergency ambulance service; the operation and maintenance of laboratories; out-patient relief of the poor, including medical and surgical supplies, artificial limbs, and pay of physicians, and the enforcement of the Acts relating to the drainage of lots and abatement of nuisances in the District of Columbia, the Act relating to the adulteration of foods, drugs, and candy, the Act relating to the manufacture and sale of mattresses, the Act relating to the manufacture, sale, and transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and

the Act relating to the sale of milk, cream, and ice cream; such expenses to include cadet nurses at stipends and allowances to be fixed by the Commissioners, two physicians at \$4,600 per annum each, to be appointed without regard to civil-service laws, and other personal services; contract investigational service; books and periodicals; uniforms; rent; printing and binding; purchase, maintenance, and repair of passenger-carrying motor vehicles; manufacture of serum in indigent cases; and allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile for employees other than dairy-farm inspectors and not to exceed \$312 per annum for each automobile for dairy-farm inspectors); \$1,630,657: *Provided*, That the Commissioners may, without creating any obligation for the payment of money on account thereof, accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the medical services herein provided for: *Provided further*, That not to exceed \$200 may be expended for special services in detecting adulteration of drugs and foods, including candy and milk.

Automobile allow-
ances.

Volunteer services.

Special services.

Operating expenses, Glenn Dale Tuberculosis Sanatorium: For all expenses necessary for the Tuberculosis Sanatorium at Glenn Dale, Maryland, including personal services; compensation of consulting physicians at rates to be fixed by the Commissioners; rental, purchase, maintenance, repair, and operation of busses and an ambulance; school books, books of reference, and periodicals; printing and binding; classroom supplies; and repairs and improvements to buildings and grounds; \$1,389,308, of which not to exceed \$5,000 shall be for the compensation of convalescent patients to be employed in essential work of the sanatorium and as an aid to their rehabilitation at rates and under conditions to be determined by the Commissioners; but nothing in this paragraph shall be construed as conferring employee status on patients whose services are so utilized.

Operating expenses, Gallinger Municipal Hospital: For all expenses necessary for Gallinger Municipal Hospital and the Tuberculosis Hospital at Fourteenth and Upshur Streets Northwest including personal services; one superintendent at \$8,750 per annum plus \$1,500 per annum for a residence; one deputy superintendent at \$6,650 per annum; not to exceed five full-time chief medical officers at \$6,650 per annum each and two associate medical officers at \$5,180 per annum each, to be appointed without reference to civil-service requirements; not to exceed \$20,000 for temporary per diem services; reference books and periodicals; musical instruments and music; expenses of commencement exercises, entertainments, and the training school for nurses; printing and binding; expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; and repairs and improvements to buildings and grounds; \$3,150,000: *Provided*, That hereafter no part of any appropriation for Gallinger Municipal Hospital or the Health Department shall be used for furnishing, other than at rates prescribed by the Commissioners, clinical services, drugs, pharmaceutical preparations, or X-ray service, to persons who are not indigent, except in emergency cases or where the Commissioners determine it to be necessary in the public interest.

Services to persons
not indigent.

Medical charities: For care and treatment of indigent patients under contracts to be made by the Health Officer of the District of Columbia and approved by the Commissioners with institutions, as follows: Children's Hospital, \$80,000; Central Dispensary and Emergency Hospital, \$55,000; Eastern Dispensary and Casualty Hospital, \$65,000; Washington Home for Incurables, \$25,000; in all, \$225,000.

Columbia Hospital and Lying-in-Asylum: For general repairs, including labor and material to be expended under the direction of the Architect of the Capitol, \$8,000.

Freedmen's Hospital: For reimbursement to the United States for services rendered to the District of Columbia by Freedmen's Hospital, as specified under the head, "Freedmen's Hospital", in the Federal Security Agency Appropriation Act, 1947, \$400,000.

Post, p. 688.

PUBLIC WELFARE

OFFICE OF THE DIRECTOR

For all expenses necessary for the general administration of public welfare in the District of Columbia, including personal services; printing and binding; lawbooks, city directories, books of reference, and periodicals; and contract investigational services; \$110,094.

FAMILY WELFARE SERVICE

Operating expenses, child care: For all expenses necessary for placing and visiting children; board and care of all children committed to the guardianship of the Board of Public Welfare by the courts of the District, including white girls committed to the National Training School for Girls, and all children accepted by said Board for care, as authorized by law; temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than \$6,000 each to institutions under sectarian control, not more than \$3,360 for continuous maintenance of foster homes for temporary or emergency board and care of nondelinquent children, and not more than \$400 for burial of children dying while beneficiaries under this appropriation; maintenance, under jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under eighteen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise; such expenses to include personal services; books of reference and periodicals; printing and binding; and rental, repair, and upkeep of building; \$723,260: *Provided*, That no part of this appropriation shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside the District of Columbia and the States of Virginia and Maryland, and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and said Board shall have power to discharge from guardianship any child committed to its care.

Visits to wards outside D. C., Va., and Md.

Receiving home, construction.

Capital outlay, child care: For an additional amount for the construction of a receiving home and classification center in parcel 141/68, \$50,000.

Public assistance and children's services: For all expenses necessary for certification of persons eligible for any public benefits which are or may become available as may be approved by the Commissioners, relief and rehabilitation for purposes of employment of indigent residents of the District of Columbia, to be expended under rules and regulations prescribed by the Commissioners; vocational rehabilitation of disabled residents of the District of Columbia in accordance with the provisions of the Act of July 6, 1943 (Public Law 113); aid to dependent children in accordance with the provisions of the Act of June 14,

57 Stat. 374.
29 U. S. C., Supp.
V, §§ 31-41.

1944 (Public Law 340) ; assistance against old-age want, as authorized by law ; pensions for needy blind persons, as authorized by law ; services for children in their own homes ; distribution of surplus commodities and relief milk to public and charitable institutions ; \$55,500 for all necessary expenses, including personal services without regard to the Classification Act of 1923, as amended, for the carrying out, under regulations to be prescribed by the Commissioners of a "penny milk" program for the school children of the District, including the purchase and distribution of milk under agreement with the United States Department of Agriculture, and for the carrying out of a food-conservation program in the District of Columbia, including "Victory" gardens and the canning of the products thereof ; maintenance pending transportation, and transportation, of indigent non-resident persons ; burial of indigent residents of the District of Columbia ; including for all such purposes, personal services ; books of reference and periodicals ; and printing and binding ; \$2,033,500 : *Provided*, That collections from the milk program shall be paid to the collector of taxes, District of Columbia, for deposit in the Treasury of the United States to the credit of the District, and that reimbursement for canning of "Victory" garden products shall be in kind and for the benefit of public-welfare institutions of the District of Columbia : *Provided further*, That the auditing and disbursing of funds under this appropriation, and the accounting therefor, including all employees engaged in such work and records relating thereto, shall be under the supervision and control of the Auditor of the District of Columbia.

Operating expenses, institutions for the indigent : For all necessary expenses for the Home for the Aged and Infirm and the Municipal Lodging House, and the Temporary Home for Former Soldiers and Sailors, including personal services ; printing and binding ; subsistence of interns ; repairs and improvements to buildings and grounds ; operation and maintenance of passenger automobiles ; care and maintenance of women and children under contracts to be made by the Board of Public Welfare and approved by the Commissioners with the Florence Crittenton Home, Saint Ann's Infant Asylum and Maternity Hospital, and House of Mercy ; training and employment of the blind under contracts to be made by the Board of Public Welfare and approved by the Commissioners with the Columbia Polytechnic Institute for the Blind ; and for aid and support of the National Library for the Blind ; \$377,714.

JUVENILE CORRECTIONAL SERVICE

Operating expenses : For all expenses necessary for the operation of the Industrial Home School, the Industrial Home School for Colored Children, and the National Training School for Girls, including personal services ; subsistence of interns ; books of reference and periodicals ; printing and binding ; repairs and improvements to buildings and grounds ; purchase, operation, and maintenance of passenger automobile ; securing suitable homes for paroled or discharged children ; and care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the Attorney General at a rate of not to exceed \$2 per day for each boy so committed ; \$499,908 : *Provided*, That no part of this appropriation shall be used for the maintenance of white girls in the National Training School for Girls : *Provided further*, That the salary of the superintendent of the National Training School for Girls shall be at the rate of \$3,640 per annum.

58 Stat. 277.
D. C. Code, Supp.
V, §§ 32-751 to 32-765.

"Penny milk" program.
42 Stat. 1488.
5 U. S. C. § 661 ;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

"Victory" gardens.

Auditing, disbursing, and accounting.

ADULT CORRECTIONAL SERVICE

Operating expenses: For all expenses necessary for the operation of the jail and the workhouse and reformatory, including personal services; subsistence of interns; compensation of consulting physician and dentist at rates to be fixed by the Commissioners; attendance of guards at pistol and rifle matches; uniforms and caps for guards; newspapers, books of reference, and periodicals; rental of motion-picture films; repairs and improvements to buildings and grounds; purchase, exchange, maintenance, operation, and repair of motor busses; support, maintenance, and transportation of prisoners transferred from the District of Columbia; expenses of interment of deceased inmates; discharge gratuities; electrocutions; shipping remains of deceased prisoners to their homes in the United States; identifying, pursuing, recapturing (including rewards therefor), and returning to institutions, escaped inmates and parole and conditional-release violators; and returning released prisoners to their residences, \$2,200,000.

Improvements at jail.

Capital outlay: For structural improvements at the jail, including outside walls and fences, guard towers, and control gates, \$116,600.

Purchase of products and services.

Working capital fund: To provide a working capital fund for such industrial enterprises at the workhouse and reformatory as may be approved by the Commissioners, \$50,000: *Provided*, That the various departments and institutions of the District of Columbia and the Federal Government may purchase, at fair market prices as determined by the Commissioners, products and services of said industrial enterprises, and orders for such products and services shall be considered as obligations upon appropriations in the same manner as orders for contracts placed with private contractors: *Provided further*, That receipts from the sale of products and services shall be deposited to the credit of said working capital fund, and said fund, including all receipts credited thereto, shall be used as a permanent revolving fund for all necessary expenses of such enterprises, including personal services; and the payment to inmates or their dependents of such pecuniary earnings as the Commissioners may deem proper: *Provided further*, That as soon as practicable after the close of each fiscal year the Commissioners shall transfer all accumulated profits arising from the year's operations under said fund to the general revenues of the District of Columbia for such fiscal year.

Deposit of receipts.

Transfer of accumulated profits.

MENTAL REHABILITATION SERVICE

Operating expenses, District Training School: For all expenses necessary for the operation of the District Training School, including personal services; books of reference and periodicals; printing and binding; purchase, exchange, operation, and maintenance of passenger automobiles; compensation of consulting physicians at rates to be fixed by the Commissioners; subsistence of interns; and repairs and improvements to buildings and grounds, \$581,600.

Capital outlay, District Training School: For the construction and equipment of laundry building, \$140,000; and for the improvement of roads, \$35,000; in all, \$175,000.

The appropriation of \$70,000 for the construction of a third floor and a permanent roof to the hospital and administration building, District Training School, contained in the First Deficiency Appropriation Act, 1946, is made available also for necessary repairs and alterations to the existing building.

Saint Elizabeths Hospital: For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, \$3,778,000.

Deportation of nonresident insane: For all necessary expenses for deportation of nonresident insane persons, as provided by law, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, including personal services; books of reference; and printing and binding; \$45,000.

The disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the Auditor of the District and upon such security as the Commissioners may require of said Director, sums of money to be used for placing and visiting children; returning escaped prisoners, conditional releases, and parolees; and deportation of nonresident insane persons; the total of such advancements not to exceed \$2,000 at any one time.

Advances to Director of Public Welfare.

PUBLIC WORKS

Post, p. 616.

Office of chief clerk: For all expenses for the office of chief clerk, including personal services; books of reference and periodicals; printing and binding; maintenance and repair of wharves; and \$750 for affiliation with the National Safety Council, Incorporated; \$42,000.

Office of Municipal Architect: For all expenses necessary for the Office of Municipal Architect, including personal services, books of reference and periodicals, and printing and binding, \$80,000.

All apportionments of appropriations for the use of the Office of Municipal Architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than \$2,000,000 of appropriations made for such construction projects and not exceeding 2¾ per centum of a total of the appropriations in excess of \$2,000,000, and appropriations specifically made in this Act for the preparation of plans and specifications shall be deducted from any allowances authorized under this paragraph: *Provided*, That reimbursements may be made to this fund from appropriations contained in this Act for services rendered other activities of the District government, without reference to fiscal-year limitations on such appropriations.

Basis of apportionment.

Reimbursements.

Operating expenses, Office of Superintendent of District Buildings: For all expenses necessary for care of the District buildings, including personal services, rental of postage meter equipment, uniforms and caps for guards, and printing and binding, \$548,200.

Surveyor's office: For all expenses necessary for the surveyor's office, including personal services, books of reference and periodicals, and printing and binding, \$108,900.

Department of Inspections: For all expenses necessary for the Department of Inspections, including the enforcement of the Act requiring the erection of fire escapes on certain buildings (48 Stat. 843) and the removal of dangerous or unsafe and insanitary buildings (34 Stat. 157; 49 Stat. 105); such expenses to include two members of the plumbing board at \$150 per annum each; two members of the board of examiners, steam engineers, at \$300 per annum each (the inspector of boilers to serve without additional compensation); \$6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed in surveys of such dangerous and unsafe buildings; three members of board of special appeal and two members of electrical examining board at \$300 per annum each; and other personal services; books of reference and periodicals; and printing and binding; \$421,100.

Fire escapes.

D. C. Code §§ 5-301 to 5-312.

D. C. Code §§ 5-601 to 5-615, 5-501 to 5-605; Supp. V, §§ 5-603 to 5-614.

Operating expenses, Electrical Division: For all expenses necessary for the operation and maintenance of the District's communication systems, including personal services, and printing and binding;

rental, purchase, installation, and maintenance of telephone, telegraph, and radio services; and street lighting, including the purchase, installation, and maintenance of public lamps, lamp posts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost and maintenance of airport and airway lights necessary for operation of the air mail to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat. 1008), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat. 181), and other laws applicable thereto; \$1,216,887: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for current consumed.

Capital outlay, Electrical Division: For all expenses necessary for placing underground, relocating, and extending the telephone, police-patrol, and fire-alarm systems, \$80,000.

Central garage: For all expenses necessary for the purchase, exchange, operation, and maintenance of passenger-carrying motor vehicles, work cars, field wagons, ambulances, and busses owned by the District of Columbia, including three chauffeurs for the Executive Office at \$2,100 per annum each and other personal services, and printing and binding, \$100,000.

All motor-propelled passenger-carrying vehicles owned by the District of Columbia shall be used exclusively for "official purposes" directly pertaining to the public service of said District, and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District, except as otherwise provided in this Act; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except as to the Commissioners of the District of Columbia and in cases of officers and employees the character of whose duties makes such transportation necessary, and then only as to such latter cases when the same is approved by the Commissioners. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Operating expenses, Street and Bridge Divisions (payable from highway fund): For all operating expenses of the Street and Bridge Divisions, including operation, minor construction, maintenance, and repair of bridges; repairs to streets, avenues, roads, sidewalks, and alleys; reconditioning existing gravel streets and roads; and cleaning snow and ice from streets, sidewalks, cross walks, and gutters, in the discretion of the Commissioners; such expenses to include personal services; books of reference and periodicals; printing and binding; and purchase, exchange, operation, and maintenance of passenger-carrying motor vehicles, surveying instruments, implements, and equipment used in this work; \$1,530,000, of which amount \$45,000 shall be exclusively for snow removal purposes.

Capital outlay, Street and Bridge Divisions (payable from highway fund): For personal services and all expenses necessary for the grading, surfacing, paving, repaving, widening, altering, and otherwise improving streets, avenues, roads, and alleys, including curbing and gutters, directional and pedestrian islands at various intersections to permit of proper traffic-light control and channelization of traffic, drainage structures, culverts, suitable connections to storm-water sewer system, retaining walls, replacement and relocation of sewers, water

36 Stat. 1008, 1011.
D. C. Code §§ 7-701
to 7-705.

Rates for electric
street lighting.

Use of motor ve-
hicles for "official pur-
poses."

Snow removal.

mains, fire hydrants, traffic lights, street lights, fire-alarm boxes, police-patrol boxes, and curb-line trees, when necessary, Federal-aid highway projects under section 1 (b) of the Federal Aid Highway Act of 1938, and highway structure projects financed wholly from the highway fund upon the approval of plans for such structures by the Commissioners; for carrying out the provisions of existing laws which authorize the Commissioners to open, extend, straighten, or widen streets, avenues, roads, or highways, in accordance with the plan of the permanent system of highways for the District of Columbia, and alleys and minor streets, and for the establishment of building lines in the District of Columbia, including the procurement of chains of title; and for assessment and permit work, paving of roadways under the permit system, and construction of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, \$4,615,000, to remain available until June 30, 1948, and, in addition, not to exceed \$50,000 of the \$200,000 made available in the District of Columbia Appropriation Act, 1945, for engineering and economic investigations of projects for future construction and for surveys, plans, specifications, and estimates for post-war highway improvements, is reappropriated and made available for the same purposes until June 30, 1948: *Provided*, That appropriations contained in this Act for highways, sewers, city refuse, and the Water Division shall be available for snow removal when ordered by the Commissioners in writing: *Provided further*, That the Commissioners are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed \$30,000: *Provided further*, That in connection with the highway planning survey, involving surveys, plans, engineering, and economic investigations of projects for future construction in the District of Columbia, as provided for under section 10 of the Federal Aid Highway Act of 1938, and in connection with the construction of Federal-aid highway projects under section 1 (b) of said Act, and highway structure projects financed wholly from the highway fund, this appropriation shall be available for the employment of engineering or other professional services by contract or otherwise, and without regard to section 3709 of the Revised Statutes and the civil-service and classification laws, and for engineering and incidental expenses: *Provided further*, That this appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act (47 Stat. 752), and the proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to make such payment, from the said street-railway company in the manner provided by section 5 of the Act of June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected: *Provided further*, That assessments in accordance with existing law shall be made for paving and repaving roadways, alleys, and sidewalks where such roadways, alleys, and sidewalks are paved or repaved with funds herein appropriated: *Provided further*, That in connection with projects to be undertaken as Federal-aid projects under the provisions of the Federal Aid Highway Act of December 20, 1944, the Commissioners are authorized to enter into contract or contracts for those projects in such amounts as shall be approved by the Public Roads Administration, Federal Works Agency: *Provided further*, That this appropriation may be used for payment to contractors and for other expenses in connection with the expense of design, construction, and inspection of grade-crossing

52 Stat. 633.
23 U. S. C. § 41b.

58 Stat. 525.

Snow removal.

Asphalt plant.

52 Stat. 636; 53 Stat.
1066.
52 Stat. 633.
23 U. S. C. § 41b.

41 U. S. C. § 5.
Post, p. 809.

Street-railway pavements.

D. C. Code § 7-604.

20 Stat. 106.
D. C. Code § 7-604.

Assessments for paving and repaving.

Contracts.

58 Stat. 838.
23 U. S. C., Supp.
V, §§ 60-63.

Grade-crossing elimination.

23 U. S. C. § 24a.
52 Stat. 633.
23 U. S. C. § 41b.

Widths of sidewalks
and roadways.

Open competition
for street-improve-
ment contracts.

Liability for repairs.

elimination and other construction projects authorized under section 8 of the Act of June 16, 1936 (49 Stat. 1521), and section 1 (b) of the Federal Aid Highway Act of 1938, pending reimbursement to the District of Columbia by the Public Roads Administration, Federal Works Agency, reimbursement to be credited to fund from which payment was made: *Provided further*, That the Commissioners are authorized to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act: *Provided further*, That no appropriation in this Act shall be available for repairing, resurfacing, or paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving materials as well as in price: *Provided further*, That in addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

Parking meters.

Traffic safety educa-
tion.

D. C. Code, Supp.
V, §§ 40-801 to 40-809.

Streetcar loading
platforms.

Fees from parking
meters.

Parking spaces for
Members of Congress.

Registrar of Titles
and Tags.

58 Stat. 527.
D. C. Code, Supp.
V, § 40-603a.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

Department of Vehicles and Traffic (payable from highway fund): For all expenses necessary for the Department of Vehicles and Traffic, including personal services; purchase, installation, modification, operation, and maintenance of electric traffic lights, signals, controls, markers, and directional signs; printing and binding; purchase of motor-vehicle identification number plates; installation, operation, and maintenance of parking meters on the streets of the District of Columbia; \$20,000 for traffic safety education without reference to any other law; and for all expenses necessary in carrying out the provisions of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 90), including personal services (except a director) and printing and binding; \$586,152: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining streetcar loading platforms and lights of any description employed to distinguish same, except that a permanent type of platform may be constructed from appropriations contained in this Act for street improvements when plans and locations thereof are approved by the Public Utilities Commission and the Director of Vehicles and Traffic: *Provided further*, That the street-railway company shall after construction maintain, mark, and light the same at its expense: *Provided further*, That fees from parking meters shall be deposited to the credit of the highway fund: *Provided further*, That the Commissioners are authorized and directed to designate, reserve, and properly mark appropriate and sufficient parking spaces on the streets adjacent to all public buildings in the District for the use of Members of Congress engaged on public business: *Provided further*, That the incumbent on July 1, 1944, of the authorized position of Registrar of Titles and Tags, whose duties shall be as prescribed in the District of Columbia Appropriation Act, 1945, shall hereafter be continued for compensation purposes in grade 9 of the clerical, administrative, and fiscal service under the Classification Act of 1923, as amended.

Division of Trees and Parking (payable from highway fund): For all necessary expenses for the Division of Trees and Parking, including personal services; books of reference and periodicals; and printing and binding, \$162,900.

Reimbursement of other appropriations (payable from highway fund): There are hereby authorized to be paid from the highway

fund to other appropriations for the District of Columbia the following sums: \$9,775 to "General administration" (Office of Corporation Counsel); \$21,800 to "Fiscal service" (Collector's Office, \$4,555; Auditor's Office, \$12,720; Purchasing Division, \$4,525); \$4,000 to "Salaries and expenses, Office of Chief Clerk"; \$8,797 to "Operating expenses, Office of Superintendent of District Buildings"; \$2,028 to "Operating expenses, Electrical Division"; \$607,500 to "Metropolitan Police"; and \$32,000 to "National Capital Parks"; in all, \$685,900.

Refunding erroneous collections (payable from highway fund): To enable the Commissioners to refund collections erroneously covered into the Treasury during the present and past three fiscal years to the credit of the highway fund, \$1,500: *Provided*, That this appropriation shall not be available for refunds authorized by section 10 of the Act of April 23, 1924.

Operating expenses, Refuse Division: For all expenses necessary for collection and disposal of refuse and street cleaning, including personal services; printing and binding; books of reference and periodicals; repair and maintenance of plants, buildings, and grounds; and fencing of public and private property designated by the Commissioners as public dumps; \$2,726,400: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments having a central heating system, or from any building or connected group of buildings operated as a rooming, boarding, or lodging house having a total of more than twenty-five rooms.

Capital outlay, Refuse Division: For an additional amount for construction of proposed incinerator numbered 3 for refuse in parcel 141/13, including \$8,850 for construction services, \$283,000; for an additional amount for construction of a refuse transfer station on land owned by the District of Columbia in square 739 and on land to be acquired adjacent thereto for the transfer of city refuse from collection units to hauling units for transportation to remote disposal points, including \$4,440 for construction services, \$139,000; in all \$422,000.

Operating expenses, Sewer Division: For all expenses necessary for operating the District's system of sewage disposal; cleaning and repairing sewers and basins; operation and maintenance of the sewage pumping service and sewage treatment plant, including repairs to equipment, machinery, and structures; maintenance of public convenience stations; control and prevention of the spread of mosquitoes in the District of Columbia; and pro rata contribution of the District of Columbia to the expenses of the Interstate Commission on the Potomac River Basin in accordance with Act of July 11, 1940 (54 Stat. 748); such expenses to include personal services; books of reference and periodicals; and printing and binding, \$915,500.

Capital outlay, Sewer Division: For construction of sewers and receiving basins; for assessment and permit work; for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, \$1,000; for preparation of plans and specifications for constructing chemical treatment, sludge drying, and incineration facilities at the sewage treatment plant, \$45,000; and for the preparation of surveys, plans and specifications in connection with the construction of storm-water sewers, \$25,000; in all, \$1,900,000, and in the preparation of such surveys, plans and specifications, the Commissioners are authorized to employ consultants and other professional services by contract or otherwise, without regard to section 3709 of the Revised Statutes, and civil-service and classification laws: *Provided*, That not to exceed \$65,000 of the unexpended balance of the appropriation for "Capital outlay, Sewer Division",

43 Stat. 108.
D. C. Code § 47-1910.

Interstate Commission on Potomac River Basin.
33 U. S. C. § 567b.

Ante, p. 188.

41 U. S. C. § 5.
Post, p. 809.
Reappropriation.

including the acquisition and development of a site for storage of construction materials, contained in the District of Columbia Appropriation Act, 1945, is continued available until June 30, 1947.

58 Stat. 528.

Ante, p. 188.

Operating expenses, Water Division (payable from water fund) : For all expenses necessary for operation and maintenance of the District of Columbia water distribution system; installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, said meters to remain the property of the District of Columbia; replacement of old mains, service pipes, and divide valves; water waste and leakage survey; such expenses to include personal services; books of reference and periodicals; printing and binding; purchase, exchange, operation, and maintenance of passenger-carrying motor vehicles; and refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes; \$1,450,000, to be available for such refunds of payments made within the past two years.

Ante, p. 189.

Capital outlay, Water Division (payable from water fund) : For extension of the District of Columbia water distribution system, laying of such service mains as may be necessary under the assessment system, laying mains in advance of paving and installing fire and public hydrants; for construction of approximately five thousand two hundred linear feet of twenty-four- and twenty-inch trunk line water main from the vicinity of Florida and West Virginia Avenues Northeast, to the vicinity of Mount Olivet and Bladensburg Roads Northeast; for the construction of a reinforced concrete roof on the ten-million-gallon reservoir located in Fort Stanton Park, including \$6,000 for engineering and other professional services by contract or otherwise, without regard to section 3709 of the Revised Statutes, and civil-service and classification laws; in all, \$615,000: *Provided*, That not to exceed \$285,000 of the appropriation for "Capital outlay, Water Division", shall continue available until June 30, 1948: *Provided further*, That the appropriations in the District of Columbia Appropriation Act, 1943, for the construction of one or more elevated water tanks of approximately two million gallons capacity, and so forth, and for additional pumping equipment at the Anacostia pumping station are continued available until June 30, 1947.

41 U. S. C. § 5.
Post, p. 809.

56 Stat. 457, 468.

Water fund, investment, District of Columbia : The Secretary of the Treasury is authorized to sell United States securities now held for and on account of the water fund of the District of Columbia in such amounts as may be certified by the Commissioners as necessary and credit the proceeds of such sale to said water fund.

WASHINGTON AQUEDUCT

Maintenance, etc.,
of aqueducts and accessories.

Meters on Federal
services.

McMillan pumping
station, etc.

Operating expenses (payable from water fund) : For all expenses necessary for the operation, maintenance, repair, and protection of Washington aqueducts and their accessories, and maintenance of MacArthur Boulevard; including personal services; books of reference and periodicals; printing and binding; purchase, installation, and maintenance of water meters on Federal services within the District of Columbia; purchase (including exchange), operation, and maintenance of two passenger-carrying motor vehicles; purchase and repair of rubber boots and protective apparel; \$903,725.

Capital outlay (payable from water fund) : For distribution baffles in Georgetown reservoir; ventilating system for the McMillan pumping station and transformer vault; increase capacity of Dalecarlia substation; repair and rehabilitation of McMillan filters; relocating Dalecarlia filter plant acid storage tanks; circulation facilities in First

High and Second High reservoirs; McMillan filter plant improvements; utility relocations and plant interconnections at Dalecarlia; new mixing and sedimentation basins for the Dalecarlia filter plant (first half); thirty million gallon clear water basin at Dalecarlia (first third); and the United States Engineer Office, District Engineer, is authorized to enter into contract or contracts for the completion of the two last above-named projects at a total cost of not to exceed, respectively, \$967,000 and \$1,250,000; and for developing increased water supply for the District of Columbia and environs; and all necessary expenses incident thereto; including engineering and other professional services by contract or otherwise, without regard to section 3709 of the Revised Statutes and civil-service and classification laws; \$1,980,000, to continue available until expended.

41 U. S. C. § 5.
Post, p. 809.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington aqueduct, its rights, appurtenances, and fixtures connected with the same, and over appropriations and expenditures therefor as now provided by law.

NATIONAL GUARD

For all expenses necessary for the National Guard of the District of Columbia, including personal services; expenses of attendance at meetings of associations pertaining to the National Guard; books of reference and periodicals; printing and binding; expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; care and repair of armories, offices, storehouses, machinery, and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; maintenance and operation of passenger-carrying motor vehicles; \$13,600, to be expended under the direction of the commanding general.

Post, p. 616.

NATIONAL CAPITAL PARKS

For all expenses necessary for the National Capital Parks, including maintenance, care, and improvement of public parks, grounds, fountains, and reservations, propagating gardens and greenhouses, and the tourists' camp on its present site in East Potomac Park under the jurisdiction of the National Park Service; placing and maintaining portions of the parks in condition for outdoor sports, erection of stands, furnishing and placing of chairs, and services incident thereto in connection with national, patriotic, civic, and recreational functions held in the parks, including the President's Cup Regatta, and expenses incident to the conducting of band concerts in the parks; such expenses to include personal services; pay and allowances of the United States Park Police force; per diem employees at rates of pay approved by the Secretary of the Interior, not exceeding current rates of pay for similar employment in the District of Columbia; lawbooks, books of reference, and periodicals; printing and binding; uniforming and equipping the United States Park Police force, including \$225 for deposit in the general fund of the Treasury for cost of penalty mail as required by

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

section 2 of the Act of June 28, 1944 (Public Law 364); the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, uniforms, ammunition, and radio equipment and the rental of teletype service; leather and rubber articles for the protection of employees and property; and the purchase, exchange, operation, repair, and maintenance of passenger-carrying motor vehicles, bicycles, motorcycles, and self-propelled machinery; the hire of draft animals with or without drivers at local rates approved by the Secretary of the Interior; the purchase and maintenance of draft animals, harness, and wagons; \$1,211,923: *Provided*, That not to exceed \$10,000 of the amount herein appropriated may be expended for the erection of minor auxiliary structures.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

43 Stat. 463.
40 U. S. C. §§ 71-
74; Supp. V, § 71 notes.
58 Stat. 394.
39 U. S. C., Supp.
V, § 321d.

For all necessary expenses of the National Capital Park and Planning Commission except the acquisition of land as authorized by law (40 U. S. C. 71), including personal services in the District of Columbia; \$80 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); operation, maintenance, and repair of passenger-carrying vehicles; stenographic reporting service, by contract or otherwise, without regard to section 3709 of the Revised Statutes; printing and binding; and reference books, newspapers, and periodicals, \$58,000.

41 U. S. C. § 5.
Post, p. 509.

NATIONAL ZOOLOGICAL PARK

For all expenses necessary for the National Zoological Park, including personal services; erecting and repairing buildings; care and improvement of grounds; travel, including travel for the procurement of live specimens; purchase, care, and transportation of specimens; purchase of one passenger-carrying vehicle, and maintenance and operation of passenger-carrying vehicles; purchase and exchange of bicycles, motorcycles, with or without side cars, for use of police; revolvers and ammunition; purchase of uniforms and equipment for police, and uniforms for keepers and assistant keepers; books and periodicals; and printing and binding; \$393,400, no part of which sum shall be available for architect's fees or compensation.

Citizenship require-
ment.

SEC. 2. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of the District of Columbia unless such person is a citizen of the United States, or a person in the service of the United States or the District of Columbia on the date of the approval of this Act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States. This section shall not apply to citizens of the Commonwealth of the Philippines or nationals of those countries allied with the United States in the prosecution of the war effort.

Exceptions.

Persons engaging,
etc., in strikes against
or advocating over-
throw of U. S. Gov-
ernment.

SEC. 3. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or the Government of the District of Columbia or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the Government of the District of Columbia, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the

Affidavit.

person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States or the Government of the District of Columbia, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the Government of the District of Columbia, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or the Government of the District of Columbia or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the Government of the District of Columbia, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Penalty.

SEC. 4. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Maximum amount.

SEC. 5. The Commissioners are authorized, under available appropriations in this Act, to contract for stenographic reporting services without regard to section 3709 of the Revised Statutes.

Stenographic reporting services.

41 U. S. C. § 5.
Post, p. 809.

SEC. 6 Work performed for repairs and improvements under appropriations contained in this Act may be by contract or otherwise, as determined by the Commissioners.

Repairs and improvements.

SEC. 7. In purchasing motor-propelled or animal-drawn vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, the Commissioners or their duly authorized representatives may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor.

Exchange or sale of equipment.

SEC. 8. Appropriations in this Act shall be available, when authorized by the Commissioners, for allowances for privately owned automobiles used for the performance of official duties at not to exceed \$264 per annum for each automobile, unless otherwise therein specifically provided.

Allowances for privately owned automobiles.

SEC. 9. Appropriations in this Act shall be available for the payment of dues and expenses of attendance at meetings of organizations concerned with the work of the District of Columbia Government, when authorized by the Commissioners.

Attendance at meetings.

SEC. 10. The Secretary of the Treasury is authorized to sell United States securities now held for and on account of the general fund of the District of Columbia in such amounts as may be certified by the Commissioners as necessary and credit the proceeds of such sale to said general fund.

Sale of U. S. securities.

SEC. 11. Unless otherwise specifically provided, no appropriation for the District of Columbia for the fiscal year 1947 shall be expended to purchase any motor-propelled passenger-carrying vehicle (exclusive of busses, ambulances, and station wagons) at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of the maximum price therefor established by the

Purchase of vehicles, restriction.

Office of Price Administration, which amount shall be in addition to the amount required for transportation.

Short title.

SEC. 12. This Act may be cited as the "District of Columbia Appropriation Act, 1947".

Approved July 9, 1946.

[CHAPTER 545]

AN ACT

July 9, 1946
[S. 1578]
[Public Law 494]

To clarify the terms "compensation" and "pension" under laws administered by the Veterans' Administration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That under laws administered by the Veterans' Administration monetary benefits, other than retirement pay, for service-connected disability or death shall be designated "compensation", and not "pension".

48 Stat. 526.
38 U. S. C. § 700.

SEC. 2. Section 33 of Public Law Numbered 141, Seventy-third Congress, is hereby repealed.

Approved July 9, 1946.

[CHAPTER 546]

AN ACT

July 9, 1946
[S. 1893]
[Public Law 495]

To amend the Act incorporating The American Legion so as to redefine eligibility for membership therein.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act approved September 16, 1919 (41 Stat. 285; U. S. C. of 1940, Supp. IV, title 36, sec. 43), entitled "An Act to incorporate The American Legion", as amended, is hereby further amended to read as follows:

The American Legion.
36 U. S. C. § 45;
Supp. V, § 45.

Persons eligible to membership.

"That no person shall be a member of this corporation unless he has served in the naval or military services of the United States at some time during the period between April 6, 1917, and November 11, 1918, or during the period between December 7, 1941, and September 2, 1945, all dates inclusive, or who, being citizens of the United States at the time of enlistment, served in the military or naval services of any of the governments associated with the United States during either of said World Wars: *Provided, however,* That such person shall have an honorable discharge or separation from such service or continue to serve honorably after September 2, 1945."

Approved July 9, 1946.

[CHAPTER 547]

AN ACT

July 10, 1946
[S. 342]
[Public Law 496]

To amend section 5296 of the Revised Statutes, as amended, relating to the discharge of indigent convicts for nonpayment of fines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5296 of the Revised Statutes, as amended by section 4 of the Act entitled "An Act to amend certain laws governing Federal prisoners, and for other purposes", approved June 29, 1940 (54 Stat. 692; 18 U. S. C. 641), is amended to read as follows:

Inability to pay fine, etc.

Application to commissioner or warden.

"SEC. 5296. When a poor convict, sentenced by any court of the United States to be imprisoned and pay a fine, or fine and costs, or to pay a fine, has been confined in prison thirty days, solely for the nonpayment of such fine, or fine and costs, such convict may make application in writing to the nearest commissioner of the United States court in the district where he is imprisoned or, if confined in a Federal penal institution, to the warden of such institution, setting forth his inability

to pay such fine, or fine and costs, and after notice to the district attorney of the United States, who may appear, offer evidence, and be heard, the commissioner or the warden as the examining authority to whom such application is addressed shall by an appropriate administrative proceeding inquire into the matter. If on examination it shall appear to the examining authority that such convict is unable to pay such fine, or fine and costs, and that he has not any property exceeding \$20 in value, except such as is by law exempt from being taken on execution for debt, the examining authority shall administer to him the following oath: 'I do solemnly swear that I have not any property, real or personal, to the amount of \$20, except such as is by law exempt from being taken on civil process for debt by the laws of (naming the State where oath is administered); and that I have no property in any way conveyed or concealed, or in any way disposed of, for my future use or benefit. So help me God.' Upon taking such oath such convict shall be discharged; and the examining authority shall file with the institution in which the convict is confined a certificate setting forth the facts. Any such convict to whom the warden shall fail or refuse to administer the oath may apply to the nearest commissioner for the administration of the oath upon a proceeding *de novo* as above provided, and upon taking such oath shall be discharged. In case the convict is found by the examining authority to possess property valued at an amount in excess of said exemption, nevertheless, if the Attorney General finds that the retention by such convict of all of such property is reasonably necessary for his support or that of his family, such convict shall be released without further imprisonment solely for the nonpayment of such fine, or fine and costs; or if he finds that the retention by such convict of any part of such property is reasonably necessary for his support or that of his family, such convict shall be released without further imprisonment solely for nonpayment of such fine or fine and costs upon payment on account of his fine and costs, of that portion of his property in excess of the amount found to be reasonably necessary for his support or that of his family."

Oath.

Discharge.

Possession of property in excess of exemption.

Approved July 10, 1946.

[CHAPTER 548]

AN ACT

To prescribe and furnish to United States commissioners standard forms and dockets and to furnish United States Code and seal.

July 10, 1946

[S. 344]

[Public Law 497]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the Administrative Office of the United States Courts shall supply to United States commissioners without cost to them blank forms of such content as he shall consider best adapted for the transaction of their business and docket books of approved content in which to enter the record of all proceedings before them. Upon the approval of the senior district judge of the district in which he serves, each commissioner shall also without cost to him be furnished by the Director of the Administrative Office of the United States Courts with a copy of the United States Code, which shall remain the property of the United States. Commissioners appointed after the effective date of this Act shall be furnished with the official impression seal required by the Act of June 28, 1906 (ch. 3573, 34 Stat. 546). All property furnished to any commissioner under this Act shall, upon the termination of his term of office, be transmitted to his successor in office, if any; otherwise disposed of as the Director of the Administrative Office of the United States Courts shall direct.

28 U. S. C. § 528.
Transmittal of property to successor.

Approved July 10, 1946.

[CHAPTER 549]

AN ACT

Concerning the method of payment of the compensation of United States commissioners.

July 10, 1946

[S. 345]

[Public Law 498]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fees of United States commissioners prescribed by law shall be paid out of the Treasury upon the approval of their accounts for such fees by the Director of the Administrative Office of the United States Courts. Such payment shall, however, be subject to the final settlement of such accounts in the General Accounting Office and to any adjustments of prior payments necessitated thereby.

Approved July 10, 1946.

[CHAPTER 555]

AN ACT

To authorize the Administrator of Veterans' Affairs to furnish upon a reimbursement basis certain benefits, services, and supplies to discharged members of the military or naval forces of any nation allied or associated with the United States in World War II in consideration of reciprocal services extended to the United States.

July 11, 1946

[S. 294]

[Public Law 490]

World War Veterans' Act, 1924.
Extension of certain provisions to allied nations.
43 Stat. 621.

Benefits and services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the provisions of section 202 (14), World War Veterans' Act, 1924 (38 U. S. C. 488), are hereby extended and confined to those governments allied with the United States in the war since December 7, 1941, and prior to termination thereof.

(b) In consideration of reciprocal services extended to the United States, the Administrator of Veterans' Affairs is authorized, upon request of the proper officials of the government of any nation allied or associated with the United States in the present war to furnish to discharged members of the military or naval forces of any such government, under agreements requiring reimbursement in cash of expenses so incurred, at such rates and under such regulations as the Administrator may prescribe, medical, surgical and dental treatment, hospital care, transportation and traveling expenses, prosthetic appliances, education, training, or other similar benefits authorized by the laws of such nation for its veterans, and services required in extending such benefits: *Provided*, That hospitalization in a veterans' facility shall not be afforded hereunder, except in emergencies, unless there be available beds surplus to the needs of veterans of this country: *Provided further*, That the Administrator may contract for necessary services in private, State, and other Government hospitals. All amounts received by the Veterans' Administration as reimbursement for such services shall be credited to the current appropriation of the Veterans' Administration from which expenditures were made pursuant to this subsection.

Hospitalization in veterans' facility.

Reimbursement.

Approved July 11, 1946.

[CHAPTER 556]

AN ACT

To authorize payment for accumulated and accrued annual leave to female dietitians and physical-therapy aides whose civilian appointments were terminated pursuant to section 4 of the Act of December 22, 1942 (56 Stat. 1073).

July 11, 1946

[S. 1489]

[Public Law 500]

Dietetic and physical-therapy personnel.
Pay for annual leave.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, any person whose appointment as a

civilian employee was terminated pursuant to section 4 of the Act of December 22, 1942 (56 Stat. 1073), shall be entitled to receive compensation, based upon her rate of pay as such civilian employee at the time of such termination of service, for the period of any accumulated and accrued annual leave to which she was entitled at the time of such termination of appointment to be computed over the period immediately following separation from civilian service, except that this Act shall not be deemed to authorize payment of any person for any such accumulated and accrued annual leave which was credited to her upon her subsequent employment by any department or agency of the Government.

Approved July 11, 1946.

[CHAPTER 557]

AN ACT

To amend the District of Columbia Unemployment Compensation Act, to provide for unemployment compensation in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Unemployment Compensation Act, approved August 28, 1935, as amended, is further amended to read as follows:

Section 3 (c) (5) is amended to read as follows:

“(5) The Board shall for any uncompleted portion of the calendar year beginning with the effective date of this Act and for each calendar year thereafter classify employers in accordance with their actual experience in the payment of contributions and with respect to benefits charged against their accounts. Each employer’s contribution rate for each subsequent year or part thereof shall be calculated on the basis of his records filed with the Board and benefit payments disbursed through the applicable computation date.”

Section 3 (c) (7) is amended to read as follows:

“(7) (a) If the business of any employer is transferred in whole or in part, the transferee shall be deemed a successor for the purpose of this section. In case the transfer of any of the assets of a covered employer’s business by any means whatever, otherwise than in the ordinary course of trade, such transfer shall be deemed a transfer of business and shall constitute the transferee a successor hereunder, unless the Board, on its own motion or on application of an interested party, finds that all of the following conditions exist:

“(1) The transferee has not assumed any of the transferor’s obligations; and

“(2) The transferee has not continued or resumed transferor’s good will; and

“(3) The transferee has not continued or resumed the business of the transferor, either in the same establishment or elsewhere; and

“(4) The transferee has not employed substantially the same employees as those the transferor had employed in connection with the assets transferred.

“(b) The successor, if not already subject to this section, shall become an ‘employer’ subject hereto on the date of such transfer, and shall accordingly become liable for contributions hereunder from and after said date.

“(c) The successor shall take over and continue the employer’s account, including its reserve and all other aspects of its experience under this section, in proportion to the pay roll or employees assignable to the transferred business as determined for the purposes of this section by the Board. The successor shall be secondarily liable

10 U. S. C., Supp. V, § 81 note.

July 11, 1946
[S. 2234]

[Public Law 501]

49 Stat. 946.
D. C. Code §§ 46-301 to 46-324; Supp. V, § 46-301 et seq.

57 Stat. 106.
D. C. Code, Supp. V, § 46-303 (c) (5).
Classification of employers.

57 Stat. 107.
D. C. Code, Supp. V, § 46-303 (c) (7).
Transferee deemed successor.

“Employer.”

Continuation of employer’s account.

Liability of successor.

for any amounts owed by the employer to the fund at the time of such transfer; but such liability shall be proportioned to the extent of the transfer of business and shall not exceed the value of the assets transferred.

Benefit chargeability.
57 Stat. 106.
D. C. Code, Supp. V, § 46-303 (c).
Ante, p. 527; *infra*.

“(d) The benefit chargeability of a successor’s account under section 3 (c) if not accrued before the transfer date shall begin to accrue on the transfer date, in case the transferor’s benefit chargeability was then accruing; or shall begin to accrue on the date otherwise applicable to the successor, or on the date otherwise applicable to the transferor, whichever is earlier, in case the transferor’s benefit chargeability was not accruing on the transfer date. Similarly, benefits from a successor’s account, if not chargeable before the transfer date shall become chargeable on the transfer date, in case the transfer was then chargeable for the benefit payments; or shall become chargeable on the date otherwise applicable to the successor or on the date otherwise applicable to the transferor, whichever is earlier, in case the transferor was chargeable for the benefit payments on the transfer date.

“(e) The account taken over by the successor employer shall remain chargeable with respect to accrued benefit and related rights based on employment in the transferred business, and all such employment shall be deemed employment performed for such employer.

Contribution rates.

“(f) The contribution rates applicable with respect to the accounts of the successor employer and a transferring employer shall be respectively determined or redetermined as of the next preceding June 30 computation date, to apply from the date of transfer of business until the close of the current calendar year, and shall thereafter be determined whenever required by section 3 (c), as follows: For the purposes of section 3 (c), the Board shall determine the ‘experience under this section’ of the successor employer’s account and of the transferring employer’s account by allocating to the successor employer’s account for each period in question the respective proportions of the transferring employer’s pay roll and the benefits which the Board determines to be properly assignable to the business transferred.

Supra.

Application for allowance.

Ante, p. 527.

“(g) SPECIAL COMBINATIONS OF EXPERIENCE—Any successor employer who has failed to obtain credit for its predecessor’s experience, solely because of the provisions of section 3 (c) (7) of the Act prior to its amendment by this Act, may file a written application for such allowance after the effective date of this Act. In the event the Board finds that such employer is entitled to such combination of experience under the provisions of section 3 (c) (7) as amended by this Act, the combination shall be allowed effective for the calendar year next succeeding the date of such application.”

57 Stat. 107.
D. C. Code, Supp. V, § 46-303 (c) (8).

Readjustments of experience-rating accounts.

Section 3 (c) (8) is amended by adding at the end thereof the following subsection:

“(iii) Except as otherwise provided in this section, whenever through inadvertence or mistake erroneous charges or credits are found to have been made to experience-rating accounts, the same shall be readjusted as of the date of discovery and such readjustment shall not affect any computation or rate assigned prior to the date of discovery but shall be used on the next computation date in calculating future contribution rates.”

57 Stat. 108.
D. C. Code, Supp. V, § 46-303 (c) (10).
Contribution Rate Review Committee.

Section 3 (c) (10) is amended by inserting, after the words “employer thereof” found at the end of the third sentence of said section, the following additional sentence: “All such hearings shall be held before a Contribution Rate Review Committee composed of three members who shall be employees of the Board and appointed

by the Board. The findings and decision of this Committee shall not be subject to review by the District Auditor."

This act shall take effect as of 12:01 antemeridian on the first day of the next succeeding calendar quarter following the enactment of this Act.

Effective date.

Approved July 11, 1946.

[CHAPTER 563]

JOINT RESOLUTION

To amend the Act of March 22, 1946, for the purpose of correcting the description of the small parcel of land authorized to be conveyed to the State of Wyoming by such Act.

July 11, 1946
[S. J. Res. 160]
[Public Law 502]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to convey certain lands to the State of Wyoming", approved March 22, 1946, is amended (1) by striking out "\$12" and inserting in lieu thereof "\$24"; (2) by striking out "one hundred feet", wherever it occurs in such Act, and inserting in lieu thereof "two hundred feet"; and (3) by striking out "forty-eight one-hundredths" and inserting in lieu thereof "ninety-six one-hundredths".

National Elk Refuge, Wyo.
Ante, p. 58.

Approved July 11, 1946.

[CHAPTER 564]

AN ACT

To eliminate the restriction on the number of lots which may be acquired by settlers in the town site of Wadsworth, Nevada.

July 11, 1946
[S. 1979]
[Public Law 503]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to issue a patent, pursuant to applicable laws, to any qualified settler in the town site of Wadsworth, Nevada, for more than two lots in that town site as surveyed and platted, notwithstanding the restriction contained in section 2382 of the Revised Statutes. No patent heretofore issued to any settler in the town site for more than two lots shall be vacated or annulled on the ground that it covers more than two lots.

43 U. S. C. § 713.

Approved July 11, 1946.

[CHAPTER 569]

AN ACT

Making appropriations for the Coast Guard, Treasury Department, for the fiscal year ending June 30, 1947, and for other purposes.

July 12, 1946
[H. R. 6428]
[Public Law 504]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Coast Guard, Treasury Department, for the fiscal year ending June 30, 1947, namely:

Coast Guard Appropriation Act, 1947.
Post, p. 568.

COAST GUARD

Office of Commandant: For personal services at the seat of government, \$1,697,500: *Provided*, That no part of any appropriation contained in this Act shall be used to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases the total number of enlisted men detailed to such duty at any time above thirty except that until February 15, 1947, the Commandant may detail such additional number for temporary duty in connection with demobilization and related activities as may be approved by the Bureau of the Budget;

Details at headquarters, restriction.

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted personnel, active and retired, temporary cooks, surfmen, substitute surfmen, and six civilian instructors; retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (14 U. S. C. 178a); not exceeding \$10,000 for cash prizes for men for excellence in boatmanship, gunnery, target practice, and engineering competitions; transportation of dependents of Coast Guard personnel on active duty and retired and Reserve officers and of retired and Reserve enlisted personnel, of grades entitled to transportation of dependents in the Regular Coast Guard, when ordered to active duty (other than training) and upon relief therefrom; carrying out the provisions of the Act of June 4, 1920 (34 U. S. C. 943); not to exceed \$18,000 for cost of special instruction, including books, laboratory equipment and fees, school supplies, and maintenance of students; motion-picture and other equipment for instructional purposes; rations or commutation thereof for cadets, petty officers, and other enlisted personnel, mileage and expenses allowed by law for officers, including per diem rates of allowance, and the Secretary is hereby authorized to prescribe per diem rates of allowance for Public Health Service officers detailed to the Coast Guard as authorized for Coast Guard officers; actual and necessary expenses or per diem in lieu thereof as the Secretary may determine and approve for Coast Guard personnel on special duty in foreign countries; for reimbursement at not to exceed 3 cents per mile for official travel performed by civilian inspectors of the Coast Guard in privately owned automobiles, within the limits of their official stations; traveling expenses of other persons traveling on duty under orders from the Treasury Department, including transportation of cadets, enlisted personnel, and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof, and traveling expenses for the examinations authorized by the Act entitled "An Act to provide for retirement for disability in the Lighthouse Service", approved March 4, 1925 (33 U. S. C. 765); transportation in kind and subsistence to discharged cadets; uniforms, accouterments and equipment for officers and cadets, and the appropriation reimbursed, as provided by law (14 U. S. C. 30); clothing for enlisted personnel authorized by law; civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement in kind or in cash as authorized by law to persons in the Coast Guard for personal property lost, destroyed, or damaged; actual expenses of officers and cadets and quarters and subsistence of enlisted personnel on shore patrol, emergency shore detail and other detached duty, or cash in lieu thereof; hire of quarters for officers serving with troops where sufficient quarters are not possessed by the United States to accommodate them; hire of quarters for Coast Guard personnel comparable to quarters assignable on a capital ship of the Navy, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel; expenses of recruiting for the Coast Guard, rent of rendezvous, and expenses of maintaining the same; advertising for and obtaining enlisted personnel and applicants for

46 Stat. 164.
Cash prizes.

Transportation of dependents.

41 Stat. 824.
34 U. S. C., Supp. V, § 943.

Per diem rates for PHS officers.

Traveling expenses.

43 Stat. 1261.

40 Stat. 1054.

Hire of quarters.

Restriction.

Recruiting.

appointment as cadets; training of enlisted personnel, including textbooks, school supplies, and correspondence courses; transfer of household goods and effects of Coast Guard and Coast Guard Reserve personnel on active duty and when ordered to active duty and upon relief therefrom, and the transfer of household goods and effects of deceased Coast Guard and Coast Guard Reserve personnel who die while on active duty, as prescribed by law and regulations; transportation on Government-owned vessels of privately owned automobiles of Coast Guard personnel upon change of station; purchase of provisions for sale to Coast Guard personnel at isolated stations, and the appropriation reimbursed; and including not to exceed \$58,800 for recreation, amusement, comfort, contentment, and health of the enlisted personnel of the Coast Guard, to be expended pursuant to regulations prescribed by the Secretary; apprehension and delivery of deserters and stragglers; \$74,010,000: *Provided*, That no part of this appropriation shall be used for increased pay for making aerial flights by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers: *Provided further*, That money accruing from commutation of rations of enlisted personnel commuted for the benefit of any mess may be paid on proper voucher to the officer in charge of such mess;

General expenses, Coast Guard: For all expenses necessary for the operation and maintenance of the Coast Guard ashore and afloat, except as specifically provided for in other appropriations, including personal services at the seat of government and elsewhere; newspapers, reference books and periodicals, and library books for field units and headquarters; printing and binding; maintenance, operation, and repair of motor-propelled passenger-carrying vehicles and aircraft; improvement of property for Coast Guard purposes, including rental, purchase, or use of additional land where necessary and the purchase of land for beacons, daymarks, and fog signals; rations and provisions, or commutation thereof, for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Coast Guard on duty on board such tenders or vessels, but money accruing from commutation of rations and provisions for the above-named persons on board tenders and light vessels or in working parties in the field may be paid on proper voucher to the person having charge of the mess of such vessel or party; subsistence and clothing for shipwrecked and destitute persons, including reimbursement, under rules prescribed by the Secretary, of Coast Guard personnel who furnish from their personal stock subsistence and clothing to such persons; not to exceed \$2,500 for contingencies for the Superintendent, United States Coast Guard Academy, to be expended in his discretion; payment of rewards for the apprehension and conviction, or for information helpful therein, of persons found interfering in violation of law with aids to navigation maintained by the Coast Guard; \$30,195,000 together with \$3,500,000 to be transferred from the Coast Guard supply account fund: *Provided*, That the Coast Guard is authorized to procure ordnance, ordnance stores, and aircraft from the Army and Navy without payment therefor but the number of aircraft on hand at any one time as a result of such procurements shall not exceed two hundred and twenty-six;

Civilian employees, Coast Guard: For compensation of civilian employees in the field, including per diem labor, but excluding personnel provided for in the appropriation "General expenses, Coast Guard", \$2,281,000;

Establishing and improving aids to navigation: For establishing

Transfer of household goods.

Provisions for sale at isolated stations.

Apprehension of deserters, etc.
Increased pay for aerial flights.

Commutation of rations, payments.

Post, p. 623.

Rations and provisions.

Coast Guard Academy, contingencies.

Payment of rewards.

Transfer of funds.

Procurement of ordnance and aircraft from Army and Navy.

Supra.

and improving aids to navigation and other works, and for all expenditures directly relating thereto, \$3,390,000;

Administrative ex-
penses.

Acquisition of vessels and shore facilities: For the purchase or construction of additional and replacement vessels and their equipment, and the construction, rebuilding, or extension of shore facilities, including the acquisition of sites and improvements thereon when specifically approved by the Secretary, and rental of shore facilities for temporary use, \$1,375,000, of which amount not to exceed 4 per centum shall be available for administrative expenses in connection therewith, including personal services at the seat of government;

Retired pay, former Lighthouse Service, Coast Guard: For retired pay of certain officers and employees entitled thereto by virtue of former employment in the Lighthouse Service engaged in the field service or on vessels of the Coast Guard, except persons continuously employed in district offices and shops, \$976,000;

Salaries, Merchant Marine Inspection, Coast Guard: For personal services at the seat of government, \$431,500;

Salaries and expenses, Merchant Marine Inspection, Coast Guard: For all expenses necessary to provide and operate such motorboats and employ such persons as may be necessary for the enforcement of laws relating to navigation and inspection of vessels, boarding of vessels, and counting of passengers on excursion boats to prevent overcrowding, including fees to witnesses; materials, supplies, equipment, and services, including rent and janitor service; purchase and repair of instruments; plans and specifications; insignia, braid, and chin straps; coats, caps, and aprons for stewards' departments on vessels; and other incidental expenses of field offices, including contract stenographic reporting services at the seat of government and elsewhere; \$1,870,000.

Short title.

SEC. 2. This Act may be cited as the "Coast Guard Appropriation Act, 1947".

Approved July 12, 1946.

[CHAPTER 570]

AN ACT

To amend section 32 of the Emergency Farm Mortgage Act of 1933, as amended, and section 3 of the Federal Farm Mortgage Corporation Act, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the eleventh sentence of section 32 of the Emergency Farm Mortgage Act of 1933, as amended (title 12, U. S. C., 1016), is amended by striking out "July 1, 1946" wherever it appears therein and inserting in lieu thereof "July 1, 1947".

SEC. 2. The last two sentences of section 3 of the Federal Farm Mortgage Corporation Act, as amended (title 12, U. S. C., 1020b) are amended to read as follows: "The Federal Farm Mortgage Corporation is authorized to repay to the Secretary of the Treasury on behalf of the United States from time to time such portions of the amounts subscribed to the capital stock of the Corporation as are found by the board of directors to be in excess of the capital necessary to enable the Corporation to carry out its functions as authorized by law. The proceeds of such repayments shall be held in the Treasury of the United States as a fund available for subscription, by the Governor on behalf of the United States with the approval of the Secretary of the Treasury, to the capital of the Corporation when, in the judgment of the directors of the Corporation, additional subscriptions to its capital are necessary."

SEC. 3. The Farm Credit Administration is hereby authorized and

July 12, 1946
[H. R. 6477]
[Public Law 505]

59 Stat. 269.
12 U. S. C., Supp.
V, § 1016 (g).

54 Stat. 573.
12 U. S. C., Supp.
V, § 1020b.
Capital stock, re-
payment.

Availability for fur-
ther subscription.

Study by FCA.

directed to make a thorough study of ways and means of making available to the farmers through the Federal Land Bank System loans similar to those now made by the Land Bank Commissioner through the Federal Farm Mortgage Corporation. The study shall be completed as soon as practicable and shall be submitted to the Agricultural Committee of the House of Representatives and Senate Committee on Banking and Currency, with recommendations not later than March 1, 1947.

Approved July 12, 1946.

[CHAPTER 574]

AN ACT

To encourage and protect oil refineries not having their own source of supply for crude oil by extending preference to such refineries in disposing of royalty oil under the Mineral Lands Leasing Act.

July 13, 1946
[S. 680]
[Public Law 506]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 36 of the Act of February 25, 1920 (41 Stat. 451, U. S. C., 1940 edition, title 30, sec. 192), is amended, in order to assist small business enterprise by encouraging the operation of oil refineries not having an adequate supply of crude oil, by adding before the first proviso in the second paragraph thereof the following: "*Provided*, That inasmuch as the public interest will be served by the sale of royalty oil to refineries not having their own source of supply for crude oil, the Secretary of the Interior, when he determines that sufficient supplies of crude oil are not available in the open market to such refineries, is authorized and directed to grant preference to such refineries in the sale of oil under the provisions of this section, for processing or use in such refineries and not for resale in kind, and in so doing may sell to such refineries at private sale at not less than the market price any royalty oil accruing or reserved to the United States under leases issued pursuant to this Act, as amended: *Provided further*, That in selling such royalty oil the Secretary of the Interior may at his discretion prorate such oil among such refineries in the area in which the oil is produced :".

Post, p. 957.

Sale of royalty oil to certain refineries.

Proration.

Approved July 13, 1946.

[CHAPTER 575]

AN ACT

Authorizing the State of Delaware, by and through its State highway department, to construct, maintain, and operate a toll bridge across the Delaware River near Wilmington, Delaware.

July 13, 1946
[H. R. 6285]
[Public Law 507]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the State of Delaware, by and through its State highway department or the successor of said department, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Delaware River, at a point suitable to the interests of navigation, from a point between Pigeon Point near the city of Wilmington, in the State of Delaware, and New Castle, in said State, to a point near the Salem Canal in the State of New Jersey, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act, and further subject to the approval of the location, navigation clearances, and other design features of the bridge by the Secretary of the Navy concurrently with the Secretary of War and the Chief of Engineers of the War Department.

Bridge.
Delaware River.

34 Stat. 84.
33 U. S. C. §§ 491-498.

Acquisition of land,
etc.

SEC. 2. In addition to the powers granted to the State highway department by the laws of the State of Delaware, there is hereby conferred upon the said State highway department or its successor all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Tolls.

SEC. 3. The said State highway department or its successor is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Sinking fund.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Record of cost, etc.

Time limitation.

SEC. 5. The authority hereby granted shall cease and be null and void unless the actual construction of said bridge and its approaches be commenced within three years and completed within five years from the date of this Act.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 13, 1946.

[CHAPTER 576]

AN ACT

To provide that every Saturday shall be a holiday for banks and building and loan associations in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth sentence of section 1389 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D. C. Code, 1940 edition, sec. 28-616), is amended by inserting before the period at the end thereof a colon and the following: "Provided, That every Saturday shall be a holiday in the District and not a business day for (1) every bank or banking institution having an office or banking house located within the District, (2) every Federal savings and loan association whose main office is in the District, and (3) every building association, building and loan association, or savings and loan association, incorporated or unincorporated, organized and operating under the laws of and having an office located within the District; and any act which would otherwise be required, authorized, or permitted to be performed on Saturday

July 13, 1946
[S. 2307]
[Public Law 508]

31 Stat. 1404.

Banks, etc., in D. C.
Saturday holiday.

in the District at the office or banking house of, or by, any such bank or banking institution, Federal savings and loan association, building association, building and loan association, or savings and loan association, if Saturday were not a holiday, shall or may be so performed on the next succeeding business day, and no liability or loss of rights of any kind shall result from such delay."

Approved July 13, 1946.

[CHAPTER 577]

JOINT RESOLUTION

To implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes.

July 15, 1946
[S. J. Res. 133]
[Public Law 509]

Whereas in the Bretton Woods Agreements Act the Congress has declared it to be the policy of the United States "to seek to bring about further agreement and cooperation among nations and international bodies, as soon as possible, on ways and means which will best reduce obstacles to and restrictions upon international trade, eliminate unfair trade practices, promote mutually advantageous commercial relations, and otherwise facilitate the expansion and balanced growth of international trade and promote the stability of international economic relations"; and

Implementation of financial agreement between U. S. and United Kingdom.

Whereas in further implementation of the purposes of the Bretton Woods Agreements, the Governments of the United States and the United Kingdom have negotiated an agreement dated December 6, 1945, designed to expedite the achievement of stable and orderly exchange arrangements, the prompt elimination of exchange restrictions and discriminations, and other objectives of the above-mentioned policy declared by the Congress: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, in consultation with the National Advisory Council on International Monetary and Financial Problems, is hereby authorized to carry out the agreement dated December 6, 1945, between the United States and the United Kingdom which was transmitted by the President to the Congress on January 30, 1946.

Authority to carry out agreement.

SEC. 2. For the purpose of carrying out the agreement dated December 6, 1945, between the United States and the United Kingdom, the Secretary of the Treasury is authorized to use as a public-debt transaction not to exceed \$3,750,000,000 of the proceeds of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payments to the United Kingdom under this joint resolution and pursuant to the agreement and repayments thereof shall be treated as public-debt transactions of the United States. Payments of interest to the United States under the agreement shall be covered into the Treasury as miscellaneous receipts.

Public-debt transaction.

40 Stat. 288.
31 U. S. C. § 774 (2);
Supp. V, § 754a et seq.
Ante, p. 316.

Interest.

Approved July 15, 1946.

[CHAPTER 578]

AN ACT

To govern distribution of war trophies and devices.

July 16, 1946
[S. 1746]
[Public Law 510]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to apportion and distribute pro rata among the several States in the ratio that the total number of

War devices and trophies.
Distribution to States.

persons who have served or are serving in the Army of the United States from each State bears to the total number of such persons from all States, all war devices and trophies suitable for distribution, with the exception of such trophies as may be required for experimental purposes or for other use by the United States or any department or agency thereof, and the further exception of such trophies as may be required for display in national museums, at national homes for disabled members of the armed forces, or for monumental purposes in Arlington National Cemetery and in other national cemeteries, national parks, and national monuments wheresoever situated.

SEC. 2. For the purposes of this Act, the reports compiled under the direction of the Secretary of War showing the number of persons in the Army of the United States accredited to each State, Territory, and possession of the United States and to the District of Columbia, either by enlistment or by the process of the Selective Training and Service Act of 1940, or otherwise on active duty with the Army of the United States during the period from 27 May 1941 (the date of the President's proclamation of full national emergency) to the date of this Act, shall serve as the basis for determining the apportionment of war devices and trophies for distribution.

SEC. 3. As soon as practicable, the Secretary of War shall cause the chief executive of each of the several States, to be informed of the character and quantity of war devices and trophies apportioned thereto, and shall invite each such chief executive to designate such material as will be accepted free on board common carrier at the point of storage in the continental United States or point of debarkation and to designate the point or points to which the accepted material is to be shipped without expense to the United States, other than that of packing and loading at the point of storage or debarkation.

SEC. 4. Shipment of the apportionment of each State shall be made as soon as practicable after the chief executive thereof shall have informed the Secretary of War that such State will accept and take possession thereof as hereinbefore provided, and will relieve the United States of all responsibility for the safe delivery of the material and of all charges, costs, and expenses whatsoever connected with the transportation thereof. If the chief executive of any State shall not, within two years from the date on which the notification by the Secretary of War was issued to the chief executives file with the Secretary of War such acceptance and agreement, such apportionment, or any part thereof, or any war devices or trophies then deemed by the Secretary of War to be suitable for distribution whether previously so deemed or not, shall be reapportioned and redistributed to the several States as the Secretary of War shall determine, and any residue not accepted or rejected on or before the expiration of three years from such notification shall be otherwise disposed of according to law; and those war devices and trophies considered by the Secretary of War as unsuitable for distribution under this Act, may similarly be disposed of according to law.

SEC. 5. All charges for apportioning, segregating, packing, and transporting war trophies and devices to points of debarkation or storage in the continental United States and for repacking and loading them for distribution to the designated point or points within each of the several States, as provided for herein, and for transportation to national museums, national homes for disabled members of the armed forces, national cemeteries and national parks, and for the disposition of undistributed war devices and trophies shall be paid by the United States Government from an appropriation to be made for that purpose; but no part of such appropriation shall be expended in cleaning, painting, or otherwise reconditioning war devices and trophies prior to shipment.

Exceptions.

Basis of apportionment.

54 Stat. 885.
50 U. S. C. app.
§§ 301-318; Supp. V,
§ 302 *et seq.*
Ante, pp. 181, 341,
342.
55 Stat. 1647.
50 U. S. C., Supp.
V, app., note prec. § 1.
Notice to chief execu-
tive of State.

Shipment.

Nonacceptance; re-
apportionment.

Disposal of residue.

Charges payable by
U. S. Government.

SEC. 6. The Secretary of War is authorized to transfer, without reimbursement, such devices and trophies as the Secretary of War in his discretion shall determine, to the Secretary of the Treasury for the promotion of the sale of war or victory bonds, and to any other Government agency for scientific, experimental, monumental, or display purposes. The Secretary of the Treasury is authorized to sell or donate such war devices and trophies for the promotion of the sale of war or victory bonds.

Promotion of sale of war bonds, etc.

SEC. 7. The Secretary of War shall afford to those who have donated or contributed to the United States during the present emergency, and prior to the date of this Act, trophies and devices from previous wars, suitable preferences in the distribution of similar war trophies and devices under this Act, and the cost of delivering such replacements to ultimate destination shall be borne by the United States.

Contributors of trophies, etc., from previous wars.

SEC. 8. As used herein the terms "State" or "States" shall include all Territories and possessions of the United States, and the District of Columbia, and the Canal Zone.

"State," "States."

SEC. 9. The Secretary of War is authorized to make all rules and regulations necessary to effectuate the terms of this Act: *Provided*, That he shall require that war devices and trophies distributed in accordance with this Act shall, insofar as practicable, be mutilated prior to distribution so as to render them incapable of use as lethal weapons.

Rules and regulations.

Mutilation of trophies, etc.

SEC. 10. (a) As used in this Act the term "trophies" includes rifles, guns, howitzers, tanks, aircraft, items of individual equipment, and other articles used in warfare which originated with enemy countries and which were captured by, surrendered to, or have otherwise come into the possession of the Army of the United States.

"Trophies."

(b) As used in this Act the term "war devices" includes rifles, guns, howitzers, tanks, aircraft, items of individual equipment, and other articles used in warfare which originated with the armed forces of the United States and which are obsolete or unserviceable and not economically repairable.

"War devices."

Approved July 16, 1946.

[CHAPTER 579]

AN ACT

July 16, 1946
[S. 2090]

[Public Law 511]

To authorize the Administrator of Veterans' Affairs to accept gifts, devises, and bequests in behalf of the general post fund for the use of veterans and for the sale and conveyance of any such property under certain circumstances and the covering of the proceeds thereof into the post fund, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is hereby authorized in his discretion to accept devises, bequests, and gifts, made in any manner, with respect to which the testator or donor shall have indicated his intention that such property shall be for the benefit of groups of persons formerly in the active military or naval forces of the United States who by virtue of such service alone, or disability suffered therein or therefrom, are or shall be patients or members of any one or more hospitals or homes operated by the United States Government, or shall have indicated his intention that such property shall be for the benefit of any such hospital or home, or shall be paid or delivered to any official, as such, or any agency in administrative control thereof.

Gifts for veterans. Acceptance by Administrator of Veterans' Affairs.

SEC. 2. For the purpose of acquiring the title and the possession to any property which he is by this Act authorized to accept, the Administrator of Veterans' Affairs is authorized to initiate and to appear in

Acquisition of property.

any appropriate legal proceedings, and to take such steps therein or in connection therewith as in his discretion may be desirable and appropriate to reduce said property to possession. He may incur such expenses incident to such proceedings as he deems necessary or appropriate, which shall be paid as other administrative expenses of the Veterans' Administration. All funds received by devise, bequest, or gift, or otherwise, for the purposes in this Act contemplated, including net proceeds of sales by this Act authorized, shall be deposited with the Treasurer of the United States to the credit of the general post fund, a trust fund provided by Public Law Numbered 473 of the Seventy-third Congress, approved June 26, 1934, being section 20 (b) (45) thereof (31 U. S. C. 725s; 48 Stat. 1233).

SEC. 3. (a) Disbursements from the general post fund shall be made on orders by and within the discretion of the Administrator of Veterans' Affairs and in the manner prescribed in section 4 of the Act of December 26, 1941 (Public Law Numbered 382, Seventy-seventh Congress, 55 Stat. 868); except that (1) if the testator or donor has directed or shall direct that his devise, bequest, or gift be devoted to a particular use authorized by this Act, the same, less expenses incurred, or the net proceeds thereof, shall be used or disbursed as directed, except that a precatory direction shall be fulfilled only insofar as may be proper or practicable; and (2) if the testator or donor shall have indicated his desire that his devise, bequest, or gift shall be for the benefit of persons in hospitals or homes, or other institutions operated by the United States but under the jurisdiction of an official other than the Administrator of Veterans' Affairs, the same, less expenses incurred, or the net proceeds thereof which may come into possession of the Administrator of Veterans' Affairs shall be disbursed by transfer to the governing authorities of such institution, or otherwise, in such manner as the Administrator may determine, for the benefit of the persons in the institution indicated by the testator or donor, for proper purposes, as nearly as practicable in conformity with such desire of the testator or donor.

SEC. 4. If the Administrator of Veterans' Affairs shall receive any property other than moneys as contemplated by this Act, he is authorized in his discretion to sell, assign, transfer, and convey the same, or any interest therein claimed by virtue of such devise, bequest, or gift, for such price and upon such terms as he deems advantageous (including consent to partition of realty and compromise of contested claim of title); and his assignment, deed, or other conveyance of any such property, executed in the name and on behalf of the United States, shall be valid to pass to the purchaser thereof such title to said property as the United States, beneficially or as trustee of said post fund, may have by virtue of any such devise, bequest, or gift, and the proceedings incident thereto, subject to the conditions, limitations, and provisions of the instrument so executed by the Administrator.

SEC. 5. (a) Nothing contained in this Act shall be construed to repeal or modify the Act of May 23, 1928 (45 Stat. 715; 38 U. S. C. 438a), or section 4831 of the Revised Statutes, or any other statute authorizing the acceptance of devises, bequests, or gifts to the United States for their own use and benefit or for any particular purpose specified by the donors or testators.

(b) In any case where the United States hereafter receives property and it appears that it is, or shall have been, the intention of the testator or donor that such devise, bequest, or gift be for the benefit of those persons described in section 1 of this Act, or any particular hospital or other institution operated primarily for their benefit, such property or the proceeds thereof shall be credited to the

Expenses.

Deposit of funds.

31 U. S. C., Supp.
V, § 725s.
Disbursements from
general post fund.

38 U. S. C., Supp.
V, § 17c.
Exceptions.

Sale, transfer, etc.,
of property.

24 U. S. C. §§ 111-123
note.

Crediting of prop-
erty to post fund.

post fund as provided for in this Act, and shall be used or disbursed in accordance with the provisions of this Act.

SEC. 6. The annual report to Congress by the Administrator of Veterans' Affairs shall include a summarized statement of post fund receipts, disbursements, and investments, and other pertinent information concerning said post fund.

Report to Congress.

Approved July 16, 1946.

[CHAPTER 580]

AN ACT

To provide assistance to the Republic of China in augmenting and maintaining a Naval Establishment, and for other purposes.

July 16, 1946
[H. R. 5356]
[Public Law 512]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of any other law, the President is authorized, whenever in his discretion the public interests render such a course advisable, or will assist in relieving United States forces of duty in China or putting the Government of the Republic of China in better position to protect or improve the safety of navigation in its waters, to provide to the Republic of China such naval services, training, plans, and technical advice as he may deem proper; and to dispose of naval vessels and craft, not to exceed two hundred and seventy-one vessels and craft under authority of this Act, which are in excess of the naval needs of the United States, floating drydocks of capacity sufficient to accommodate any vessel or craft disposed of under authority of this Act, and material necessary for the operation and maintenance of the vessels and craft disposed of under authority of this Act and for the training of the crews of such vessels and craft, to the Republic of China by sale, exchange, lease, gift, or transfer for cash, credit, or other property, with or without warranty, or upon such other terms and conditions as he may deem proper: *Provided*, That prior to the disposition under the authority of this Act of any battleship, aircraft carrier of any type, cruiser, destroyer (but not destroyer escort), or submarine the President shall first obtain the authority of the Congress in each instance: *Provided further*, That no information, plans, advice, material, documents, blueprints, or other papers, bearing a secret or top-secret classification shall be disposed of or transferred under authority of this Act.

Republic of China.
Naval assistance.

Disposal of vessels,
etc.

Training of crews.

Secret documents,
etc.

Detail of officers and
enlisted men.

Restriction.

Additional compen-
sation.

Credit for longevity,
etc.

SEC. 2. The President is authorized, upon application from the Republic of China, and whenever in his discretion the public interests render such a course advisable, to detail not to exceed one hundred officers and two hundred enlisted men of the United States Navy and Marine Corps to assist the Republic of China in naval matters: *Provided*, That United States naval or Marine Corps personnel shall not accompany Chinese troops, aircraft, or ships on other than training maneuvers or cruises: *Provided further*, That the Secretary of Navy is authorized to pay to such persons such additional compensation as may be necessary to make appropriate adjustment for increased cost of living occasioned by reason of detail to such duty: *And provided further*, That while so detailed such officers and enlisted men shall receive the pay and allowances thereunto entitled in the United States Navy or Marine Corps and shall be allowed the same credit for longevity, retirement, and for all other purposes that they would receive if they were serving with the forces of the United States.

Termination of Act.

SEC. 3. The provisions of this Act shall terminate five years after the date of its enactment.

Approved July 16, 1946.

[CHAPTER 581]

AN ACT

To authorize the attendance of the Marine Band at the national convention of the United Spanish War Veterans, to be held in Milwaukee, Wisconsin, August 4 to 10, inclusive, 1946.

Marine Band.
Attendance at con-
ventions.

Appropriation au-
thorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the department convention of The American Legion to be held at Racine, Wisconsin, on August 3, 1946, and at the national convention of the United Spanish War Veterans to be held at Milwaukee, Wisconsin, August 4 to 10, inclusive, 1946.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such conventions, there is authorized to be appropriated the sum of \$9,986.26, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed \$6 per day each for additional living expenses while on duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving their permanent station.

Approved July 16, 1946.

[CHAPTER 582]

AN ACT

To authorize and direct the Board of Public Welfare of the District of Columbia to establish and operate in the public schools and other suitable locations a system of nurseries and nursery schools for day care of school-age and under-school-age children, and for other purposes.

Day nurseries and
nursery schools, D. C.

Maintenance in
public schools, etc.

Eligibility.

Employment of per-
sonnel.
Post, p. 894.

42 Stat. 1488.
5 U. S. C. §§ 661-674;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.
Appropriations
available.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act, "Board" means the Board of Public Welfare of the District of Columbia; "parent" means natural parent, grandparent, legal guardian, or stepparent; and "child" means natural child, grandchild, stepchild, adopted child, or legal ward.

SEC. 2. On and after July 1, 1946, and until June 30, 1947, and no longer, the Board is authorized and directed to establish, maintain, and operate in and on such of the buildings and grounds of the public schools of the District of Columbia, as may be designated and approved by the Board of Education, and at such other suitable locations, as may be designated and approved by the Commissioners of the District of Columbia, not to exceed a total of fourteen nurseries and nursery schools for the day care of children of school or under-school age of parents residing in the District of Columbia and who have resided therein for not less than one year immediately preceding the entry of their children into such nurseries or nursery schools and who are employed and are financially unable otherwise to provide for the day care of their children or who are so handicapped that they cannot otherwise provide for the day care of their children. The Board is authorized to employ teachers, attendants, clerks, custodians, and other persons necessary to provide such day care and to pay compensation for their services in accordance with the Classification Act of 1923, as amended. Appropriations now or hereafter available for the maintenance and operation of the buildings and grounds of the said public schools shall be available for the maintenance and operation of such of the buildings and grounds of the said public schools in and on which such nurseries and nursery schools may be established, maintained, and operated.

SEC. 3. The Board is authorized to make and enforce rules and regulations governing admission to and use and enjoyment of said nurseries and nursery schools, including the fixing of fees to be charged parents for care and maintenance therein of their children; which fees shall, as near as practicable, reimburse the District of Columbia its costs for personal services, labor, food, and supplies in the operation and maintenance of such nurseries and nursery schools: *Provided*, That the Board may, in cases where parents are unable to pay for such care, waive all or part of such fees. All fees collected under the provisions of this Act shall be paid to the Collector of Taxes of the District of Columbia and deposited in the Treasury of the United States to the credit of the revenues of the District of Columbia.

Rules and regulations.

Fees.

Waiver of fees.

SEC. 4. There is authorized to be appropriated out of any moneys in the Treasury of the United States to the credit of the District of Columbia, not otherwise appropriated, such sums as may be necessary, not to exceed \$500,000, to carry out the purposes of this Act.

Appropriation authorized.
Post, p. 615.

SEC. 5. Sections 2 and 3 of the Act entitled "An Act to amend the District of Columbia Appropriation Act, 1943, so as to authorize the use of public-school buildings in the District of Columbia as and for day nurseries and nursery schools, and for other purposes", approved December 22, 1942 (Public Law 827, Seventy-seventh Congress), are hereby repealed. This section shall take effect July 1, 1946.

Repeal.

55 Stat. 1072.
D. C. Code, Supp.
V, §§ 31-810, 31-811.
Effective date.

Approved July 16, 1946.

[CHAPTER 583]

AN ACT

Making appropriations for the Military Establishment for the fiscal year ending June 30, 1947, and for other purposes.

July 16, 1946
[H. R. 6337]
[Public Law 515]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Military Establishment for the fiscal year ending June 30, 1947, and for other purposes namely:

Military Appropriation Act, 1947.
Post, pp. 595, 623, 916.

MILITARY ACTIVITIES

OFFICE OF THE SECRETARY OF WAR

CONTINGENCIES OF THE ARMY

For all emergencies and extraordinary expenses arising in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, including personal services, the purchase of lawbooks, books of reference, subscriptions to newspapers and periodicals; the actual and necessary expenses or per diem in lieu thereof, as may be determined and approved by the Secretary of War, of military and civilian personnel in and under the Military Establishment on special duty in foreign countries; and for examination of estimates of appropriations and of military activities in the field, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government, and payments from this appropriation may, in the discretion of the Secretary of War, be made on his certificate that the expenditures were necessary for confidential military purposes; \$14,480,300.

Special duty in foreign countries.

GENERAL STAFF CORPS

FIELD EXERCISES

Participation by National Guard, etc.

For expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, and including pay and travel of temporary employees and officers and enlisted men of the National Guard and the Organized Reserves, not otherwise provided for, allowances for enlisted men for quarters and rations, troop movements and travel of personnel of the Regular Army, in connection with special field exercises, including special combat training for small units, movement of matériel, maintenance and operation of structures and utilities, rental of land or purchase of options to rent land without reference to section 3648, Revised Statutes, use or repair of private property, and any other requisite supplies and services, and for settlement of claims resulting from such exercises, under the provisions of the Act of July 3, 1943 (31 U. S. C. 223b), \$7,000,000.

31 U. S. C. § 529.
Post, p. 809.

57 Stat. 372.
31 U. S. C., Supp. V, §§ 215-217 notes, 222a, 222b, 223b, 223c.
Ante, p. 332; *post*, pp. 846, 847.

ARMY WAR COLLEGE

For expenses of the Army War College and the National War College, including the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers; newspapers and periodicals; maps, police utensils; employment of temporary, technical, or special services, and expenses of special lectures; purchase, repair, and cleaning of uniforms for guards; pay of employees; and for all other necessary expenses not otherwise provided for; \$294,600.

ADJUTANT GENERAL'S DEPARTMENT

COMMAND AND GENERAL STAFF SCHOOL, FORT LEAVENWORTH, KANSAS

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, special, and clerical services; expenses of special lectures; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kansas; \$345,000.

FINANCE DEPARTMENT

FINANCE SERVICE, ARMY

Reserve and National Guard officers.
Post, p. 623.

Pay of the Army: For pay and allowances of the Army of the United States, including pay of Reserve officers and officers of the National Guard of the United States ordered to active duty under the provisions of section 37a and the fourth paragraph of section 38 of the National Defense Act, as amended; pay of civilian employees at military headquarters; allowances for quarters for enlisted men on duty where public quarters are not available; interest on soldiers' deposits; payment of life insurance premiums authorized by law; payment of exchange fees and exchange losses incurred by disbursing officers or their agents; repayment of amounts determined by the Secretary of War, or officers designated by him, to have been erroneously collected from military and civilian personnel in and under the Military Establishment; and losses in the accounts of Army disbursing officers in accordance with the Acts of December 13, 1944

41 Stat. 776; 49 Stat. 391.
10 U. S. C. §§ 361, 364, 369; 32 U. S. C. § 81c.

Repayment of amounts erroneously collected.

(31 U. S. C. 95a) and December 23, 1944 (50 U. S. C. 1705-1707); \$2,375,000,000: *Provided*, That the appropriations contained in this Act shall not be available for increased pay for making aerial flights by nonflying officers at a rate in excess of \$720 per annum, which shall be the legal maximum rate as to such officers, and such nonflying officers shall be entitled to such rate of increase by performing three or more flights within each ninety-day period, pursuant to orders of competent authority, without regard to the duration of such flight or flights: *Provided further*, That, during the continuance of the present war and for six months after the termination thereof, a flying officer as defined under existing law shall include flight surgeons, and commissioned officers or warrant officers while undergoing flying training: *Provided further*, That section 212 of the Act of June 30, 1932 (5 U. S. C. 59a), shall not apply to retired military personnel on duty at the United States Soldiers' Home: *Provided further*, That during the fiscal year ending June 30, 1947, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (10 U. S. C. 803): *Provided further*, That provisions of law prohibiting the payment of any person not a citizen of the United States shall not apply to military and civilian personnel in and under the Military Establishment: *Provided further*, That without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations, may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts: *Provided further*, That no collection or reclamation shall be made by the United States on account of any money paid to assignees, transferees, or allottees, or to others for them, under assignments, transfers, or allotments of pay and allowances made under authority of law where liability might exist with respect to such assignments, transfers, or allotments, or the use of such moneys, because of the death of the assignor, transferor, or allotter: *Provided further*, That no appropriation contained in this Act shall be used for any expense pertaining to (1) the instruction, education, or training of class IV-E conscientious objectors in colleges, (2) the service of such conscientious objectors outside the United States, its Territories and possessions, (3) the transportation of such conscientious objectors to or from any college or any such service, or (4) the compensation of military or civilian personnel performing any services with respect to the matters set forth in (1), (2), or (3) above after the enactment of this Act, except any services which may be necessary promptly to terminate any such class IV-E conscientious-objector college or foreign-service projects existing on the date of the enactment of this Act.

Appropriations available to the Military Establishment for the fiscal year 1947 shall be available for reimbursement to such appropriations of the Naval Establishment as may be designated by the Secretary of the Navy, for the pay, allowances, and other expenses as authorized by law, for such number of naval dental officers as may be authorized by the President to perform service with the Military Establishment: *Provided*, That such military and naval personnel, as may be detailed for duty with other than the War and Navy Departments, respectively, on a reimbursement basis may be employed in addition to the numbers otherwise authorized and appropriated for.

No payment shall be made from money appropriated in this Act to any officer on the retired list of the Army who, for himself or

58 Stat. 800, 921.
31 U. S. C., Supp.
V, § 95a; 50 U. S. C.,
Supp. V, app. §§ 1705-
1707.

Aerial flights by non-
flying officers.

"Flying officer."

47 Stat. 406.

Officer owning
mount.

35 Stat. 108,
10 U. S. C., Supp.
V, § 803 note.
Citizenship.

Use of receipts from
sales, etc.

Restriction on re-
clamation of certain
payments.

Conscientious ob-
jectors.

Naval dental offi-
cers.

Retired officers en-
gaged in selling sup-
plies to Army.

for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Army or the War Department, any war materials or supplies;

Officers, etc., engaged with certain service publications.

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however,* That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War;

Travel of the Army: For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers, contract surgeons, and others whose rank, pay and allowances are assimilated to officers; the cost of a compartment or such other accommodations as may be authorized by the Secretary of War for security purposes when secret documents are transported by officer messenger, or when valuable War Department property is transported as hand baggage by personnel of the Military Establishment; transportation of troops; transportation, or reimbursement therefor, of cadets, enrolled members of the Medical Department, enlisted men, recruits, recruiting parties, applicants for enlistment between places of acceptance for enlistment and recruiting stations, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, and dependents of civilian and military personnel; all necessary expenses of travel, under such regulations and restrictions as the Secretary of War may prescribe, of military personnel who have served outside the continental limits of the United States or in Alaska, to places in the United States, its Territories and possessions, whether on leave or duty status, for purposes connected with redeployment or reassignment, or for the purpose of recuperation, rehabilitation and recovery; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; transportation of persons discharged for fraudulent enlistment; monetary allowances for liquid coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impractical to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to civilian employees and civilian witnesses before courts martial; for rental of camp sites and the local procurement of communication service, fuel, light, water service, and other necessary supplies and services incident to individual or troop movements, including transportation of organizational equipment and impedimenta; and for transportation of authorized baggage of military and civilian personnel, including packing and unpacking; \$175,000,000: *Provided,* That other appropriations for the Military Establishment shall be charged with such amounts as may be required for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian

Travel charges against other appropriations.

employees under the War Department, except the appropriations "Government and relief in occupied areas", "Atomic Service", and "Contingencies of the Army" and the appropriations for Engineer Service, Army, the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriations "Special Field Exercises", "Inter-American Relations, War Department", and "Air Corps, Army": *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed \$15,000 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of War, such attendance would be of benefit in the conduct of the work of the War Department: *Provided further*, That appropriations available for travel of personnel of the Military Establishment or employees under the War Department which are current at the date of relief from duty station of such personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriations in connection with the travel enjoined, including travel of dependents and transportation of authorized baggage and household effects of such personnel, regardless of the dates of arrival at destination of the persons so traveling;

Attendance at meetings.
39 Stat. 199.
32 U. S. C. §§ 21, 22,
49.

Personnel traveling under orders.

Personnel outside U. S.
Moving of dependents and effects.

During the fiscal year 1947 the dependents and household effects of such military and civilian personnel (without regard to rank or grade) in and under the Military Establishment on duty at stations outside the continental limits of the United States, or in Alaska, as may be determined upon by the Secretary of War, may, prior or subsequent to the issuance of orders for the relief of such personnel from their stations, or subsequent to the discharge or release of such military personnel from active military service, be moved (including packing and unpacking of household effects) from such stations outside the continental limits of the United States, or in Alaska, to such locations as may be designated by such personnel, by the use of either Government or commercial means of transportation, and later from such locations to the duty stations to which such personnel may be ordered, and current appropriations of the Military Establishment available for travel and transportation may be used for this purpose, the decision of the Secretary of War to be final as to the dependency of any individual sought to be affected by this provision except as to travel performed subsequent to arrival in the United States: *Provided further*, That the Secretary of War, in prescribing per diem rates of allowance in accordance with law for officers and warrant officers of the Army of the United States traveling on official business and away from their designated posts of duty, is hereby authorized to prescribe such per diem rates of allowance, whether or not orders are given to such officers for travel to be performed repeatedly between two or more places in the same vicinity, and without regard to the length of time away from their designated posts of duty under such orders, and also the actual and necessary expenses or per diem in lieu thereof as he may determine and approve for military and civilian personnel in and under the Military Establishment on special duty in foreign countries;

Per diem rates of allowance.

Personnel on special duty in foreign countries.

Expenses of courts martial: For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, \$150,000;

Apprehension of deserters: For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for expenses incident to confinement of military prisoners in nonmilitary facilities; for a donation of \$10 to each prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge; and for a donation of not to exceed \$10 to each person discharged for fraudulent enlistment as authorized by law; \$50,000;

Finance service: For compensation of clerks and other employees of the Finance Department, \$31,000,000;

Claims.

Claims for damage to or loss or destruction of property, or personal injury, or death: For payment of claims under the provisions of the Act approved July 3, 1943 (31 U. S. C. 223b), not otherwise provided for, \$600,000;

Claims of military and civilian personnel of the War Department for destruction of private property: For the payment of claims for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of the Military Personnel Claims Act of 1945, \$4,000,000;

In all, Finance Service, Army, \$2,585,800,000, to be accounted for as one fund.

QUARTERMASTER CORPS

QUARTERMASTER SERVICE, ARMY

Welfare of enlisted men: For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, including expenses for the entertainment and instruction of enlisted personnel, \$19,000,000: *Provided*, That this appropriation shall be available for the instruction of officers on the same basis as enlisted men: *Provided further*, That no appropriation contained in this Act shall be available for payment to or expenditure on account of any civilian personnel employed outside continental United States to paint or otherwise reproduce war scenes except by means of photography, or to paint portraits, or for payment to or expenditure on account of any military personnel within continental United States who engage in decorative art projects or painting portraits to the exclusion of regular military duties;

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war, and general prisoners at posts; ice for issue to organizations of enlisted men and for cooling drinking water at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while

Recreational facilities, etc.

Instruction of officers.

Painting, etc., of war scenes or portraits.

Purchase of subsistence supplies.

Army Transport Service.

Sales to officers, etc.

57 Stat. 372,
31 U. S. C., Supp.
V, §§ 215-217 notes,
222a, 222b, 223b, 223c.
Ante, p. 332; *post*,
pp. 846, 847.

59 Stat. 225,
31 U. S. C., Supp.
V, §§ 222c, 222d, 223b.
Ante, p. 332; *post*,
p. 847.

on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty. For payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for subsistence of supernumeraries necessitated by war conditions; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, \$231,000,000: *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for the procurement of any article of food or clothing not grown or produced in the United States or its possessions, except to the extent that the Secretary of War shall determine that articles of food or clothing grown or produced in the United States or its possessions cannot be procured of satisfactory quality and in sufficient quantities and at reasonable prices as and when needed, and except procurements by vessels in foreign waters and by establishments located outside the continental United States, except the Territories of Hawaii and Alaska, for the personnel attached thereto: *Provided further*, That none of the funds appropriated in this Act shall be used for the payment of any subsidy on agricultural or other products;

Regular supplies of the Army: For all supplies, services, and other expenses, not otherwise provided for, incident to the design, development, procurement, manufacture, care, protection, alteration, repair, maintenance, installation, storage, and issue of Quartermaster Corps supplies, materials, and equipment (exclusive of fixed installations in buildings otherwise provided for), including petroleum and other products for the operation of motor-propelled passenger-carrying vehicles, lawbooks, books of reference, periodicals, newspapers, market reports and personal services; for supplies and equipment for troops and general service schools; for operation of field printing plants not otherwise provided for and contract printing and binding; for subsistence and care of riding and draft animals, for remounts, and for the authorized number of officers' mounts; for straw for soldiers' bedding; for expenses incident to raising and harvesting forage on military reservations, including, when specifically authorized by the Secretary of War, the cost of irrigation; \$80,000,000;

Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine-planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary, including laundry work for enlisted men while patients in a hospital; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for

Payments.

Prizes.

Butter substitutes.

Procurement of food or clothing not produced in U. S.

Payment of subsidies.

enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, and garbage-reduction works; for equipage, including animal-drawn passenger-carrying vehicles, authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment; for expenses of packing and handling and similar necessaries; for a suit of citizens' outer clothing and when necessary an overcoat, the cost of all not to exceed \$30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons; \$152,750,000;

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; for activities of chaplains (excluding ritual garments and personal services); for the operation of coffee-roasting plants; for maintenance of Quartermaster branch depots, including utilities; for tests and experimental and development work and scientific research to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments; for supplies, services, and other expenses essential in conducting instruction of the Army in tactical or special activities and in the operation of Arm and Service Boards not otherwise provided for; for burial of the dead as authorized by Acts of May 17, 1938 (10 U. S. C. 916-916d), and July 8, 1940 (5 U. S. C. 103a), including remains of personnel of the Army of the United States who die while on active duty, including travel allowances of attendants accompanying remains, communication service, transportation of remains, and acquisition by lease or otherwise of temporary burial sites; \$115,000,000;

Tests, research, etc.

Burial expenses.
52 Stat. 398.
54 Stat. 743.

Horses, draft and pack animals: For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including expenses for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase and exchange of animals for breeding purposes and their maintenance), \$150,000;

In all, Quartermaster Service, Army, \$597,900,000, to be disbursed and accounted for as one fund.

TRANSPORTATION CORPS

TRANSPORTATION SERVICE, ARMY

For expenses necessary for the transportation of Army supplies, equipment, funds of the Army, including packing, crating, and unpacking; maintenance and operation of transportation facilities and installations, including the purchase, construction, alteration, operation, lease, repair, development, and maintenance of and research in transportation equipment, including boats, vessels, motor-propelled passenger-carrying vehicles and railroad equipment; personal services in the District of Columbia and elsewhere; procurement of supplies and equipment; printing and binding; communication service; maps; lawbooks and books of reference; subscriptions to newspapers and periodicals; wharfage, tolls, ferrriage, drayage and cartage; premiums and indemnification for risks insured pursuant to the Act of April 11, 1942 (46 U. S. C. 1128-1128g); conducting instructions in Army transportation activities; transportation on Army vessels of privately owned automobiles of Army personnel upon change of station; \$500,000,000: *Provided*, That during the fiscal year 1947 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured: *Provided further*, That vessels under the jurisdiction of the Maritime Commission, the War Shipping Administration, the War Department, or the Navy Department, may be transferred or otherwise made available without reimbursement to any of such agencies upon the request of the head of one agency and the approval of the agency having jurisdiction of the vessels concerned.

56 Stat. 214.
46 U. S. C., Supp.
V, §§ 1128-1128g.

Charges against
other appropriations.

Transfer of vessels.

SIGNAL CORPS

SIGNAL SERVICE OF THE ARMY

Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control and direction apparatus, and matériel for

Telegraph, etc.,
systems.

Vehicles.

Telephone apparatus.

Telegraph lines.

Electrical installations.

Salaries of civilian employees. Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required; for all expenses, not otherwise provided for, incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof; \$102,000,000.

Experimental investigation, etc.

Aircraft warning service systems.

AIR CORPS

AIR CORPS, ARMY

Courses of instruction. For creating, maintaining, and operating at established aviation and related schools courses of instruction for military personnel, including payment of tuition, cost of equipment and supplies necessary for instruction, and expenses of special lectures, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, and including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies and procurement of services for securing, developing, printing, and reproducing photographs and motion pictures in connection with aerial photography, including aerial mapping and charting; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of military and civilian personnel in connection with the administration of this appropriation, including travel by air or rail required in connection with the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary; transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof; for the purchase, manufacture, and construction of aircraft, and instruments and appliances of every sort and description, including radio, radar, and electronic equipment, necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for air crew and aircraft rescue and fire fighting equipment, including trucks and boats; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for

Aircraft operation, etc.

Photographic supplies.

Helium gas.
Travel expenses.

Civilian employees.

Development of new types of aircraft.

Purchase, manufacture, and construction of aircraft.

Marking of military airways.

all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$40 a day for not exceeding fifty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical and meteorological research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft; for payment of claims resulting from the operation of aircraft, under the provisions of the Act of July 3, 1943 (31 U. S. C. 223b); \$1,199,500,000.

Consulting engineers.

Printing plants.

Payment of claims.
57 Stat. 372.
31 U. S. C., Supp. V, §§ 215-217 notes, 222a, 222b, 223b, 223c.
Ante, p. 332; *post*, pp. 846, 847.

MEDICAL DEPARTMENT

MEDICAL AND HOSPITAL DEPARTMENT

For the manufacture and purchase of medical and hospital supplies for military posts, camps, hospitals, hospital ships and transports, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for operation of the Army Medical Library and Museum under the direct supervision of the Surgeon General; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots and maintenance of branch depots; for medical care and treatment of patients when entitled thereto by law, regulation, or contract, including their care, treatment and subsistence in private hospitals, whether on duty or on furlough or on leave of absence except when elective medical treatment has been obtained by such personnel in civilian hospitals or from civilian physicians or dentists; for medical care and treatment of authorized personnel of any country whose defense the President deems vital to the defense of the United States when such care and treatment cannot be obtained from medical units of their own country; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages, not otherwise provided for, for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the Act of Congress approved May 11, 1908 (24 U. S. C. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of patients, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of internes; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for the supply of Army and Navy Hospital at Hot Springs, Arkansas; for advertising, and all other necessary miscellaneous expenses of the Medical Department; \$68,000,000.

Supplies.

Care and treatment of patients.

Epidemic and contagious diseases.

Insane Filipino soldiers.

35 Stat. 122.
Nurses, cooks, and other civilians.

Internes.

Civilian physicians.

Army and Navy Hospital, Hot Springs, Ark.

CORPS OF ENGINEERS

ENGINEER SERVICE, ARMY

Equipment, instruments, etc.

Engineer Service: For the design, development, procurement, manufacture, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies materials, tools and machinery required in the equipment and training of troops and in military operations, including military surveys, and including the purchase, maintenance, repair, and operation of passenger-carrying vehicles; for the operation and maintenance of the Engineer School, including (a) compensation of civilian lecturers, and (b) purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; for the procurement, preparation, and reproduction of maps and similar data for military purposes; for expenses incident to the Engineer Service in military and training operations, including military surveys, and including (a) research and development of improved methods in such operations, (b) the rental of storehouses and grounds, and (c) repair and alteration of buildings, including heat, light, power, water, and communication service, not otherwise provided for and (d) expenses of railroad construction, including purchase or lease of equipment and materials, and the acquisition of lands, rights-of-way thereon, and other interests therein and temporary use thereof; \$375,544,000;

Engineer School.

Maps, etc.

Military and training operations.

Military posts: For construction and installation of buildings, utilities, flying fields, fortifications, and appurtenances thereto, or other facilities required for military use and for each and every object and expense connected therewith, including (a) housing, storage, interior facilities, fixed equipment, piers, roads, railroads, communications, water, sewerage, and electric systems, (b) expenses incident to the preparation of plans, the purchase and installation of equipment, (c) the employment of persons and the procurement of supplies, equipment, printing, binding, communication service, newspapers, lawbooks, books of reference, periodicals, at the seat of government and elsewhere, (d) the purchase, maintenance, repair, and operation of passenger-carrying vehicles, (e) the acquisition of land, rights pertaining thereto, leasehold, and other interests therein and temporary use thereof, and the land and interests therein, including the temporary use thereof, may be acquired and construction may be prosecuted thereon prior to the approval of the title by the Attorney General as required by section 355, Revised Statutes, as amended, and without regard to sections 1136, 3648, and 3734, Revised Statutes, as amended, (f) the settlement of claims resulting from the use and occupancy of real estate under the provisions of the Act approved July 3, 1943 (31 U. S. C. 223b), (g) the payment of deficiency judgments and interests thereon arising out of condemnation proceedings heretofore instituted pursuant to specific Acts authorizing particular projects, notwithstanding limitations of amounts contained in such Acts, and (h) the salvage and conversion of military facilities, \$115,500,000: *Provided*, That no appropriation contained in this Act shall be available for the acquisition of land without the specific approval of the Secretary of War, and then only when it would be more economical to purchase than lease, if leasing be possible, in cases where doubt prevails as to the land desired being permanently needed for military purposes;

Acquisition of land.

40 U. S. C. § 255.

10 U. S. C. § 1339;
31 U. S. C. § 529; 40
U. S. C. §§ 259, 267.
Post, p. 809.

57 Stat. 372.
31 U. S. C., Supp.
V, §§ 215-217 notes,
222a, 222b, 223b, 223c.
Ante, p. 332; *post*,
pp. 846, 847.

Barracks and quarters, Army: For the maintenance, installation, repair, operation, protection, and rental of buildings, structures, grounds, utilities, flying fields, fortifications, and appurtenances thereto, or other facilities required for military use; and for each and

every object of expense connected therewith, including (a) the procurement of supplies, equipment, fuel, printing, binding, communication services, newspapers, lawbooks, books of reference, periodicals, at the seat of government and elsewhere, (b) the purchase, rental, maintenance, repair, and operation of passenger-carrying vehicles, (c) the manufacture, procurement, purchase, storage, issue, and transportation (including research, planning, design, development, inspection, tests, and the handling) of water, gas, electricity, fuel, tools, machinery, and equipment, (d) construction of additions and extensions to and alterations, improvements, and rehabilitations of existing facilities, (e) the furnishing of heat and light for buildings erected at private cost, in the operation of the Act approved May 31, 1902 (10 U. S. C. 1346), and buildings on military reservations, authorized by War Department regulations to be used for a similar purpose, (f) expenses, including relocation costs and rental of buildings and offices, for other Government agencies, not otherwise provided for, necessitated by their vacation of Government-owned or other property for Army use, and (g) expenses of packing and crating and unpacking and uncrating of equipment, material, supplies, baggage, and goods not otherwise provided for, \$325,000,000: *Provided*, That the amounts to be assessed and collected from nonmilitary interests on the Fort Monroe Military Reservation, Virginia, for expenditure in the maintenance, repair, and operation of wharves, roads, sewerage systems, and other utilities at said reservation shall be fixed by the Secretary of War during the fiscal year ending June 30, 1947, in proportion to the service rendered to such nonmilitary interests: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds \$20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed \$15;

32 Stat. 282.

Fort Monroe Military Reservation, Va.

Military attachés.

Construction, limitation on cost.

Stabling.

In all, Engineer Service, Army, \$816,044,000, to be accounted for as one fund.

ORDNANCE DEPARTMENT

ORDNANCE SERVICE AND SUPPLIES, ARMY

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material, together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for instruction, training, and other incidental expenses of the ordnance service; for the purchase, hire, operation, maintenance, and repair of completely equipped motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to newspapers and periodicals; not to exceed \$150,000 for services of such consultants as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$40 per day and for their necessary traveling expenses; \$327,719,000.

Contingent expenses.

Vehicles.

Publications.

Consultants.

ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, \$69,000.

CHEMICAL WARFARE SERVICE

Gases, etc.

Part-time employ-
ment of scientists, etc.

Construction of
buildings, etc.

Special gas troops.
Chemical warfare
training.

For purchase, manufacture, and test of chemical warfare gases or other toxic substances, incendiary materials and munitions, gas masks, or other offensive or defensive materials or appliances required for chemical warfare purposes, investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; for the payment of part-time or intermittent employment of such scientists and technicians as may be contracted for by the Secretary of War, in his discretion, at a rate of pay not exceeding \$40 per diem for any person so employed; for the purchase, maintenance, repair, and operation of freight- and passenger-carrying motor vehicles; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and computing machines including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges; \$25,900,000.

SPECIAL SERVICE SCHOOLS

Infantry School: For supplies, services, and other expenses essential in conducting instruction at the Infantry School, \$400,000;

Cavalry activities: For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and materials for instruction; employment of temporary, technical, special, and clerical services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kansas; and for the instruction of the Army in cavalry activities; \$100,000;

Field Artillery activities: For the pay of employees; the purchase of books, pamphlets, periodicals, and newspapers; procurement of supplies, materials, and equipment for instruction purposes; and other expenses necessary in the operation of the Field Artillery School of the Army, and for the instruction of the Army in Field Artillery activities; \$640,000;

Coast Artillery activities: For supplies, services, and other expenses essential in conducting instruction at the Coast Artillery Schools, including maintenance, operation, and repair of passenger-carrying vehicles, \$124,000;

In all, special service schools, \$1,264,000, to be accounted for as one fund.

ARMORED FORCE

ON IN ARMORED FORCE ACTIVITIES

INSTRUCTI

For supplies, services and other expenses essential in conducting instruction of the Army in armored-force activities, \$1,160,000.

SEACOAST DEFENSES

For all expenses incident to the preparation of plans and the construction, purchase, installation, equipment, maintenance, repair, and operation of fortifications and other works of defense, and personal services, ammunition storage, maintenance of channels to be authorized by law, acquisition of leaseholds and rights-of-way as authorized temporary use thereof, and payments for other interests therein, to be made in advance for the entire term not exceeding the provisions of section 3648, Revised Statutes, and notwithstanding the provisions of section 3648, Revised Statutes, and for experimental, test, a

Leaseholds.

31 U. S. C. § 529. Post, p. 809.

STATES MILITARY ACADEMY

UNITED

OF MILITARY ACADEMY

PA

Cadets: For pay of cadets, \$1,864,000: *Provided*, That during the fiscal year ending June 30, 1947, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in the duties of librarian of the United States Military Academy: *Provided further*, That the same shall be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

Army officers on detail, pay restriction.

Retired officer as librarian.

10 U. S. C. § 933.

OPERATION, UNITED STATES MILITARY ACADEMY

MAINTENANCE AND OPERATIONS

For text and reference books for instruction; increase and expense of library; office equipment and supplies; stationery, blank books, forms, printing and binding apparatus, equipment, supplies, and materials for expense of lectures; apparatus and athletics, and maintenance and repair purpose of instruments and maintenance of band; care and thereof; musical instruments for cadet mess; postage, telephones, maintenance of organ; and expressage; for commutation of rations for and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the rations for civilians employed at cadet mess in the same amount as rations for civilians employed at cadet mess; maintenance of civilian's pay for said rations; maintenance of deducted from each civilian's pay for said rations; contingencies for Super-children's school (not exceeding \$12,200); contingencies for Superintendent of the Military Academy (not exceeding \$5,200) and forintendent of the Military Academy (not exceeding \$1,200), to be expended the Commandant of Cadets; expenses of the members of the Board in their respective districts; contingent fund, to be expended of Visitors (not exceeding \$1,500); contingent fund, to be expended of the Academic Board (not exceeding \$1,000); under the direction of the Commandant of Cadets and maintenance of buildings and grounds improvement, repair, and fences); shooting galleries and ranges; (including roads, walls, lighting apparatus and fixtures and operation cooking, heating, and lighting; maintenance of water, sewer, and plumbing and maintenance thereof and repairs to cadet camp; fire-extinguishing systems; maintenance of tools and repairs of same; maintenance, apparatus; machinery and motor-propelled vehicles; policing buildings repair, and operation of, refrigerators, and lockers for Government-owned buildings at the Military Academy and repair and maintenance thereof; power; pay of employees; and other necessary fuel for heat, light, and

Contingent fund.

Liquidation of indebtedness of certain cadets.

incidental expenses in the discretion of the superintendent; in all, \$5,610,000: *Provided*, That not to exceed \$3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the cadet store.

NATIONAL GUARD

Training, etc.

For all expenses necessary for equipping, maintaining, operating and training the National Guard, including expenses of camps, airfields, storage facilities and alterations and additions to present structures either on Government-owned or State-owned land, construction and maintenance of buildings, structures, rifle ranges, and facilities, the hire (at a rate not exceeding \$1 per diem), repair, maintenance and operation of passenger automobiles, and the modification, repair, maintenance and operation of airplanes; transportation of things; personal services at the seat of government or elsewhere (including services of personnel of the National Guard employed as civilians, without regard to their military rank) necessary for the care, maintenance, modification and repair of materials and equipment, for Federal property and custodial accounting work, and for administrative and such other duties as may be required; medical and hospital treatment of members of the National Guard who suffer injury or contract disease in line of duty and other expenses connected therewith as authorized by the Act of June 15, 1936 (10 U. S. C. 455); pay at a rate not less than \$2,400 per annum and travel of property and disbursing officers for the United States; attendance of National Guard personnel at military service schools and expenses of enlisted men of the Regular Army on duty with the National Guard, including allowances for quarters and subsistence; drill pay of the National Guard; travel of personnel of the Regular Army detailed to or on duty with the National Guard, including transportation of dependents, and transportation, packing, crating and unpacking of household goods and effects; procurement and issue to the National Guard of the several States, Territories and the District of Columbia of military equipment and supplies, as provided by law, including motor-propelled vehicles and airplanes, and repair and modification of such equipment and supplies; \$110,000,000: *Provided*, That the Secretary of War is hereby authorized to issue to the National Guard without charge against this appropriation except for actual expenses incident to such issue, supplies and equipment from surplus or excess supplies or equipment purchased for the Army: *Provided further*, That the number of caretakers authorized to be employed for any one unit, pool, or heavier-than-air squadron under the provisions of section 90 of the National Defense Act of June 3, 1916, as amended, may be such as is deemed necessary by the Secretary of War: *Provided further*, That not to exceed \$25,500 of this appropriation shall be available for the settlement of claims (not exceeding \$500 in any one case) for damages to or loss of private property incident to the operation of camps of instruction, either during the stay of National Guard units in such camps or while en route thereto or therefrom.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing herein shall be construed as barring the continuance of adjutants general in a federally recognized status without pay under this Act.

49 Stat. 1507.
10 U. S. C. §§ 451-456d.

Attendance at military service schools.

Surplus supplies of Army.

Caretakers.

39 Stat. 205.
32 U. S. C. § 42;
Supp. V, § 42 note.

Settlement of claims.

Restriction on pay and expenses.

Status of adjutants general.

ORGANIZED RESERVES

For pay and allowances, not otherwise provided for, of members of the Officers' Reserve Corps (including nurses) and reserve warrant officers on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law; travel in kind, or reimbursement in lieu thereof, as now authorized by law for officers of the Regular Army, of dependents of Reserve officers and Reserve warrant officers who have been ordered to active duty for periods in excess of fifteen days; personal services; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks; transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms; subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of Organized Reserve headquarters, aviation facilities and camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army and Reserve officers and Reserve warrant officers ordered to active duty for periods in excess of fifteen days traveling on duty in connection with the Organized Reserves, and for travel of dependents, and packing and transportation of baggage of such personnel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished from stocks under the control of the War Department; for transportation of baggage, including packing and crating, of Reserve officers and Reserve warrant officers ordered to active duty for not less than six months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps who suffer injury or contract disease in line of duty, as provided by the Act of June 15, 1936 (10 U. S. C. 455), and for such other purposes in connection therewith as are authorized by the said Act, including pay and allowances, subsistence, transportation, and burial expenses; in all, \$56,000,000.

None of the funds appropriated elsewhere in this Act, except for printing and binding, field exercises, and for pay and allowances of officers and enlisted men of the Army of the United States, and for mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, and travel of dependents or reimbursement therefor, as authorized by law, to Reserve officers on extended active duty, shall be used for expenses in connection with the Organized Reserves, but available supplies and existing facilities at military posts shall be utilized to the fullest extent practicable.

No appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States.

The pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that Administration under existing law.

Officers' Reserve Corps, etc.

Enlisted Reserve Corps.

Medical and hospital treatment.

49 Stat. 1607.
10 U. S. C. §§ 451-455d.

Restriction on use of funds.

Restriction on pay and expenses.

Medical Reserve Corps.
Pay, etc., of certain officers and nurses.

CITIZENS' MILITARY TRAINING

RESERVE OFFICERS' TRAINING CORPS

Supplies, etc. For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps or other places designated by the Secretary of War, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel, or to pay commutation in lieu of subsistence at camps at rates fixed by the Secretary of War; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as amended by the Act approved June 4, 1920 (10 U. S. C. 387); for the medical and hospital treatment of members of the Reserve Officers' Training Corps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat. 1507); for mileage, traveling expenses, or transportation, for transportation of dependents (including dependents of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve, ordered to active duty and upon relief therefrom), and for packing, crating, and unpacking, and transportation of baggage (including baggage of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve ordered to active duty and upon relief therefrom) for officers, warrant officers, and enlisted men traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the purchase, maintenance, repair, and operation of motor vehicles, including station wagons; for the procurement and issue as provided in section 55c of the Act approved June 4, 1920 (10 U. S. C. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than

Training camps.

Travel allowance.

Students attending advanced camps.

Senior division of ROTC. Subsistence.

39 Stat. 193; 41 Stat. 778.
10 U. S. C., Supp. V, § 387a.
Medical and hospital treatment.

10 U. S. C. §§ 451-455d.

Vehicles.

Military equipment for schools, etc.
41 Stat. 780.
10 U. S. C. § 1182a.

those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of the same, and the overhauling and repair of articles issued as the Secretary of War shall deem necessary for proper military training in said schools and colleges; \$16,782,000: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of a greater number of mounted units in the Reserve Officers' Training Corps than were in existence on January 1, 1928: *Provided further*, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Dental Corps, or Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men, shall be used for expenses in connection with the Reserve Officers' Training Corps.

41 Stat. 776.
10 U. S. C. § 381.

Supplies from War
Department surplus
stocks.

Price.

Mounted units.

Student expenses in
designated units.

Restriction on use of
other funds.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of practice in the use of rifled arms, for arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for clerical services, including not exceeding \$60,000 in the District of Columbia; for procurement of materials, supplies, trophies, prizes, badges, services, and such other items as are authorized in section 113, Act of June 3, 1916, and under this head in War Department Appropriation Act of June 7, 1924; for the conduct of the national matches, including incidental travel of rifle teams and of individuals and of Marine Corps and other detachments required in the operation of the matches and including incidental travel of rifle teams and individuals attending regional, national, and international competitions, and for the purchase of medals and badges for use in National Rifle Association competitions, including those fired as a part of the national matches; for mileage at 8 cents per mile for members of the National Board for the Promotion of Rifle Practice when authorized by the Secretary of War, and provision of law to the contrary notwithstanding; and for maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed \$10,500 for incidental expenses in addition to the amount authorized by Act of May 28, 1928; to be expended under the direction of the Secretary of War; \$281,500: *Provided*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves, who, under regulations prescribed by the Secretary of War, volunteer to participate without pay as competitors or range officers in the national matches to be held during the fiscal year 1947, may attend such matches without pay, notwithstanding any provision of law to the contrary,

Supplies, etc.

39 Stat. 211; 43 Stat.
510.
32 U. S. C. §§ 183,
186, 181.
Post, p. 871.
National matches.

Mileage for Board
members.

Maintenance of
Board.

45 Stat. 786.
32 U. S. C. § 181c.
Volunteer competi-
tors or range officers.

Travel and subsistence allowances.

but shall be entitled to travel and subsistence allowances at the same rates as are provided for civilians who attend and participate in said matches, but this proviso shall not operate to prohibit the pay of such competitors or range officers, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1947", nor shall any provision in this Act operate to deprive a Reserve officer ordered to active duty incident to the national matches of pay for the full period of such active duty, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1947":

Care, etc., of ranges.

Provided further, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves may be ordered to duty, with their consent, for the care, maintenance, and operation of the ranges used in the conduct of the national matches, and such officers, warrant officers, and enlisted men while so engaged shall be entitled to the same pay, subsistence, and transportation as officers, warrant officers, and enlisted men of corresponding grades of the Regular Army are entitled by law, which expense shall be provided by the appropriation "Promotion of rifle practice"; and after being duly mustered may be paid for the period from the date of leaving home rendezvous to date of return thereto as determined in advance, both dates inclusive.

INTER-AMERICAN RELATIONS, WAR DEPARTMENT

For all expenses necessary to enable the Secretary of War to adopt such measures, appropriate to the functions and activities of the War Department, as he may deem advisable, to promote better relations with the other American countries, including transportation and subsistence expenses, while traveling in the Western Hemisphere, of Army officers and military students of the other American countries and Army officers of the United States, \$1,000,000.

GOVERNMENT AND RELIEF IN OCCUPIED AREAS

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government or occupation of certain foreign areas, including personal services in the District of Columbia and elsewhere; temporary employment of persons or organizations by contract or otherwise; travel expenses and transportation; lawbooks, books of reference, newspapers, and periodicals; educational films, translation rights, photographic work, educational exhibits, and dissemination of information; expenses incident to the operation of schools for American children; printing and binding; contract stenographic reporting services; purchase, maintenance, repair and operation of passenger automobiles and aircraft; repair and maintenance of buildings, utilities, facilities and appurtenances; such minimum supplies for the civilian populations thereof as may be essential to prevent starvation, disease, or unrest, prejudicial to the objectives sought to be accomplished, \$425,000,000: *Provided*, That expenditures from this appropriation may be made outside continental United States, when necessary to carry out its purposes, without regard to sections 355, 1136, 3648, 3709, and 3734, Revised Statutes, as amended, civil-service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States.

Minimum supplies for civilian populations.

Expenditures outside U. S.

40 U. S. C. § 255;
10 U. S. C. § 1339;
31 U. S. C. § 529; 41
U. S. C. § 5; 40 U. S. C.
§§ 259, 267.
Post, p. 809.

ATOMIC SERVICE

For all expenses necessary for work in connection with atomic service, including personal services in the District of Columbia and elsewhere; contract stenographic reporting services; travel expenses and transportation; lawbooks, books of reference, newspapers and

periodicals; teletype news service; purchase, operation, maintenance and repair of passenger automobiles and aircraft; printing and binding; publication of atomic information, temporary employment of persons or organizations by contract or otherwise, the acquisition of land or interest in land, construction, installation, repair, rental, operation, and maintenance of buildings, utilities, facilities and appurtenances; the provision and operation of community facilities, including facilities for the housing, health, medical care, safety, schooling, welfare and recreation of atomic service personnel, to the extent and in the manner deemed necessary by the officer in charge for the proper conduct of atomic service activities; settlement of claims resulting from atomic service activities in accordance with the Act approved July 3, 1943 (31 U. S. C. 223b); purchase, repair, and cleaning of uniforms for guards; research and development; expenses of attendance at meetings of organizations concerned with atomic activities, \$375,000,000, to be available until June 30, 1948: *Provided*, That expenditures from this appropriation may be made, when necessary to carry out its purposes, without regard to sections 355, 1136, 3648, 3709, and 3734, Revised Statutes, as amended, civil service or classification laws, or provisions of law prohibiting the payment of any person not a citizen of the United States: *Provided further*, That the official in charge may expend sums from this appropriation, not to exceed \$75,000 in all, for objects of a confidential nature and in any such case his certificate as to the amount of the expenditure and that it is deemed inadvisable to specify the nature thereof shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

SALARIES, WAR DEPARTMENT

For compensation for personal services in the War Department proper, as follows:

Office of Secretary of War: Secretary of War, Under Secretary of War, Assistant Secretaries of War, and other personal services, \$564,000: *Provided*, That not to exceed \$200,000 of the appropriations contained in this Act for military activities shall be available for the payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving while away from their homes, without other compensation from the United States, in an advisory capacity to the Secretary of War, and for the temporary employment of persons (at not to exceed \$40 per day) or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes or the civil-service or classification laws: *Provided*, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly authorized herein;

Office of Chief of Staff, \$394,000;
 Adjutant General's Office, \$2,088,000;
 Office of the Inspector General, \$33,000;
 Office of the Judge Advocate General, \$134,000;
 Office of the Chief of Finance, \$609,000;
 Office of the Quartermaster General, \$831,000;
 Office of the Chief Signal Officer, \$371,000;
 Office of Commanding General, Army Air Forces, \$517,000;
 Office of the Surgeon General, \$393,000;
 Office of Chief of Engineers, \$531,000;
 Office of Chief of Ordnance, \$883,000;
 Office of Chief of Chemical Warfare Service, \$83,000;
 Office of Chief of Chaplains, \$7,000;
 National Guard Bureau, War Department, \$104,000;
 In all, salaries, War Department \$7,542,000.

Acquisition of land.

Settlement of claims.

57 Stat. 372.
 31 U. S. C., Supp. V, §§ 215-217 notes, 222a, 222b, 223b, 223c.
Ante, p. 332; *post*, pp. 846, 847.

Payments to aliens.

40 U. S. C. § 255;
 10 U. S. C. § 1339; 31 U. S. C. § 529; 41 U. S. C. § 5; 40 U. S. C. §§ 259, 267.

Post, p. 809.
 Objects of confidential nature.
Post, p. 916.

Expenses of persons in advisory capacity.

Temporary employment.

41 U. S. C. § 5.
Post, p. 809.
 Use of field-service appropriations for personal services.

Employment of additional personnel.

The Secretary of War is authorized to employ such additional personnel at the seat of government and elsewhere, and to provide out of any appropriations available for the Military Establishment for their salaries and for such printing and binding, communication and other services, and supplies as he may deem necessary to carry out the purposes of this Act, but the amount so used for personal services at the seat of government, other than for field service employees, shall not exceed \$48,309,800.

OFFICE OF THE SECRETARY

CONTINGENT EXPENSES, WAR DEPARTMENT

For stationery and office supplies; purchase of professional and scientific books, lawbooks, including their exchange; books of reference, pamphlets, periodicals, newspapers (not to exceed \$3,500), maps; furniture and repairs to same; carpets, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; purchase of motortrucks; maintenance, repair, and operation of motortrucks and one motor-propelled passenger-carrying vehicle; freight and express charges; streetcar fares; postage; and other necessary expenses; \$3,000,000.

PRINTING AND BINDING, WAR DEPARTMENT

For printing and binding for the War Department, except such as may be otherwise provided for in accordance with existing law, \$11,500,000.

Time-measuring devices, restriction on use.

SEC. 2. No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except as may be otherwise authorized in this Act.

Cash rewards, etc.

Pay and allowances of Reserve officers on active duty.

SEC. 3. The foregoing appropriations for "Quartermaster Service, Army", "Signal Service of the Army", "Air Corps, Army", "Medical and Hospital Department", "Engineer Service, Army", "Ordnance Service and Supplies", "Chemical Warfare Service", and "Seacoast Defenses" shall each be available for the pay and allowances, including travel allowances, of such Reserve officers as the President may, with their consent, order to active duty for such periods, not in excess of two years, as their service may be required in the procurement of production of equipment therein appropriated for, or on duty pertaining to aviation.

Financing war contracts, etc.

3 CFR, Cum. Supp., p. 1129.

SEC. 4. Appropriations for the Military Establishment for the fiscal year 1947 shall be available for carrying out the purposes of Executive Order 9112 of March 26, 1942; for expenses in connection with the administration by the Army of occupied areas; for expenses of conducting investigations in foreign countries incident to matters relating strictly to the Military Establishment, without regard to section 3648, Revised Statutes, including such compensation, expenses, and allowances of witnesses, cost of procuring and transcribing evidence, documents, and testimony, and other miscellaneous and incidental expenses as may be determined by the investigating officer to be necessary and in accord with local custom; for living quarters allowances in accordance with the Act of June 26, 1930 (5 U. S. C. 118a), and regulations prescribed thereunder, and cost of living allowances in accordance with

31 U. S. C. § 529.
Post, p. 809.

Living quarters allowances.
46 Stat. 818.

the Act of February 23, 1931, as amended (22 U. S. C. 12), and regulations prescribed thereunder, for all civilian officers and employees of the War Department who are citizens of the United States permanently stationed in foreign countries; and for employees' special wearing apparel and equipment necessary to carry out the purposes of this Act.

SEC. 5. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience under such regulations as the Secretary of War may prescribe, to such personnel as are now or may be hereafter authorized by law and regulation to purchase subsistence stores or other Quartermaster supplies and to civilians employed or serving at military posts in supplying them with articles of small personal needs, not similar to those furnished by the Government: *Provided*, That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section: *Provided further*, That at posts isolated from a convenient market the Secretary of War may broaden the nature of the articles to be sold.

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

46 Stat. 1209.
22 U. S. C., Supp.
V, § 12.
Post, p. 1038.

Post exchanges, etc.

Certification on
monthly reports.

Isolated posts.

Canal Zone.
Citizenship require-
ment.

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

Limitation on num-
ber.

Employees with 15
years of service.

Selection of per-
sonnel.

Hours of employ-
ment; pay rates.

Applicability of sec-
tion.

Wartime or emer-
gency suspension.

Suspension because
of housing shortage.

year 1947, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

Instruction, etc., of
civilian employees.

SEC. 7. Appropriations for the Military Establishment for the fiscal year 1947 shall be available for all necessary expenses in connection with the instruction and training, including tuition, not otherwise provided for, of civilian employees in and under the War Department and the Military Establishment.

Technical and pro-
fessional personnel.

SEC. 8. Whenever, during the fiscal year ending June 30, 1947, the Secretary of War should deem it to be advantageous to the national defense, and if in his opinion the existing facilities of the War Department are inadequate, he is hereby authorized to employ, by contract or otherwise, without reference to section 3709, Revised Statutes, civil-service or classification laws, or section 5 of the Act of April 6, 1914 (38 Stat. 335), and at such rates of compensation (not to exceed \$40 per day and travel expenses, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized in travel orders or letters of appointment for individuals) as he may determine, the services of architects, engineers, or firms or corporations thereof, and other technical and professional personnel as may be necessary.

41 U. S. C. § 5.
Post, p. 809.

5 U. S. C. § 55.

Advances of public
moneys.
Post, p. 809.

SEC. 9. Section 3648, Revised Statutes (31 U. S. C. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations or to payments made for tuition.

Persons engaging,
etc., in strikes against
or advocating over-
throw of U. S. Gov-
ernment.

SEC. 10. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Commissions on
land purchase con-
tracts.

SEC. 11. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

SEC. 12. No part of any appropriation contained in this Act may be obligated for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, in continental United States, except in Alaska, for greater amounts per unit than follow:

Permanent construction:

For commissioned officer, \$10,000.

For commissioned warrant or warrant officer, \$7,500.

For enlisted man, \$6,000.

Temporary construction:

For commissioned officer, \$7,500.

For commissioned warrant or warrant officer, \$5,000.

For enlisted man, \$3,500.

SEC. 13. The Secretary of War is authorized to utilize any appropriation available for the Military Establishment, under such regulations as he may prescribe, for all expenses incident to the maintenance, pay, and allowances of prisoners of war, other persons in Army custody whose status is determined by the Secretary of War to be similar to prisoners of war, and persons detained in Army custody pursuant to Presidential proclamation.

SEC. 14. The appropriations contained in this Act which are available for the procurement or manufacture of munitions of war of special or technical design may be used for the development and procurement of gages, dies, jigs, and other special aids and appliances, production studies, factory plans, and other production data, including specifications and detailed drawings, in accordance with the provisions of sections 120 and 123 of the National Defense Act, as amended. Such appropriations may also be used for the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

SEC. 15. None of the moneys appropriated by this or any other Act shall be available to the War Department or the Military Establishment for audit work for the purpose of reconciling family allowance pay-roll deductions made by disbursing officers in the field with family allowance payments to dependents of military personnel under the provisions of the Servicemen's Dependents Allowance Act of 1942.

SEC. 16. The appropriations for the Military Establishment and for civil functions administered by the War Department for the fiscal year 1947 shall be available for the payment of rewards, subject to such regulations as the Secretary of War shall prescribe, to civilian officers and employees in addition to their usual compensation and to persons in civil life for suggestions resulting in improvement or economy in manufacturing process or plant or military material, and for suggestions resulting in efficiency or economy in the operation or administration of the War Department and the Military Establishment, and for expenses of such nonmonetary awards, including citations, insignia, emblems, medals, and devices, as may be granted in recognition of faithful and meritorious service.

SEC. 17. During the fiscal year 1947 occupancy of Government facilities under the jurisdiction of the Military Establishment on a rental basis by personnel of the services mentioned in the title of the Pay Readjustment Act of 1942 or by their dependents shall not deprive such personnel of money allowances for rental of quarters.

SEC. 18. The rescissions of the unexpended balances of War Department appropriations of prior years shall be deemed to be a compliance with so much of paragraph (2) of subsection (c) of section 403, as amended, of the Sixth Supplemental National Defense Appropriation Act, 1942, as reads: "Upon the withholding of any

Construction of quarters, limitations.

Maintenance of prisoners of war, etc.

Gages, dies, jigs, etc.

39 Stat. 213, 215.
50 U. S. C. §§ 80, 78.

Family allowance, audit work.

56 Stat. 381.
37 U. S. C., Supp. V, §§ 201-221.
Rewards.
Ante, p. 160.

Allowance for rental of quarters.
56 Stat. 359.
37 U. S. C., Supp. V, §§ 101-120.
Ante, pp. 20, 343-345; *post*, pp. 858-860, 868.

Compliance with excessive profits provision.

58 Stat. 83.
50 U. S. C., Supp. V, app. § 1191 (c) (2).

amount of excessive profits or the crediting of any amount of excessive profits against amounts otherwise due a contractor, the Secretary shall certify the amount thereof to the Treasury and the appropriations of his Department shall be reduced by an amount equal to the amount so withheld or credited. The amount of such reductions shall be transferred to the surplus fund of the Treasury”.

Delegation of certain powers and functions.

SEC. 19. The Secretary of War is authorized to delegate to subordinate officials the power to employ persons in the departmental service of the War Department wherever located and to delegate to such officials as he shall designate the function of authorizing payment of the cost of transportation of employees' immediate families on change from one official duty station to another for permanent duty.

Transfer of funds.

SEC. 20. Not to exceed 4 per centum of any of the appropriations for the Military Establishment for the fiscal year 1947 may be transferred with the approval of the Bureau of the Budget to any other of such appropriations, but no appropriation shall be increased more than 4 per centum thereby: *Provided*, That no such transfers shall be made to the appropriations under the headings “Finance Department”, “Quartermaster Corps”, and “Corps of Engineers”: *Provided further*, That a quarterly statement of any transfers made under the authority of this section shall be transmitted to the chairmen of the Appropriations Committees of the House of Representatives and the Senate: *Provided further*, That no part of any amount by which appropriations or subappropriations may be increased under the authority of this section shall be available for or on account of public works or land acquisition or to replace any funds thus used.

Restriction.

Reports to Congress.

Public works and land acquisition, restriction.

Short title.

SEC. 21. This Act may be cited as the “Military Appropriation Act, 1947”.

Approved July 16, 1946.

[CHAPTER 586]

AN ACT

July 16, 1946
[H. R. 541]

[Public Law 516]

Authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes.

Bridges.
Potomac River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and directed to construct, maintain, and operate two four-lane bridges across the Potomac River to replace the existing Fourteenth Street or Highway Bridge, together with bridge approaches and roads connecting such bridges and approaches with streets and park roads in the District of Columbia and with roads and park roads on the Virginia side of the Potomac River, the south-bound bridge to be constructed as nearly as practicable in the location of the existing Fourteenth Street or Highway Bridge, and the north-bound bridge to be constructed within six hundred feet of the downstream side of the existing Fourteenth Street or Highway Bridge, at a cost not to exceed \$7,000,000, in accordance with the provisions of the Act entitled “An Act to regulate the construction of bridges over navigable waters”, approved March 23, 1906, and subject to the conditions and limitations in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-498.

Transfer of lands under Federal jurisdiction.

SEC. 2. The Federal agencies having control and jurisdiction over the lands at and adjacent to the ends of the two bridges shall transfer to the Commissioners of the District of Columbia, upon their request, the areas to be occupied by said bridges, approaches, and connecting roads, all as more particularly described on plans of said bridges,

approaches, and connecting roads approved by the Commissioners of the District of Columbia and the Public Roads Administration.

SEC. 3. The Commissioners of the District of Columbia are authorized to acquire by purchase or by condemnation any and all lands not under Federal jurisdiction or control in the State of Virginia needed for said bridges, approaches, and connecting roads, title to such land to be taken directly to and in the name of the United States; and in case a price satisfactory to the Commissioners of the District of Columbia cannot be agreed upon for the purchase of such land or in case the title cannot be made satisfactory to the Attorney General of the United States, then the latter is directed to procure such land by condemnation, and the expenses of procuring evidence of title, or condemnation, or both, shall be paid from funds made available for the purposes of this Act. Jurisdiction and control over any land acquired under the authority of this Act shall be transferred to the District of Columbia.

Acquisition of lands
not under Federal
jurisdiction.

SEC. 4. The Commissioners of the District of Columbia are authorized to make such use of federally owned and controlled lands at and adjacent to the north and south ends of the respective bridges as may be necessary for making borings, performing other preliminary work, routing and rerouting traffic, constructing said bridges, approaches, and connecting roads, and storing of materials incident to such preliminary work and to actual construction.

Use of federally
owned lands.

SEC. 5. The Commissioners of the District of Columbia are authorized and directed to route and reroute and to cause the routing and rerouting of traffic on, and to close or cause to be closed, park roads, streets, and highways under the jurisdiction of the United States, and to negotiate for the closing of roads by contact with Virginia authorities, when necessary in connection with the preparation of plans for, and during the actual construction of, said bridges, approaches, and connecting roads. The Commissioners of the District of Columbia are further authorized to prepare plans for such changes in park roads as they deem necessary to provide maximum efficiency in handling traffic to and from said bridges, and, when such plans are approved by the Public Roads Administration, to construct roads in conformity with such approved plans.

Routing of traffic,
etc.

Plans for changes in
park roads.

SEC. 6. The National Capital Park Service is authorized and directed to remove or transplant to other locations any and all planting materials within the area to be used for the bridges, approaches, and connecting roads or for construction purposes, when requested by the Commissioners of the District of Columbia. The Commissioners of the District of Columbia are authorized and directed to regrade the areas involved in the construction of the bridges, approaches, and connecting roads so as to conform with plans approved by them and the Public Roads Administration. Upon completion of said bridges, approaches, and connecting roads and the regrading of the areas, or prior thereto, when authorized by the Commissioners of the District of Columbia and when such operation or operations will not interfere with the construction of said bridges, approaches, and connecting roads, the National Capital Park Service is directed to landscape such areas in accordance with plans of the National Capital Park Service as may be approved by the Commissioners of the District of Columbia and the Public Roads Administration, the cost of said landscaping to be paid out of funds made available for the purposes of this Act.

Removal, etc., of
planting materials.
Post, p. 894.

Landscaping.

SEC. 7. That the cost of construction, reconstruction, and repair of all roads which are changed or made necessary as an incident to the construction of said bridges, approaches, and connecting roads, when approved by the Commissioners of the District of Columbia and the

Payment of costs.

Public Roads Administration, shall be paid out of funds made available for construction of said bridges, approaches, and connecting roads.

SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 16, 1946.

[CHAPTER 587]

AN ACT

To permit renewal of certain trade-mark registrations after expiry thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the President shall find that foreign proprietors of trade-marks registered in the United States Patent Office who are nationals of countries which accord substantially equal treatment in this respect to trade-mark proprietors who are citizens of the United States are or may have been temporarily unable to comply with the conditions and formalities prescribed with respect to renewal of such registrations by section 12 of an Act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same, approved February 20, 1905, as amended (15 U. S. C. 92), because of the disruption or suspension of facilities essential for such compliance because of conditions growing out of World War II, he may by proclamation grant such extension of time as he may deem appropriate for the fulfillment of such conditions or formalities by such foreign proprietors: *Provided*, That the President may at any time terminate any proclamation authorized herein or any part thereof or suspend or extend its operation for such period or periods of time as in his judgment the interests of the United States may require: *Provided further*, That no such extension of time shall permit the filing of applications more than three years after the approval of this Act: *And provided further*, That the benefits of this Act shall not extend to nationals of any enemy country with which the United States was at war in World War II.

Approved July 17, 1946.

[CHAPTER 588]

AN ACT

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1947, and for other purposes.

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

TITLE I—TREASURY DEPARTMENT

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1947, namely:

OFFICE OF THE SECRETARY

Salaries: Secretary of the Treasury, Under Secretary of the Treasury, Fiscal Assistant Secretary of the Treasury, two Assistant Secretaries of the Treasury, and other personal services in the District

July 17, 1946

[H. R. 3424]

[Public Law 517]

Trade-marks.
Renewal of registrations
by foreign prop-
rietors.

33 Stat. 727.

Ante, p. 444.

Proclamation.

Termination.

Filing of applica-
tions.

Nationals of enemy
countries.

July 20, 1946

[H. R. 5452]

[Public Law 518]

Treasury and Post
Office Departments
Appropriation Act,
1947.

Treasury Depart-
ment Appropriation
Act, 1947.

Ante, pp. 267, 529;
post, pp. 622, 916.

of Columbia, \$432,000: *Provided*, That no part of the money appropriated shall be used to pay the salaries of more than eighteen messengers assigned to duty in the Office of the Secretary.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Treasury Department as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$4,400,000.

Messengers, limitation.

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

FOREIGN FUNDS CONTROL

Foreign funds control: For all expenses necessary in carrying out the functions of the Secretary of the Treasury under sections 3 and 5 (b) of the Act of October 6, 1917, as amended (50 U. S. C. (App.) 3, and 50 U. S. C. (Suppl. 1941) 5 (b)), and any proclamations, orders, regulations, or instructions issued thereunder; and in exercising fiscal, financial, banking, property-control, and related functions, authorized by law, administered by the Treasury Department in foreign countries and arising out of military operations of the United States; including personal services; purchase of lawbooks, books of reference, periodicals, and newspapers; printing and binding; maintenance, repair, and operation of a motor-propelled passenger-carrying vehicle; and reimbursement of any other appropriation or other funds of the United States or any agency, instrumentality, Territory, or possession thereof, including the Philippine Islands, and reimbursement of any Federal Reserve bank for printing and other expenditures; \$1,000,000.

40 Stat. 412, 415.
50 U. S. C., Supp. V, app. §§ 3, 5 (b).
Ante, p. 418.

DIVISION OF TAX RESEARCH

Salaries: For personal services in the District of Columbia, \$175,000.

OFFICE OF TAX LEGISLATIVE COUNSEL

Salaries: For personal services in the District of Columbia, \$89,000.

DIVISION OF RESEARCH AND STATISTICS

Salaries: For personal services in the District of Columbia, \$165,000.

OFFICE OF GENERAL COUNSEL

Salaries: For the General Counsel and other personal services in the District of Columbia, \$177,050.

DIVISION OF PERSONNEL

Salaries: For the Chief of the Division, and other personal services in the District of Columbia, \$196,200.

OFFICE OF CHIEF CLERK

Salaries: For the Chief Clerk and other personal services in the District of Columbia, \$350,000.

Post, p. 622.

MISCELLANEOUS EXPENSES, TREASURY DEPARTMENT

Miscellaneous expenses: For all necessary miscellaneous expenses of the Office of the Secretary and the bureaus and offices of the Treasury Department, not otherwise provided for; including operating expenses of the Treasury, Treasury Annex, Auditors', and Liberty Loan Buildings; books of reference, lawbooks, and periodicals; newspapers; not to exceed \$15,000 for travel expenses; maintenance,

Operating expenses, buildings.

Traveling expenses.

operation, and repair of three passenger automobiles (one for the Secretary of the Treasury and two for general use of the Department), all to be used for official purposes only; not to exceed \$500 for streetcar fares; and not to exceed \$25,000 for stationery; \$230,000.

Stationery.

Printing and binding: For printing and binding for the Treasury Department and its several bureaus and offices, and field services thereof, except such bureaus and offices as may be otherwise specifically provided for, including materials for the use of the bookbinder, located in the Treasury Department, but not including work done at the New York Customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (44 U. S. C. 111), \$28,000.

40 Stat. 1270.

CUSTODY OF TREASURY BUILDINGS

Salaries of operating force: For the Superintendent of Treasury Buildings and for other personal services in the District of Columbia, including the operating force of the Treasury Building, the Treasury Annex, the Liberty Loan Building, the Auditors' Building, and the west and south annexes thereof, \$555,000.

FISCAL SERVICE

BUREAU OF ACCOUNTS

Salaries and expenses: For all necessary expenses in the District of Columbia, except printing and binding of the Bureau of Accounts, including contract stenographic reporting services, stationery (not to exceed \$10,000), supplies and equipment; purchase and exchange of lawbooks, books of reference, periodicals, and newspapers; travel expenses, \$850,000.

Ante, p. 267.

Salaries and expenses, deposit of withheld taxes: For all necessary expenses incident to the deposit of withheld taxes in Government depositories pursuant to the Current Tax Payment Act of 1943, including personal services in the District of Columbia; not to exceed \$15,000 for printing and binding; and reimbursement to Federal Reserve banks for printing and other necessary expenses, \$475,000.

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

Printing and binding: For printing and binding for the Bureau of Accounts, \$35,000.

Division of Disbursement, salaries and expenses: For all necessary expenses, except printing and binding, of the Division of Disbursement, including personal services in the District of Columbia, stationery and travel; \$6,275,000: *Provided*, That with the approval of the Bureau of the Budget there may be transferred to this appropriation and to the appropriation "Printing and binding, Division of Disbursement" from funds respectively available for such purposes for the Federal Housing Administration, Federal Public Housing Authority, Federal Prison Industries, Railroad Retirement Board, United States Maritime Commission, the Farm Security Administration, and the Production and Marketing Administration (including the Federal Surplus Commodities Corporation, the Federal Crop Insurance Corporation, and the Commodity Credit Corporation), such sums as may be necessary to cover the expense incurred in performing the function of disbursement therefor.

Transfer of funds.

Infra.

Printing and binding: For printing and binding, Division of Disbursement, including the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, \$184,000.

Supra.

Contingent expenses, public moneys: For contingent expenses under the requirements of section 3653 of the Revised Statutes (31

U. S. C. 545), for the collection, safekeeping, transfer, and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, transportation of gold coin and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649, Revised Statutes (31 U. S. C. 548), also including examinations of cash accounts at mints, \$415,000.

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

Relief of the indigent, Alaska: For the payment to the United States district judges in Alaska (not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska), to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, \$19,000.

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

48 Stat. 1231.
31 U. S. C. § 725q.

Payment of certified claims (indefinite appropriation): To enable the Secretary of the Treasury to pay claims (not to exceed \$500 in any case) which may be certified during the fiscal year 1947 by the Comptroller General of the United States to be lawfully due, within the limits of, and chargeable against the balances of the respective appropriations heretofore made which, after remaining unexpended, have been carried to the surplus fund pursuant to section 5 of the Act of June 20, 1874 (31 U. S. C. 713), there is hereby made available such sum as may be necessary.

18 Stat. 110.

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

48 Stat. 1230.
31 U. S. C. § 725p.

BUREAU OF THE PUBLIC DEBT

Administering the public debt: For necessary expenses connected with any public-debt operations authorized by the Second Liberty Bond Act, as amended (31 U. S. C. 760-762), and with the administration of any public debt or currency issues of the United States with which the Secretary of the Treasury is charged, \$65,300,000, to be expended as the Secretary of the Treasury may direct: *Provided*, That from the amount appropriated herein, the Federal Reserve banks and their branches may be reimbursed for expenditures made by them as fiscal agents of the United States on account of public-debt transactions for the account of the Secretary of the Treasury,

40 Stat. 288.
31 U. S. C. § 774 (2);
Supp. V, § 754a *et seq.*
Ante, p. 316.

Reimbursement of
Federal Reserve
banks.

and advances to the Postmaster General may be made in accordance with the provisions of section 22 (e) of the Second Liberty Bond Act, as amended (31 U. S. C. 757c (e)), which section shall be construed as applying to this appropriation: *Provided further*, That the indefinite appropriation provided by section 10 of the Second Liberty Bond Act, as amended, shall not be available for obligation during the fiscal year 1947.

Distinctive paper for United States currency: For distinctive paper for United States currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding \$50 per month each when actually on duty, \$775,000: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1947 between the two bidders whose prices per pound are the lowest received after advertisement.

Division of award.

OFFICE OF THE TREASURER OF THE UNITED STATES

Salaries and expenses: For all necessary expenses, except printing and binding, of the Office of the Treasurer of the United States, including purchase of periodicals and books of reference, \$4,750,000: *Provided*, That with the approval of the Bureau of the Budget, there may be transferred to this appropriation and to the appropriation "Printing and binding, Office of the Treasurer of the United States", from funds respectively available for such purposes for the Home Owners' Loan Corporation, Tennessee Valley Authority, Reconstruction Finance Corporation, Federal land banks and other banks and corporations under the supervision of the Farm Credit Administration, Railroad Retirement Board, United States Maritime Commission, Federal Housing Administration, Federal Public Housing Authority, Federal Farm Mortgage Corporation, Farm Security Administration, Production and Marketing Administration (including the Federal Surplus Commodities Corporation, the Federal Crop Insurance Corporation, and the Commodity Credit Corporation), and corporations and banks under the Federal Home Loan Bank Administration, such sums as may be necessary to cover the expenses incurred on account of such respective activities in clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor.

Transfer of funds.

Infra.

Salaries (reimbursable): For personal services in the District of Columbia, in redeeming Federal Reserve notes, \$110,000, to be reimbursed by the Federal Reserve banks.

Printing and binding: For printing and binding for the Office of the Treasurer of the United States, \$215,000.

Federal Reserve notes.

Supra.

BUREAU OF CUSTOMS

Salaries and expenses: For collecting the revenue from customs, for enforcement, as specified in Executive Order 9083, of certain navigation laws, for the detection and prevention of frauds upon the customs revenue, and not to exceed \$100,000 for the securing of evidence of violations of the customs and navigation laws; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed \$84,500 for foreign living allowances; not to exceed \$500 for subscriptions to newspapers; not to exceed \$85,000 for stationery; not to exceed \$12,000 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and

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

Foreign living allowances.

sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (19 U. S. C. 68); and for the purchase (not to exceed one hundred and fifty), maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; for the payment of extra compensation earned by customs officers or employees for overtime services, at the expense of the parties in interest, in accordance with the provisions of section 5 of the Act approved February 13, 1911, as amended by the Act approved February 7, 1920, and section 451 of the Tariff Act, 1930, as amended (19 U. S. C. 261, 267, and 1451), the receipts from such overtime services to be deposited as a refund to the appropriation from which such overtime compensation is paid, in accordance with the provisions of section 524 of the Tariff Act of 1930, as amended; for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws; for the purchase of arms, ammunition, and accessories; not to exceed \$689,000 for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930; and reimbursement, at not to exceed 3 cents per mile, of employees for travel performed by them in privately owned automobiles while engaged in inspecting, guarding, admeasuring, examining, sampling, investigating, and storekeeping duties within the limits of their official station; \$29,350,000, of which \$300,000 shall constitute an advance fund to enable the Bureau of Customs to meet obligations incurred by it arising from services rendered to private interests, pending receipt of reimbursements therefrom, which amount shall be returned to the Treasury not later than six months after the close of the fiscal year 1947.

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

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

BUREAU OF INTERNAL REVENUE

Salaries and expenses: For salaries and expenses in connection with the assessment and collection of internal-revenue taxes and the administration of the internal-revenue laws, including the administration of such provisions of other laws as are authorized by or pursuant to law to be administered by or under the direction of the Commissioner of Internal Revenue, including one stamp agent (to be reimbursed by the stamp manufacturers) and the employment of experts; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; telegraph and telephone service, postage, freight, express, necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and other necessary miscellaneous expenses, including stenographic reporting services; for the acquisition of property under the provisions of title III of the Liquor Law Repeal and Enforcement Act, approved August 27, 1935 (49 Stat. 872-881), and the operation, maintenance, and repair of property acquired under such title III; for the purchase (not to exceed

46 Stat. 817.

Overtime compensation.

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

Personal services.

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

Services rendered to private interests.

40 U. S. C. §§ 304f-304m.

Printing and binding.

thirty-four), hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, for official use of the Alcohol Tax and Intelligence Units in field work; printing and binding (not to exceed \$2,200,000); and the procurement of such supplies, stationery (not to exceed \$1,575,000), equipment, furniture, mechanical devices, laboratory supplies, periodicals, newspapers for the Alcohol Tax Unit, ammunition, lawbooks, and books of reference, and such other articles as may be necessary, \$184,700,000, of which amount not to exceed \$14,440,000 may be expended for personal services in the District of Columbia: *Provided*, That not more than \$100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation.

Detection and prosecution of violators.

Refunds and payments of processing and related taxes: For refunds and payments of processing and related taxes as authorized by titles IV and VII, Revenue Act of 1936, as amended; for refunds of taxes collected (including penalties and interest) under the Cotton Act of April 21, 1934, as amended (48 Stat. 598), the Tobacco Act of June 28, 1934, as amended (48 Stat. 1275), and the Potato Act of August 24, 1935 (49 Stat. 782), in accordance with the Second Deficiency Appropriation Act, fiscal year 1938 (52 Stat. 1150), as amended, and as otherwise authorized by law; and for redemption of tax stamps purchased under the aforesaid Tobacco and Potato Acts, there is hereby continued available, during the fiscal year 1947, the unexpended balance of the funds made available to the Treasury Department for these purposes for the fiscal year 1946 by the Treasury Department Appropriation Act, 1946.

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

Redemption of tax stamps.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, the amount of such additional tax to be applicable to general Territorial purposes, \$7,000.

59 Stat. 62.

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

45 Stat. 398.

Report to Congress.

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

BUREAU OF NARCOTICS

53 Stat. 269-283, 382-387.
26 U. S. C. § 2550 *et seq.*; Supp. V, § 2550 *et seq.*

35 Stat. 614.
21 U. S. C., Supp. V, § 171.
Ante, pp. 38-40.
46 Stat. 585.
56 Stat. 1045.
21 U. S. C., Supp. V, §§ 188-188n.

Salaries and expenses: For expenses to enforce sections 2550-2565; 2567-2571; 2590-2603; 3220-3228; 3230-3238 of the Internal Revenue Code; the Narcotic Drugs Import and Export Act, as amended (21 U. S. C. 171-184); the Act of June 14, 1930 (5 U. S. C. 282-282c and 21 U. S. C. 197-198) and the Opium Poppy Control Act of 1942 (21 U. S. C. Supp. IV, 188-188n), including the employment of executive officers, attorneys, agents, inspectors, chemists, supervisors, clerks, messengers, and other necessary employees in the field and in the

Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of information and evidence of violations of the afore-mentioned laws and regulations promulgated thereunder; the costs of chemical analyses made by others than employees of the United States; the purchase of such supplies, equipment, mechanical devices, books, stationery (not to exceed \$6,000), and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, forfeiture, storage, and disposition of property under the Act of August 9, 1939 (49 U. S. C. 781-788) and the internal-revenue laws; hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary for official use in field work; purchase of arms and ammunition; in all, \$1,300,000, of which amount not to exceed \$193,319 may be expended for personal services in the District of Columbia: *Provided*, That not exceeding \$10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith: *Provided further*, That not exceeding \$10,000 may be expended for services or information looking toward the apprehension of narcotic law violators who are fugitives from justice.

53 Stat. 1291.

Dissemination of information, etc.

Apprehension of narcotic law violators.

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

BUREAU OF ENGRAVING AND PRINTING

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1947, United States currency and internal-revenue stamps, including opium orders and special-tax stamps required under the Act of December 17, 1914 (26 U. S. C. 1040, 1383), checks, drafts, and miscellaneous work, as follows:

38 Stat. 785.
26 U. S. C. §§ 2550,
3220; Supp. V, §§ 2550,
3220.*Ante*, p. 39.

Salaries and expenses: For the Director, two Assistant Directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; and all other necessary expenses, except printing and binding, including engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency and Federal Reserve bank currency; purchase of card and continuous form checks; equipment of, repairs to, and maintenance of buildings and grounds and minor alterations to buildings; periodicals, examples of engraving and printing, including foreign securities and stamps, and books of reference, not to exceed \$500; traveling expenses not to exceed \$15,000; articles approved by the Secretary of the Treasury as being necessary for the protection of the person of employees, not to exceed \$2,200; stationery, not to exceed \$5,000; transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Printing, not to exceed \$15,000; and maintenance and operation of two motor-propelled passenger-carrying vehicles; \$11,750,000, to be expended under the direction of the Secretary of the Treasury.

Materials.

Scientific investigations.

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

During the fiscal year 1947 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriations for such Bureau for such fiscal year, instead of being covered

Crediting of proceeds from work.

24 Stat. 227.

into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (31 U. S. C. 176), shall be credited when received to the appropriations for such Bureau for the fiscal year 1947.

SECRET SERVICE DIVISION

Salaries: For the Chief of the Division and other personal services in the District of Columbia, \$100,000.

Suppressing counterfeiting and other crimes: For salaries and other expenses in detecting, arresting, and delivering into the custody of the United States marshal or other officer having jurisdiction, dealers and pretended dealers in counterfeit money, persons engaged in counterfeiting, forging, and altering United States notes, bonds, national bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments (including endorsements thereon and assignments thereof), as well as the coins of the United States and of foreign governments, and persons committing other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; purchase (not to exceed sixty), hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary; purchase of arms and ammunition; stationery (not to exceed \$7,500); traveling expenses; and for no other purpose whatsoever, except in the performance of other duties specifically authorized by law, and in the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States; \$1,800,000: *Provided*, That of the amount herein appropriated not to exceed \$15,000 may be expended for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or information looking toward the apprehension of criminals, and all vouchers claiming reimbursement from such amount of \$15,000 shall have the approval of the Chief of the Secret Service before payment.

White House Police: For one captain, one inspector, four lieutenants, six sergeants, and one hundred and two privates, at rates of pay provided by law, \$325,000, notwithstanding the provisions of the Act of April 22, 1940 (3 U. S. C. 62).

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

Salaries and expenses, guard force, Treasury buildings: For salaries and expenses of the guard force for Treasury Department buildings in the District of Columbia, including the Bureau of Engraving and Printing, and elsewhere, including purchase, repair, and cleaning of uniforms, purchase (not to exceed three), maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and the purchase of arms and ammunition and miscellaneous equipment, \$825,000: *Provided* That not to exceed \$140,554 of the appropriation "Salaries and expenses, Bureau of Engraving and Printing", may be transferred to this appropriation to cover service rendered such Bureau in connection with the protection of currency, bonds, stamps, and other papers of value the cost of producing which is not covered and embraced in the direct appropriations for such Bureau: *Provided further*, That the Secretary of the Treasury may detail two agents of the Secret Service to supervise such force.

Printing and binding: For printing and binding for the Secret Service Division, \$8,000.

Protection of the President, etc.

Information concerning law violations.

54 Stat. 156.
3 U. S. C., Supp. V,
§ 62 note.Transfer of funds.
Ante, p. 575.

Supervisors.

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: To enable the Secretary of the Treasury to reimburse the District of Columbia on a monthly basis for benefit payments made from the revenues of the District of Columbia to members of the White House Police force and such members of the United States Secret Service Division as are entitled thereto under the Act of October 14, 1940 (54 Stat. 1118), to the extent that such benefit payments are in excess of the salary deductions of such members credited to said revenues of the District of Columbia during the fiscal year 1947, pursuant to section 12 of the Act of September 1, 1916 (39 Stat. 718), as amended, \$45,000.

Reimbursement to D. C. for certain benefit payments.

D. C. Code § 4-508.

D. C. Code § 4-503.

BUREAU OF THE MINT

Salaries and expenses, Office of the Director: For personal services in the District of Columbia and for assay laboratory chemicals, fuel, materials, balances, weights, stationery (not to exceed \$700), books, periodicals, specimens of coins, ores, and travel and other expenses incident to the examination of mints, visiting mints for the purpose of superintending the annual settlement, and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, \$170,000.

Transportation of bullion and coin: For transportation of bullion and coin, by registered mail or otherwise, between mints, assay offices, and bullion depositories, \$85,000, including compensation of temporary employees and other necessary expenses.

Salaries and expenses, mints and assay offices: For compensation of officers and employees of the mints at Philadelphia, Pennsylvania; San Francisco, California; and Denver, Colorado; the assay offices at New York, New York; and Seattle, Washington, and the bullion depositories at Fort Knox, Kentucky; and West Point, New York, including necessary personal services for carrying out the provisions of the Gold Reserve Act of 1934 and the Silver Purchase Act of 1934, and any Executive orders, proclamations, and regulations issued thereunder, and for incidental and contingent expenses, including traveling expenses, stationery (not to exceed \$3,900), new machinery and repairs, arms and ammunition, purchase and maintenance of uniforms and accessories for guards, protective devices, and their maintenance, training of employees in use of firearms and protective devices, maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed \$500 for the expenses of the annual assay commission, and not exceeding \$1,000 for the acquisition, at the dollar face amount or otherwise, of specimen and rare coins, including United States and foreign gold coins and pieces of gold used as, or in lieu of, money, and ores, for addition to the Government's collection of such coins, pieces, and ores; \$6,000,000.

Printing and binding: For printing and binding for the Bureau of the Mint, \$9,500.

48 Stat. 337, 1173.
31 U. S. C. §§ 440, 448; Supp. V, §§ 754a, 754b, 821, 822a.
12 U. S. C., Supp. V, §§ 412-414.

Annual assay commission.

PROCUREMENT DIVISION

Salaries and expenses: For the Director of Procurement and other personal services in the District of Columbia and in the field service, and for miscellaneous expenses, including office supplies and materials, stationery (not to exceed \$31,500), purchase of motortrucks and maintenance and operation of such trucks and motor-propelled passenger-carrying vehicles, telegrams, telephone service, traveling expenses, office equipment, fuel, light, electric current, and other

expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Procurement Division of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia and in the field, \$1,227,000: *Provided*, That the Secretary of the Treasury is authorized and directed during the fiscal year 1947 to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government for the fiscal year 1947 such amounts as may be approved by the Bureau of the Budget, not to exceed the sum of (a) the amount of the annual compensation of employees who may be transferred or detailed to the Procurement Division, respectively, from any such department or establishment, where the transfer or detail of such employees is incident to a transfer of a function or functions to that Division and (b) such amount as the Bureau of the Budget may determine to be necessary for expenses other than personal services incident to the proper carrying out of functions so transferred: *Provided further*, That when there has been or shall be transferred from any agency of the Government to the Procurement Division any function of warehousing, and the agency from which such function is being transferred is authorized at the time of such transfer to perform functions of procurement, warehousing, or distribution of property, equipment, stores, or supplies for non-Federal agencies the Procurement Division is authorized during the fiscal year 1947 to continue the performance of such functions for such non-Federal agencies where such functions are to be discontinued by the agency from which the warehousing function has been transferred, and the receipts, including surcharge, for all issues to and all advances by all non-Federal agencies shall be credited to the general supply fund: *Provided further*, That payments during the fiscal year 1947 to the general supply fund for materials, and supplies (including fuel), and services, and overhead expenses for all issues shall be made on the books of the Treasury Department by transfer and counterwarrants prepared by the Procurement Division of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Procurement Division at issue prices to be fixed by the Director of Procurement: *Provided further*, That payments covering transactions between the Procurement Division and field offices of other Government agencies whose detailed appropriation or fund accounts are maintained elsewhere than within the District of Columbia, may be made on the basis of itemized vouchers or invoices prepared by the Procurement Division and sent through the appropriate field offices to the disbursing officers for the agencies involved, who are hereby authorized to make payment based (1) upon certification of the Procurement Division, which shall include the specific statement that the vouchers are issued pursuant to and in conformity with purchase orders or requisitions duly executed by the agency billed, and (2) upon approval and certification of such vouchers by the agency billed, which action shall be based upon acceptance of the Procurement Division certification as made, subject to later adjustment if necessary, the responsibility of the certifying officer to be limited to the availability of the funds to be charged: *Provided further*, That the general supply fund may be used to purchase from or through the Public Printer standard forms and blankbook work for field warehouse stocking and issue, but issues thereof shall be made only to Government agencies and shall be chargeable to applicable appropriation authorizations or limitations of such agencies for printing and binding, and reports of such issues shall be made as the Public

Transfer of funds.

Continuance of warehousing functions for non-Federal agencies.

Payments for supplies, services, etc.

Transactions with field offices of other Government agencies.

Standard forms and blankbook work for field warehouses.

Printer may require: *Provided further*, That advances received pursuant to law (31 U. S. C. 686) from departments and establishments of the United States Government and the government of the District of Columbia during the fiscal year 1947 shall be credited to the general supply fund: *Provided further*, That during the fiscal year 1947 there shall be available from the general supply fund for personal services in the District of Columbia not to exceed \$1,250,000: *Provided further*, That per diem employees engaged in work in connection with operations of the fuel yards may be paid rates of pay approved by the Secretary of the Treasury not exceeding current rates for similar services in the District of Columbia: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *Provided further*, That the reconditioning and repair of surplus property and equipment for disposition or reissue to Government service, may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the general supply fund: *Provided further*, That all orders for printing and binding for the Treasury Department, exclusive of work performed by the Bureau of Engraving and Printing and exclusive of such printing and binding as may under existing law be procured by field offices under authorization of the Joint Committee on Printing, shall be placed by the Director of Procurement in accord with the provisions of existing law.

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

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1947 for the purchase, within the continental limits of the United States, of any standard typewriting machines (except bookkeeping, billing, and electric machines) at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), \$77; twelve inches, \$82.50; fourteen inches, \$85.25; sixteen inches, \$90.75; eighteen inches, \$96.25; twenty inches, \$103.40; twenty-two inches, \$104.50; twenty-four inches, \$107.25; twenty-six inches, \$113.85; twenty-eight inches, \$114.40; thirty inches, \$115.50; thirty-two inches, \$118.25; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, \$88; twelve inches, \$93.50; fourteen inches, \$99; eighteen inches, \$104.50: *Provided*, That there may be added to such prices the amount of Federal excise taxes paid or payable with respect to any such machines.

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

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

This title may be cited as the "Treasury Department Appropriation Act, 1947".

Crediting of advances.
47 Stat. 417.
31 U. S. C., Supp. V, § 686.

Personal services.

Per diem employees at fuel yards.

"Fuel."

Reconditioning of surplus property.

Orders for printing and binding.

Typewriting machines, repairs.

Purchase prices.

Payment of salaries and expenses, restriction.

Citation of title.

TITLE II—POST OFFICE DEPARTMENT

Post Office Department Appropriation Act, 1947.
Post, p. 619.

The following sums are appropriated in conformity with 5 U. S. C. 361, 380, 39 U. S. C. 786, for the Post Office Department for the fiscal year ending June 30, 1947, namely:

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

OFFICE OF THE POSTMASTER GENERAL

Post, p. 619.

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, \$324,900.

SALARIES IN BUREAUS AND OFFICES

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

Office of Budget and Administrative Planning, \$50,650.
Office of the First Assistant Postmaster General, \$952,300.
Office of the Second Assistant Postmaster General, \$762,000.
Office of the Third Assistant Postmaster General, \$1,161,750.
Office of the Fourth Assistant Postmaster General, \$644,900.
Office of the Solicitor for the Post Office Department, \$158,750.
Office of the chief inspector, \$380,500.
Office of the purchasing agent, \$67,800.
Bureau of Accounts, \$522,000.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

For all necessary contingent and miscellaneous expenses not otherwise provided for; including maintenance, repair, and operation of two passenger automobiles; purchase and exchange of lawbooks and books of reference; newspapers; and travel expenses of the purchasing agent and of the Solicitor and attorneys connected with his office, not exceeding \$1,900; \$155,000.

For printing and binding for the Post Office Department and Postal Service, \$1,825,000.

Field-service appropriations, restriction on use.

Travel expenses.

Examination of estimates.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia: *Provided*, That the actual and necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may be paid from the appropriations for the service in connection with which the travel is performed, and appropriations for the fiscal year 1947 shall be available therefor: *Provided further*, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be available for expenses in connection with the examination of estimates for appropriations in the field including per diem allowances in lieu of actual expenses of subsistence.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL

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

Personal or property damage claims: To enable the Postmaster General to pay claims for damages, occurring during the fiscal year 1947, or in prior fiscal years, to persons or property in accordance with the provisions of the Deficiency Appropriation Act, approved June 16, 1921 (5 U. S. C. 392), as amended by the Act approved June 22, 1934 (31 U. S. C. 224c), \$124,000.

42 Stat. 63.
48 Stat. 1207.
Post, p. 847.

Adjusted losses and contingencies: To pay to postmasters, Navy mail clerks, and assistant Navy mail clerks or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1947, or prior fiscal years, through unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended (39 U. S. C. 49), \$55,000.

22 Stat. 29.
39 U. S. C., Supp.
V, § 49.

OFFICE OF CHIEF INSPECTOR

Salaries of inspectors: For salaries of fifteen inspectors in charge of divisions and eight hundred inspectors, \$3,838,000.

Travel and miscellaneous expenses: For necessary travel expenses of inspectors, inspectors in charge, the chief post-office inspector, and the assistant chief post-office inspector, including reimbursement of not to exceed 3 cents per mile for official travel performed by them in privately owned automobiles within the limits of their official stations, and for the travel expenses of four clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases; for tests, exhibits, documents, photographs, office, and other necessary expenses incurred by post-office inspectors in connection with their official investigations, including necessary miscellaneous expenses of division headquarters, and not to exceed \$500 for books of reference needed in the operation of the Post Office Inspection Service, \$960,000: *Provided*, That not exceeding \$24,500 of this sum shall be available for transfer by the Postmaster General to other departments and independent establishments for chemical and other investigations.

Chemical, etc., investigations.

Clerks: For compensation of three hundred and eighty-nine clerks in the Post Office Inspection Service, \$1,073,500.

P. O. Inspection Service.

Payment of rewards: For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, highway mail robbers, and persons mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite, or explode, \$55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the classes mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 28673, dated July 28, 1945: *Provided further*, That of the amount herein appropriated not to exceed \$20,000 may be expended in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

Death of offender.

Limitation.

Securing of information.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and properly perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, \$74,000,000.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, \$11,440,000.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, mail handlers, and substitutes, \$391,870,000.

Contract station service: For contract station service, \$3,100,000.

Separating mails: For separating mails at fourth-class post offices, \$180,000.

Unusual conditions: For unusual conditions at post offices, \$50,000.

Clerks, third-class post offices: For compensation to clerks at third-class post offices, \$17,512,000.

Miscellaneous items, first- and second-class post offices: For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, \$3,000,000.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, \$273,400.

Detroit River service: For Detroit River postal service, \$12,990.

Carfare and bicycle allowance: For carfare and bicycle allowance, including special-delivery carfare, cost of transporting carriers by privately owned automobiles to and from their routes, at rates not exceeding regular streetcar or bus fare, and purchase, maintenance, and exchange of bicycles, \$1,575,000.

City delivery carriers: For pay of letter carriers, City Delivery Service, and United States Official Mail and Messenger Service, \$217,000,000.

Special-delivery compensation and fees: For compensation and fees to special-delivery messengers, \$12,500,000.

Rural Delivery Service: For pay of rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, tolls and ferriage, and necessary miscellaneous and incidental expenses of the Rural Delivery Service, \$114,500,000 of which not less than \$200,000 shall be available for extensions and new service.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star-route service: For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, \$20,700,000.

Star Route and Air Mail Service, Alaska: For inland transportation by Star Route and Air Mail Service in Alaska, \$375,000.

Powerboat service: For inland transportation by steamboat or other powerboat routes, including ship, steamboat, and way letters, \$1,600,000.

Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, \$137,000,000: *Provided*, That separate accounts be kept of the amount expended for mail messenger service.

Railway Mail Service: For fifteen division superintendents, fifteen assistant division superintendents, two assistant superintendents at large, one hundred and twenty chief clerks, one hundred and twenty assistant chief clerks, and other employees in the Railway Mail Service, \$85,500,000.

Railway postal clerks, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, \$4,800,000.

Railway Mail Service, travel expenses: For actual and necessary travel expenses, general superintendent and assistant general superintendent, division superintendents, assistant division superintendents, assistant superintendents, chief clerks, and assistant chief clerks, Railway Mail Service, and railway postal clerks, \$58,000.

Railway Mail Service, miscellaneous expenses: For all necessary miscellaneous expenses of the Railway Mail Service not provided for in other appropriations, \$415,000.

Electric-car service: For electric-car service, \$235,000.

Foreign mail transportation: For transportation of foreign mails, except by aircraft, \$4,000,000: *Provided*, That the Postmaster General is authorized to spend such sums as may be necessary, not to exceed \$72,000, to cover the cost to the United States for maintaining sea post service on ocean steamships conveying mails to and from the United States.

Post, p. 619.
Sea post service.

Balances due foreign countries: The unexpended balances of the appropriations, "Balances due foreign countries", for the fiscal years 1944, 1945, and 1946 are hereby made available for the fiscal year 1947 and prior years.

57 Stat. 266; 58 Stat. 211; 59 Stat. 71.

Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, fiscal year 1947 and prior years, \$8,000: *Provided*, That the unexpended balances of the appropriations, "Indemnities, international mail", for the fiscal years 1945 and 1946, are hereby made available for the fiscal year 1947 and prior years.

58 Stat. 211; 59 Stat. 71.

Foreign air-mail transportation: For transportation of foreign mails by aircraft, as authorized by law, including the transportation of mail by aircraft between Seattle, Washington, and Fairbanks, Alaska, via, intermediate points, \$5,000,000.

Domestic Air Mail Service: For the inland transportation of mail by aircraft, as authorized by law, and for all necessary miscellaneous and travel expenses, and including not to exceed \$106,000 for supervisory officials and clerks at field headquarters, \$49,000,000.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Manufacture and distribution of stamps and stamped paper: For manufacture and distribution of stamps and stamped paper, and not to exceed \$27,000 for compensation to employees of the United States Stamped Envelope Agency, and for all necessary miscellaneous expenses of said agency, \$6,500,000.

U. S. Stamped Envelope Agency.

Indemnities, domestic mail: For payment of indemnity for the injury or loss of domestic registered, insured and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, fiscal year 1947 and prior years, \$2,200,000.

Unpaid money orders more than one year old: For payment of domestic money orders after one year from the last day of the month of issue of such orders, \$1,300,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post Office stationery, equipment, and supplies: For the purchase, manufacture, repair, and installation of all necessary miscellaneous equipment and supplies for the Postal Service not provided for in other appropriations; for incidental expenses of the Postal Service not provided for in other appropriations; accident prevention; for the purchase of atlases and geographical and technical works not to exceed \$1,500; and not exceeding \$112,250 for personal services, and not to exceed \$42,200 for salaries of thirteen traveling mechanics;

Labor-saving devices.

Postage meters, etc.

Sale of maps or blueprints.

for rental of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices, and for travel expenses, \$6,192,000 of which \$1,000,000 shall be available exclusively for the purchase of omnidenominational postage meters, stamp vending machines, coin-operated postage meters, and other modern mechanical postal devices: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blueprints at the cost of printing and 10 per centum thereof added.

Distinctive equipments.

Equipment shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other equipment for the postal service not provided for in other appropriations; accident prevention; for all necessary and miscellaneous expenses incident to the operation, care, maintenance, and protection of the mail equipment shops building, grounds, and equipment, \$2,575,000; of which not to exceed \$869,500 may be expended for personal services in the District of Columbia: *Provided*, That out of this appropriation the Postmaster General is authorized to use as much of the sum, not exceeding \$15,000, as may be deemed necessary for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for service in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

Rent, light, power, fuel, and water: For rent, light, power, fuel, and water, for first-, second-, and third-class post offices, and the cost of advertising for lease proposals for such offices, \$12,825,000.

32 Stat. 114; 35 Stat. 412; 42 Stat. 661.

Pneumatic-tube service, New York City, and Boston: For rental of not exceeding twenty-eight miles of pneumatic tubes, hire of labor, communication service, electric power, and other expenses for transmission of mail in the city of New York including the Borough of Brooklyn; and for rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts, \$608,700: *Provided*, That the Acts of April 21, 1902, May 27, 1908, and June 19, 1922 (39 U. S. C. 423), relating to contracts for the transmission of mail by pneumatic tubes or other similar devices shall not be applicable to the city of New York and the provisions not inconsistent herewith of the Acts of April 21, 1902, and May 27, 1908 (39 U. S. C. 423), shall be applicable to the city of Boston.

Motor Vehicle Service.

Housing of vehicles.

Tractors and trailer trucks.

Maintenance, restriction.

Vehicle service: For the hire, purchase, maintenance, repair, and operation of vehicles for use in the collection, transportation, delivery, and supervision of the mail, including the repair of vehicles owned by, or under the control of, units of the National Guard and departments and agencies of the Federal Government where repairs are made necessary because of utilization of such vehicles in the Postal Service; the rental of garage facilities; accident prevention; and including compensation to necessary employees in the Motor Vehicle Service, \$33,381,000 of which \$3,500,000 shall be available immediately and exclusively for the purchase of trucks: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned motor vehicles at a reasonable annual rental for a term not exceeding ten years: *Provided further*, That the Postmaster General may purchase and maintain from this appropriation such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the

administrative work of the Post Office Department in the District of Columbia.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, \$520,000.

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating force: For compensation to employees in the custodial service, \$37,110,000.

Operating supplies, public buildings: For all necessary miscellaneous articles, services and supplies, including transportation thereof, required for the operation of completed and occupied public buildings and grounds operated by the Post Office Department, accident prevention, \$6,723,750: *Provided*, That the foregoing appropriation shall not be available for personal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of \$250 at any one building: *Provided further*, That the Postmaster General is authorized to contract for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the bureaus and offices receiving the same.

Personal services,
limitation.

Telephone service.

Furniture, carpets, and safes, public buildings: For the procurement, including transportation, of furniture, carpets, safes, safe and vault protective devices, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, \$818,000: *Provided*, That excepting expenditures for labor for or incidental to the moving of equipment from or into public buildings, the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of \$100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan of furniture.

Personal services,
limitation.

Use of present furniture.

Reports to Congress.

During the fiscal year 1947, the Postmaster General shall make quarterly reports to the Senate and House Committees on Appropriations, showing for each quarter the amount paid from each appropriation for overtime, the number of employees receiving such overtime, and the number of hours of overtime worked by such employees, together with a statement as to the necessity for such overtime work.

Deficiency appropriation.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1947, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

This title may be cited as the "Post Office Department Appropriation Act, 1947".

Citation of title.

TITLE III—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Short title.

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 302. This Act may be cited as the "Treasury and Post Office Departments Appropriation Act, 1947".

Approved July 20, 1946.

[CHAPTER 589]

AN ACT

Making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1947, and for other purposes.

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

TITLE I

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1947, namely:

TENNESSEE VALLEY AUTHORITY

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U. S. C., ch. 12A), including the construction of South Holston Dam and Watauga Dam; and the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction or purchase of transmission lines and other facilities, and all other necessary works authorized by such Act; purchase, hire, maintenance, repair, and operation of aircraft; rents in the District of Columbia and elsewhere; penalty mail (not to exceed \$25,000); and all necessary salaries and expenses connected with the organization, operation, and investigations of the

July 20, 1946
[H. R. 6777]
[Public Law 519]

Government Cor-
porations Appropria-
tions Act, 1947.

48 Stat. 58.
16 U. S. C. §§ 831-
831dd; Supp. V, § 831
et seq.

Tennessee Valley Authority, \$39,906,000, together with the unexpended balance of funds heretofore appropriated, to remain available until June 30, 1947, and to be available for the payment of obligations chargeable against prior appropriations: *Provided*, That of the \$39,906,000 appropriated herein, \$14,000,000 shall be available for the immediate resumption of work on the Watauga and South Holston Dams.

Resumption of work on dams.

NATIONAL HOUSING AGENCY

FEDERAL PUBLIC HOUSING AUTHORITY

Annual contributions: For the payment of annual contributions to public housing agencies in accordance with section 10 of the United States Housing Act of 1937, as amended (42 U. S. C. 1410), \$8,300,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1946: *Provided*, That except for payments required on contracts entered into prior to April 18, 1940, no part of this appropriation shall be available for payment to any public housing agency for expenditure in connection with any low-rent housing project, unless the public housing agency shall have adopted regulations prohibiting as a tenant of any such project by rental or occupancy any person other than a citizen of the United States, but such prohibition shall not be applicable in the case of a family of any serviceman or the family of any veteran who has been discharged (other than dishonorably) from, or the family of any serviceman who died in, the armed forces of the United States within four years prior to the date of application for admission to such housing: *Provided further*, That not to exceed \$500,000 of the funds herein shall be used to pay contributions with respect to projects constructed under authority of Public Law 671, Seventy-sixth Congress.

50 Stat. 891.
59 Stat. 125.

Citizenship of tenants.

National defense projects.

54 Stat. 676.
42 U. S. C. §§ 1501-1505 and note; Supp. V, § 1501 *et seq.*

DEPARTMENT OF AGRICULTURE

FEDERAL CROP INSURANCE CORPORATION

Operating expenses: For operating and administrative expenses, \$7,340,000, including not to exceed \$700 for newspapers.

DEPARTMENT OF STATE

THE INSTITUTE OF INTER-AMERICAN AFFAIRS

For the payment of obligations incurred under the contract authorization of \$18,000,000 under the head "Office of the Coordinator of Inter-American Affairs" in the National War Agencies Appropriation Act, 1944, \$3,456,710.

57 Stat. 520.

INTER-AMERICAN EDUCATIONAL FOUNDATION, INCORPORATED

For the payment of obligations incurred under the contract authorization of \$2,500,000 under the head "Office of the Coordinator of Inter-American Affairs" in the National War Agency Appropriation Act, 1945, \$1,083,577.

58 Stat. 537.

TITLE II

The following corporations and agencies, respectively, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104

59 Stat. 596.
31 U. S. C., Supp.
V. § 849.

of the Government Corporation Control Act, as may be necessary to carrying out the programs set forth in the Budget for the fiscal year 1947 for each such corporation or agency, except as hereinafter provided:

INDEPENDENT AGENCIES AND CORPORATIONS

Temporary employ-
ment.

41 U. S. C. § 5.
Post, p. 809.

Nonadministrative
expenses.

Export-Import Bank of Washington: *Provided*, That not to exceed \$780,000 of the funds of the Export-Import Bank of Washington shall be available during the fiscal year 1947 for all administrative expenses of the bank, including purchase, maintenance, operation, and repair of one passenger automobile; not to exceed \$100 for periodicals, \$200 for newspapers, and \$200 for maps; and not to exceed \$24,000 for the temporary employment of persons or organizations for special services by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws: *Provided further*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the bank or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

Panama Railroad Company: *Provided*, That not to exceed \$500,000 shall be available for administrative expenses.

Tennessee Valley Associated Cooperatives: *Provided*, That not to exceed \$2,500 shall be available for administrative expenses.

Tennessee Valley Authority.

FEDERAL LOAN AGENCY

59 Stat. 5.
12 U. S. C., Supp.
V. § 1801.

Office of the Administrator: *Provided*, That of the funds available for administrative expenses to the agencies under the direction and supervision of the Federal Loan Administrator (12 U. S. C. 1801), \$118,000 is hereby made available to the Administrator for administrative expenses of supervising such agencies, including printing and binding (\$2,500); not to exceed \$10,000 for the temporary employment of persons or organizations for special services by contract or otherwise without regard to section 3709 of the Revised Statutes and the civil-service and classification laws.

41 U. S. C. § 5.
Post, p. 809.

Reconstruction Finance Corporation: *Provided*, That not to exceed \$34,553,000 (to be computed on an accrual basis) of the funds of the Reconstruction Finance Corporation, established by the Act of January 22, 1932 (47 Stat. 5), shall be available during the fiscal year 1947 for its administrative expenses and the administrative expenses of Federal National Mortgage Association, The RFC Mortgage Company, War Damage Corporation, U. S. Commercial Company, and Rubber Development Corporation; not to exceed \$650 for periodicals and newspapers; use of the services and facilities of the Federal Reserve banks; and not to exceed \$115,150 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364): *Provided further*, That all necessary expenses (including services performed on a force account, contract, or fee basis, but not including other personal services except those which the corporations' prescribed accounting system requires to be capitalized or charged to the cost of commodities acquired) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said corporations, or in which they have an interest, including expenses of collections of pledged collateral, expenses incurred for

15 U. S. C. §§ 601-
617; Supp. V. § 601 et
seq.
Ante, pp. 57, 215;
post, p. 901.

58 Stat. 394.
39 U. S. C., Supp.
V. § 321d.
Nonadministrative
expenses.

services performed outside the limits of continental United States and properly capitalized expenditures, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That none of the funds of the Reconstruction Finance Corporation and the subsidiaries thereof shall be used for the custody, maintenance, or disposal of any surplus property except such property as may be owned by and held for disposal by the Reconstruction Finance Corporation or its subsidiaries: *Provided further*, That no part of the funds of the Reconstruction Finance Corporation or of any subsidiary thereof shall be used to make any purchase or for personal services or to enter into any contract for the use or benefit of any other agency of the Government unless such agency shall have authority in law and appropriations available to make reimbursement for such purchase, personal services, or contract: *Provided further*, That none of the funds of the Reconstruction Finance Corporation and its subsidiaries shall be used for the making of any loan to any State, any subdivision thereof, any municipality therein, or any public authority, for construction purposes, unless in pursuance of a specific authorization if such loan would increase the aggregate amount of such loans outstanding above \$100,000,000.

Federal National Mortgage Association.

The RFC Mortgage Company.

Rubber Development Corporation.

U. S. Commercial Company.

War Damage Corporation.

NATIONAL HOUSING AGENCY

Salaries and expenses, Office of the Administrator and Expediter: In addition to the amounts available by or pursuant to law (which shall be transferred to this authorization) for the administrative expenses of the Office of the Administrator, National Housing Agency, in carrying out duties imposed by or pursuant to law, such amounts, not exceeding \$450,000, as the Administrator determines are required for the expenses of the Office of the Administrator in the performance of administrative and supervisory services relating to the constituent units of said Agency shall be transferred, from the funds available for the administrative expenses of such constituent units for the fiscal year 1947, to this authorization for expenditure hereunder, and all such amounts shall be available for all necessary expenses of said Office of the Administrator; periodicals and newspapers (not to exceed \$1,000); preparation, mounting, shipping, and installation of exhibits; purchase of sixteen (including one at not to exceed \$1,800), maintenance, repair, operation, and rental of passenger automobiles; temporary employment of persons or organizations, by contract or otherwise, for research work, and for engineering, technical, legal, or other special services, including stenographic reporting services, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; expenses of attendance at meetings of organizations concerned with the work of the Agency, when specifically authorized by the Administrator; reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls; payment of not to exceed 3 cents per mile to employees or others rendering service to the Government for use by them of privately owned automobiles for transportation on official business within the limits of their official stations; and purchase of teletype news services (not to exceed \$1,000): *Provided*, That the Administrator may, with the approval of the President of the United States, transfer to this authorization or to an authorization of a constituent unit from funds available for administrative expenses of the

Surplus property.

Restrictions.

Loans to States, etc.

Transfer of funds.

Temporary employment.

41 U. S. C. § 5.
Post, p. 809.

Consolidation of functions.

constituent units or the Office of the Administrator such additional sums as represent a consolidation in the Office of the Administrator or in a constituent unit of any of the administrative functions of the National Housing Agency; but no such transfer of funds shall be made unless the consolidation will result in a reduction in manpower and a savings in administrative expenses, which savings shall not be used for administrative expenses but instead shall be returned to or remain in the funds from which administrative expenses are drawn under this authorization: *Provided further*, That a report of such transfers and the savings effected thereby shall be submitted to Congress in the annual budget.

Report to Congress.

Penalty mail costs: For costs of penalty mail of the National Housing Agency, not to exceed \$295,600, said sum to be derived by transfer of the unobligated balances, as of July 1, 1946, of the funds made available for penalty mail costs by the First Supplemental Appropriation Act, 1945, and the Independent Offices Appropriation Act, 1946, and by transfer, from the funds of the constituent units of said Agency available for administrative expenses, in not to exceed the following amounts: Office of the Administrator, \$15,000; Federal Home Loan Bank Administration, \$111,000; Federal Housing Administration, \$130,000; and Federal Public Housing Authority, \$39,600: *Provided*, That in no event shall any moneys in excess of the costs of penalty mail allocable, respectively, to said Office of the Administrator and each of the aforesaid constituent units of the National Housing Agency be transferred hereunder: *Provided further*, That so long as the positions of National Housing Administrator and Housing Expediter are held by the same person, such person may accept the salary of either such position but not to exceed \$12,000 per annum.

58 Stat. 873.
59 Stat. 122.

Restriction.

Salary of National Housing Administrator and Housing Expediter.

Federal Home Loan Bank Administration: *Provided*, That not to exceed a total of \$1,501,000, to be derived from the special deposit account established under the provisions under the head "Federal Home Loan Bank Administration" in the Independent Offices Appropriation Act, 1944, and from receipts of the Federal Home Loan Bank Administration or the Federal Home Loan Bank Board for the fiscal year 1947 and prior fiscal years, shall be available during the fiscal year 1947 for administrative expenses of the Federal Home Loan Bank Administration (Executive Order 9070 of February 24, 1942), and said Administration may transfer to a separate authorization (which is hereby authorized to be established), for expenditure by the Administration thereunder, not to exceed such amounts, from funds available for administrative expenses of the Federal Home Loan Bank Administration, the Federal Savings and Loan Insurance Corporation, and the Home Owners' Loan Corporation, as said Administration may deem necessary or advisable to be so transferred for administrative expenses of or relating to any department or unit of said Administration providing services or facilities also to the Federal Savings and Loan Insurance Corporation and the Home Owners' Loan Corporation; and use of services and facilities of the Federal home-loan banks, Federal Reserve banks, Federal Savings and Loan Insurance Corporation, and the Home Owners' Loan Corporation and other agencies of the Government, the amounts so derived to be credited upon the books of the Treasurer of the United States in such account or accounts as said Administration may determine: *Provided further*, That all necessary expenses in connection with the conservatorship of institutions insured by the Federal Savings and Loan Insurance Corporation and all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the handling, including the purchase, sale, and exchange, of securities on

57 Stat. 185.

50 U. S. C., Supp.
V, app. § 901 note.
Transfer of funds.

Nonadministrative expenses.

behalf of Federal home-loan banks, and the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under the Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of the Federal Home Loan Bank Act of July 22, 1932, as amended (12 U. S. C. 1421-1449).

Federal Savings and Loan Insurance Corporation: *Provided*, That not to exceed \$532,000 shall be available for administrative expenses, including the use of services and facilities of the Federal home-loan banks, Federal Reserve banks, and agencies of the Government, including the Federal Home Loan Bank Administration and the Home Owners' Loan Corporation, which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, and expenses in connection with liquidation of insured institutions, liquidation or handling of assets of or derived from insured institutions, payment of insurance, and action for or toward the avoidance, termination, or minimizing of losses in the case of specific insured institutions: *Provided further*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed, and paid in accordance with title IV of the Act of June 27, 1934, as amended (12 U. S. C. 1724-1730).

Home Owners' Loan Corporation: *Provided*, That not to exceed \$4,650,000 shall be available for administrative expenses, including the use of services and facilities of the Federal home-loan banks, Federal Reserve banks, and agencies of the Government, including the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation, which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, expenses (including services performed on a force account, contract, or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said Corporation or in which it has an interest, and legal fees and expenses: *Provided further*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed, and paid in accordance with the Home Owners' Loan Act of 1933, as amended (12 U. S. C. 1461-1468).

Federal Housing Administration: *Provided*, That in addition to the amounts available by or pursuant to law (which shall be transferred to this authorization) for the administrative expenses of the Federal Housing Administration in carrying out duties imposed by or pursuant to law, not to exceed \$17,624,000 of the various funds of the Federal Housing Administration as follows: (1) The mutual mortgage insurance fund; (2) the housing insurance fund; (3) the account in the Treasury comprised of funds derived from premiums collected under authority of section 2 (f), title I of the National Housing Act, as amended (12 U. S. C. 1701); and (4) the war housing insurance fund shall be available for expenditure, in accordance with the provisions of said Act for the administrative expenses of the Federal Housing Administration, including, in addition to mileage at a rate not to exceed 4 cents per mile for travel by motor vehicle, reimbursement for the actual cost of ferry fares and bridge, road, and

47 Stat. 725.
12 U. S. C., Supp.
V, § 1422 et seq.

48 Stat. 1255.
12 U. S. C., Supp.
V, § 1725 et seq.

48 Stat. 128.
12 U. S. C., Supp.
V, § 1463 et seq.

53 Stat. 805.
12 U. S. C., Supp.
V, § 1703 (f).

Travel expenses.

tunnel tolls, and employees engaged in the inspection of property, servicing of loans, or the liquidation of delinquent accounts, may be paid an allowance not to exceed 4 cents per mile for all travel performed in privately owned automobiles within the limits of their official posts of duty when such travel is performed in connection with such inspection, servicing, or liquidation; and not to exceed \$1,500 for periodicals and newspapers; not to exceed \$1,500 for contract actuarial services: *Provided further*, That all necessary expenses of the Administration (including both services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, protection, completion, operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority of titles I, II, and VI of said National Housing Act, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That, except as herein otherwise provided, the administrative expenses and other obligations, including nonadministrative expenses, of the Administration shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (12 U. S. C. 1701): *Provided further*, That not to exceed \$3,000,000 of the funds (after allowance for salaries and expenses as authorized under the heading, "Salaries and expenses, National Housing Agency, Federal Housing Administration") in the account in the Treasury comprised of premiums collected under authority of section 2 (f), title I, of said Act, shall be available for the payment of losses under insurance granted under section 2 and section 6, title I, of said Act.

Federal Public Housing Authority: *Provided*, That of the amounts available by or pursuant to law for the administrative expenses of the Federal Public Housing Authority in carrying out duties imposed by or pursuant to law (all of which are hereby merged into a single administrative expense account), not to exceed \$18,000,000 shall be available for such expenses (including not to exceed \$3,882,400 of the funds available for administrative expenses for the corporate program), including temporary employment of persons or organizations, by contract or otherwise, for legal or other special services, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls; an allowance of not to exceed 3 cents per mile for official travel in privately owned automobiles by employees within the limits of their official stations; reimbursement at not to exceed 5 cents per mile to personnel serving without compensation from the United States for expenses of travel performed by them in privately owned automobiles away from their designated post of duty; and photographing equipment: *Provided further*, That all necessary expenses of providing representatives of the Authority at the sites of non-Federal projects in connection with the construction of such non-Federal projects by public housing agencies with the aid of the Authority, shall be reimbursed or paid by such agencies, and expenditures by the Authority for such purpose shall be considered nonadministrative expenses, and funds received from such payments or reimbursements may be used only for the payment of all necessary expenses of providing representatives of the Authority at the sites of non-Federal projects or for administrative expenses of the Authority not in excess of the amount authorized by the Congress.

Liquidation of resettlement projects: Not to exceed \$99,500 of the receipts derived from the operation of the projects transferred under paragraphs 1 (g) and 6 of Executive Order 9070 of February 24, 1942 (7 F. R. 1529), shall be available for necessary expenses in connection with and to facilitate disposition of the improved or unimproved lands

Actuarial services.
Nonadministrative expenses.

48 Stat. 1246, 1247;
55 Stat. 55.
12 U. S. C. §§ 1701-
1715c; Supp. V, §§
1701b-1715c, 1736-1743.
Ante, pp. 212 *et seq.*,
408.

48 Stat. 1246.
12 U. S. C. §§ 1701-
1733; Supp. V, § 1701b
et seq.
Ante, pp. 212 *et seq.*,
408.

48 Stat. 1246; 49
Stat. 1233.
12 U. S. C. §§ 1703,
1706a; Supp. V, § 1703.

Merger of funds.
Corporate program.

41 U. S. C. § 5.
Post, p. 809.

Travel expenses.

Nonadministrative expenses.

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

in the suburban resettlement projects known as Greenbelt, Greendale, and Greenhills, pursuant to the provisions of section 5 of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), including temporary employment of persons or organizations, by contract or otherwise without regard to section 3709 of the Revised Statutes and the civil-service and classification laws, for making surveys, plans, and plats, and expenses of additions, alterations, and improvements to streets and utilities.

Defense Homes Corporation: *Provided*, That not to exceed \$98,400 shall be available for administrative expenses, which shall be on an accrual basis and which expenses may include temporary employment of persons or organizations, by contract or otherwise, for legal or other special services, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; reimbursement for the cost of ferry fares and bridge, road, and tunnel tolls; an allowance of not to exceed 3 cents per mile for official travel in privately owned automobiles by employees within the limits of their official stations; and reimbursement at not to exceed 5 cents per mile to personnel serving without compensation from the United States for expenses of travel performed by them in privately owned automobiles away from their official stations: *Provided further*, That such administrative expenses shall be exclusive of interest paid, depreciation, properly capitalized expenditures, repayment of loans, property operating expenses (including project inventory), charges to surplus and operating reserve, and cost of sales of commodities, services, and property.

49 Stat. 118.

41 U. S. C. § 5.
Post, p. 809.41 U. S. C. § 5.
Post, p. 809.

Travel expense.

Interest, depreciation,
etc.

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation: Nothing in this Act shall be so construed as to prevent the Commodity Credit Corporation from carrying out any activity or any program authorized by law: *Provided*, That not to exceed \$8,760,000 shall be available for administrative expenses of the Corporation, including not to exceed \$400 for periodicals, maps, and newspapers, and not to exceed \$30,000 for penalty mail: *Provided further*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That the Secretary of the Treasury is hereby authorized and directed to discharge \$921,456,561 of the indebtedness of the Commodity Credit Corporation to the Secretary of the Treasury by canceling notes in such amount issued by the Corporation to the Secretary of the Treasury pursuant to section 4 of the Act of March 8, 1938, as amended (15 U. S. C. 713a-4).

Nonadministrative
expenses.Cancellation of
notes.52 Stat. 108.
15 U. S. C., Supp.
V, § 713a-4.Liquidation and
dissolution.15 U. S. C. § 713c;
Supp. V, § 713c.

Federal Crop Insurance Corporation.

Federal Surplus Commodities Corporation: *Provided*, That funds acquired by the Corporation as an agency of the United States, other than funds transferred pursuant to the Act of June 28, 1937 (50 Stat. 323), shall remain available to the Secretary of Agriculture for the purpose of liquidation and dissolution of the Corporation: *Provided further*, That all administrative duties shall be performed by the Commodity Credit Corporation and paid for within the limitation on administrative expenses of the Commodity Credit Corporation without reimbursement therefor.

Federal Farm Mortgage Corporation: *Provided*, That not to exceed \$3,750,000 shall be available for administrative expenses of the Corporation, including employment on a contract or fee basis of persons,

firms, and corporations for the performance of special services, including legal services; use of the services and facilities of Federal land banks, national farm-loan associations, Federal Reserve banks, and agencies of the Government as authorized by the Act of January 31, 1934 (12 U. S. C. 1020-1020h): *Provided further*, That except for the limitation in amount hereinbefore specified the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Act of January 31, 1934, as amended (12 U. S. C. 1016-1020h).

Federal Intermediate Credit Banks: *Provided*, That not to exceed \$1,500,000 shall be available for administrative expenses.

Production Credit Corporations: *Provided*, That not to exceed \$1,600,000 shall be available for administrative expenses.

Regional Agricultural Credit Corporation of Washington, District of Columbia: *Provided*, That not to exceed \$341,000 shall be available for administrative expenses.

DEPARTMENT OF COMMERCE

Inland Waterways Corporation: *Provided*, That not to exceed \$624,000 shall be available for administrative expenses, including not to exceed \$3,600 for penalty mail: *Provided further*, That no funds shall be used to pay compensation of employees, except vessel employees, at rates in excess of rates fixed for similar services under the provisions of the Classification Act of 1923, as amended, and the Federal Employees Pay Act of 1945, as amended: *Provided further*, That no funds shall be used to pay the compensation of vessel employees at rates in excess of rates prevailing in the maritime industry.

Warrior River Terminal Company: *Provided*, That not to exceed \$20,200 shall be available for administrative expenses.

DEPARTMENT OF THE INTERIOR

Virgin Islands Company: *Provided*, That not to exceed \$20,000 shall be available for administrative expenses.

DEPARTMENT OF JUSTICE

Federal Prison Industries: *Provided*, That not to exceed \$268,826 shall be available for administrative expenses.

DEPARTMENT OF STATE

The Institute of Inter-American Affairs: *Provided*, That not to exceed \$700,000 shall be available for administrative expenses, and not to exceed \$4,000 shall be available for penalty mail.

Institute of Inter-American Transportation: *Provided*, That not to exceed \$50,500 shall be available for administrative expenses and not to exceed \$100 shall be available for penalty mail.

Inter-American Educational Foundation, Inc.: *Provided*, That not to exceed \$350,000 shall be available for administrative expenses, and not to exceed \$2,000 shall be available for penalty mail.

Inter-American Navigation Corporation: *Provided*, That not to exceed \$3,200 shall be available for administrative expenses and not to exceed \$50 shall be available for penalty mail.

Prencinradio, Incorporated: *Provided*, That not to exceed \$11,000 shall be available for administrative expenses related to liquidation and not to exceed \$50 shall be available for penalty mail.

48 Stat. 344,
12 U. S. C., Supp.
V, § 1020 *et seq.*
Ante, p. 532.

48 Stat. 344,
12 U. S. C., Supp.
V, § 1016 *et seq.*
Ante, p. 532.

Pay rates.

42 Stat. 1488; 59
Stat. 295.
5 U. S. C. §§ 661-
674; Supp. V, §§ 661
et seq., 901-948.
Ante, pp. 216 *et seq.*,
418.

WAR DEPARTMENT

United States Spruce Production Corporation: *Provided*, That not to exceed \$10,000 shall be available for administrative expenses until January 1, 1947, and thereafter all administrative duties and responsibilities shall be assumed by such officers and employees of the War Department as the Secretary of War may designate and who shall receive no additional compensation for such duties: *Provided further*, That the Secretary of War shall take appropriate steps to secure the final dissolution and liquidation of the said corporation at the earliest practicable date.

TITLE III—GENERAL PROVISIONS

SEC. 301. Funds made available by this Act for administrative expenses shall be available, in addition to objects for which such funds are otherwise available, for personal services and rent in the District of Columbia or elsewhere; lawbooks, books of reference, periodicals, newspapers, and maps; printing and binding; examination of budgets and estimates of appropriations in the field; contract stenographic reporting services; travel expenses in accordance with the Standardized Government Travel Regulations, the Subsistence Expense Act of 1926, as amended (except as to per diem rates outside continental United States), and the Act of February 14, 1931, as amended (5 U. S. C. 73a); and for the objects specified under the head "General provisions" in title II of the Independent Offices Appropriation Act, 1947, all the provisions of which title (except section 211), unless otherwise specified in this Act, shall be applicable to the expenditure of such funds: *Provided*, That the head of any agency may exercise any authority vested in him by said title II through such subordinate or subordinates as he may designate for the purpose.

SEC. 302. No part of any funds of any wholly owned Government corporation shall be used for the purchase or construction, or in making loans for the purchase or construction of any office building at the seat of government primarily for occupancy by any department or agency of the United States Government or by any corporation owned by the United States Government.

SEC. 303. Funds of the corporations and agencies covered by the provisions of this Act shall be available for maintenance, operation, and repair of passenger automobiles and, except as otherwise provided herein, shall be available for purchase of passenger automobiles only for replacement of worn-out vehicles.

SEC. 304. Any funds of, or available for expenditure by, any corporation or agency included in this Act, which are not subject to audit by the General Accounting Office under the provisions of the Government Corporation Control Act (Public Law 248, Seventy-ninth Congress) or other law, shall be accounted for and audited in accordance with the Budget and Accounting Act, as amended, and no such fund shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant: *Provided*, That this section shall not be so construed as to modify or repeal any provision of any other law respecting warranting, accounting for, and auditing of funds.

SEC. 305. No part of the funds of, or available for expenditure by, any corporation or agency included in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against

Funds for administrative expenses.

Travel expenses.

44 Stat. 688.
5 U. S. C. § 821;
Supp. V, § 823.
46 Stat. 1103.
5 U. S. C., Supp. V,
§ 73a.
Post, p. 807.
Ante, p. 78.

Use of funds of Government corporations for construction, etc.

Maintenance and purchase of automobiles.

Accounting, etc.

59 Stat. 597.
31 U. S. C., Supp.
V, §§ 841-869.
42 Stat. 20.
31 U. S. C. § 1;
Supp. V, § 16 *et seq.*

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit. the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any funds available to any corporation or agency included in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing laws.

Penalty.

Short title.

SEC. 306. This Act may be cited as the "Government Corporations Appropriations Act, 1947".

Approved July 20, 1946.

[CHAPTER 590]

AN ACT

To amend the Act of June 7, 1939 (53 Stat. 811), as amended, relating to the acquisition of stocks of strategic and critical materials for national defense purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 7, 1939 (53 Stat. 811), as amended, is hereby amended to read as follows:

"That the natural resources of the United States in certain strategic and critical materials being deficient or insufficiently developed to supply the industrial, military, and naval needs of the country for common defense, it is the policy of the Congress and the purpose and intent of this Act to provide for the acquisition and retention of stocks of these materials and to encourage the conservation and development of sources of these materials within the United States, and thereby decrease and prevent wherever possible a dangerous and costly dependence of the United States upon foreign nations for supplies of these materials in times of national emergency.

"SEC. 2. (a) To effectuate the policy set forth in section 1 hereof the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior, acting jointly through the agency of the Army and Navy Munitions Board, are hereby authorized and directed to determine, from time to time, which materials are strategic and critical under the provisions of this Act and to determine, from time to time, the quality and quantities of such materials which shall be stock piled under the provisions of this Act. In determining the materials which are strategic and critical and the quality and quantities of same to be acquired the Secretaries of State, Treasury, Agriculture, and Commerce shall each designate representatives to cooperate with the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior in carrying out the provisions of this Act.

July 23, 1946

[S. 752]

[Public Law 520]

Strategic and Critical Materials Stock Piling Act.

50 U. S. C. §§ 98-98f; Supp. V, § 98e.

Declaration of policy.

Determination of strategic and critical materials.

Cooperation of designated departments.

“(b) To the fullest extent practicable the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior, acting jointly, shall appoint industry advisory committees selected from the industries concerned with the materials to be stock piled. It shall be the general function of the industry advisory committees to advise with the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior and with any agencies through which they may exercise any of their functions under this Act with respect to the purchase, sale, care, and handling of such materials. Members of the industry advisory committees shall receive a per diem allowance of not to exceed \$10 for each day spent at conferences held upon the call of the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior, plus necessary traveling and other expenses while so engaged.

“SEC. 3. The Secretary of War and the Secretary of the Navy shall direct the Secretary of the Treasury, through the medium of the Procurement Division of his Department, to—

“(a) make purchases of strategic and critical materials with due regard to the objectives set forth in section 1 of this Act and pursuant to the determinations as provided in section 2 hereof, which purchases (1) shall be made, so far as is practicable, from supplies of materials in excess of the current industrial demand and (2) shall be made in accordance with title III of the Act of March 3, 1933 (47 Stat. 1520), but may be made without regard to section 3709 of the Revised Statutes. A reasonable time (not to exceed one year) shall be allowed for production and delivery from domestic sources and in the case of any such material available in the United States but which has not been developed commercially, the Secretary of War and the Secretary of the Navy may, if they find that the production of such material is economically feasible, direct the purchase of such material without requiring the vendor to give bond;

“(b) provide for the storage, security, and maintenance of strategic and critical materials for stock-piling purposes on military and naval reservations or other locations, approved by the Secretary of War and the Secretary of the Navy;

“(c) provide through normal commercial channels for the refining or processing of any materials acquired or transferred under this Act when the Secretary of War and the Secretary of the Navy deem such action necessary to convert such materials into a form best suitable for stock piling, and such materials may be refined, processed, or otherwise beneficiated either before or after their transfer from the owning agency;

“(d) provide for the rotation of any strategic and critical materials constituting a part of the stock pile where necessary to prevent deterioration by replacement of acquired stocks with equivalent quantities of substantially the same material with the approval of the Secretary of War and the Secretary of the Navy;

“(e) dispose of any materials held pursuant to this Act which are no longer needed because of any revised determination made pursuant to section 2 of this Act, as hereinafter provided. No such disposition shall be made until six months after publication in the Federal Register and transmission of a notice of the proposed disposition to the Congress and to the Military Affairs Committee of each House thereof. Such notice shall state the reasons for such revised determination, the amounts of the materials proposed to be released, the plan of disposition proposed to be followed, and the date upon which the material is to become available for sale

Industry advisory committees.

Function.

Per diem allowance.

Duties of Treasury Department.

Purchases of materials.

41 U. S. C. §§ 10a-10c.
41 U. S. C. § 5.
Post, p. 809.

Storage, etc.

Refining or processing.

Rotation.

Disposition.

Publication and notice to Congress.

or transfer. The plan and date of disposition shall be fixed with due regard to the protection of the United States against avoidable loss on the sale or transfer of the material to be released and the protection of producers, processors, and consumers against avoidable disruption of their usual markets: *Provided*, That no material constituting a part of the stock piles may be disposed of without the express approval of the Congress except where the revised determination is by reason of obsolescence of that material for use in time of war. For the purposes of this paragraph a revised determination is by reason of obsolescence if such determination is on account of (1) deterioration, (2) development or discovery of a new or better material or materials, or (3) no further usefulness for use in time of war.

Approval of Congress.

Revised determination.

Reports to Congress.

"SEC. 4. The Secretary of War and the Secretary of the Navy shall submit to the Congress, not later than six months after the approval of this Act, and every six months thereafter a written report detailing the activities with respect to stock piling under this Act, including a statement of foreign and domestic purchases, and such other pertinent information on the administration of the Act as will enable the Congress to evaluate its administration and the need for amendments and related legislation.

Materials in stock piles.

Sale, etc.

"SEC. 5. The stock piles shall consist of all such materials heretofore purchased or transferred to be held pursuant to this Act, or hereafter transferred pursuant to section 6 hereof, or hereafter purchased pursuant to section 3 hereof, and not disposed of pursuant to this Act. Except for the rotation to prevent deterioration and except for the disposal of any material pursuant to section 3 of this Act, materials acquired under this Act shall be released for use, sale, or other disposition only (a) on order of the President at any time when in his judgment such release is required for purposes of the common defense, or (b) in time of war or during a national emergency with respect to common defense proclaimed by the President, on order of such agency as may be designated by the President.

Transfer of materials to stock piles.

22 U. S. C., Supp. V, §§ 411-419.

Exemptions.

"SEC. 6. (a) Pursuant to regulations issued by the War Assets Administration or its successor, every material determined to be strategic and critical pursuant to section 2 hereof, which is owned or contracted for by the United States or any agency thereof, including any material received from a foreign government under an agreement made pursuant to the Act of March 11, 1941 (55 Stat. 31), as amended, or other authority, shall be transferred by the owning agency, when determined by such agency to be surplus to its needs and responsibilities, to the stock piles established pursuant to this Act, so long as the amount of the stock pile for that material does not exceed the quantities determined therefor pursuant to section 2 hereof. There shall be exempt from this requirement such amount of any material as is necessary to make up any deficiency of the supply of such material for the current requirements of industry as determined by the Civilian Production Administration or its successor. There shall also be exempt from this requirement (1) any material which constitutes contractor inventory if the owning agency shall not have taken possession of such inventory, (2) such amount of any material as the Army and Navy Munitions Board determines (i) are held in lots so small as to make the transfer thereof economically impractical; or (ii) do not meet or cannot economically be converted to meet, stock-pile requirements determined in accordance with section 2 of this Act. The total material transferred to the stock piles established by this Act in accordance with this section during any fiscal year beginning more than twelve months after this Act becomes law shall not exceed in

Value.

value (as determined by the Secretary of the Treasury on the basis of the fair market value at the time of each transfer) an amount to be fixed by the appropriation Act or Acts relating to the acquisition of materials under this Act.

Post, p. 916.

“(b) Any transfer made pursuant to this section shall be made without charge against or reimbursement from the funds available under this Act, except that expenses incident to such transfer may be paid or reimbursed from such funds, and except that, upon any such transfer from the Reconstruction Finance Corporation, or any corporation organized by virtue of the authority contained in the Act of January 22, 1932 (47 Stat. 5), the Secretary of the Treasury shall cancel notes of Reconstruction Finance Corporation, and sums due and unpaid upon or in connection with such notes at the time of such cancellation, in an amount equal to the fair market value as determined by the Secretary of the Treasury of the material so transferred.

Expenses of transfer.

Cancellation of RFC notes.

15 U. S. C. § 601; Supp. V, § 601 *et seq.* *Ante*, pp. 57, 215; *post*, p. 901.

“(c) Effective whenever the Secretary of the Treasury shall cancel any notes pursuant to subsection (b) of this section, the amount of notes, debentures, bonds, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered to have outstanding at any one time under the provisions of existing law shall be deemed to be reduced by the amount of the notes so canceled.

Reduction in amount of outstanding notes, etc.

“(d) Subsection (b) of section 14 of the Act of October 3, 1944 (58 Stat. 765), is hereby amended to read as follows:

58 Stat. 772. 50 U. S. C., Supp. V, app. § 1623 (b).

“(b) Subject only to subsection (c) of this section, any owning agency may dispose of—

Classes of disposable property.

“(1) any property which is damaged or worn beyond economical repair;

“(2) any waste, salvage, scrap, or other similar items;

“(3) any product of industrial, research, agricultural, or livestock operations, or of any public works construction or maintenance project, carried on by such agency;

which does not consist of materials which are to be transferred in accordance with the Strategic and Critical Materials Stock Piling Act, to the stock piles established pursuant to that Act.

“(e) Section 22 of the Act of October 3, 1944 (58 Stat. 765), is hereby repealed: *Provided*, That any owning agency as defined in that Act having control of materials that, when determined to be surplus, are required to be transferred to the stock piles pursuant to subsection (a) hereof, shall make such determination as soon as such materials in fact become surplus to its needs and responsibilities.

Repeal; determination of surplus.

58 Stat. 776. 50 U. S. C., Supp. V, app. § 1631.

“SEC. 7. (a) The Secretary of the Interior, through the Director of the Bureau of Mines and the Director of Geological Survey, is hereby authorized and directed to make scientific, technologic, and economic investigations concerning the extent and mode of occurrence, the development, mining, preparation, treatment, and utilization of ores and other mineral substances found in the United States or its Territories or insular possessions, which are essential to the common defense or the industrial needs of the United States, and the quantities or grades of which are inadequate from known domestic sources, in order to determine and develop domestic sources of supply, to devise new methods for the treatment and utilization of lower grade reserves, and to develop substitutes for such essential ores and mineral products; on public lands and on privately owned lands, with the consent of the owner, to explore and demonstrate the extent and quality of deposits of such minerals, including core drilling, trenching, test-pitting, shaft sinking, drifting, cross-cutting, sampling, and metallurgical investigations and tests as may be necessary to determine the extent and

Investigations concerning mineral resources.

quality of such deposits, the most suitable methods of mining and beneficiating them, and the cost at which the minerals or metals may be produced.

Agricultural materials or commodities.

“(b) The Secretary of Agriculture is hereby authorized and directed to make scientific, technologic, and economic investigations of the feasibility of developing domestic sources of supplies of any agricultural material or for using agricultural commodities for the manufacture of any material determined pursuant to section 2 of this Act to be strategic and critical or substitutes therefor.

Appropriations authorized.
Post, p. 916.

“SEC. 8. For the procurement, transportation, maintenance, rotation, storage, and refining or processing of the materials to be acquired under this Act, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as the Congress, from time to time, may deem necessary to carry out the provisions of this Act. The funds so appropriated, including the funds heretofore appropriated, shall remain available to carry out the purposes for which appropriated until expended, and shall be expended under the joint direction of the Secretary of War and the Secretary of the Navy.

Availability.

Funds from sales, etc.

“SEC. 9. Any funds heretofore or hereafter received on account of sales or other dispositions of materials under the provisions of this Act, except funds received on account of the rotation of stocks, shall be covered into the Treasury as miscellaneous receipts.

Short title.

“SEC. 10. This Act may be cited as the ‘Strategic and Critical Materials Stock Piling Act.’”

Approved July 23, 1946.

[CHAPTER 591]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

OFFICE OF THE SECRETARY

For a clerk in the Office of the Secretary at the rate of \$3,380 per annum, in lieu of an assistant in the Secretary's Office provided by S. Res. 181, agreed to December 13, 1929, fiscal year 1947, \$3,380, and the Legislative Branch Appropriation Act for the fiscal year 1947 hereby is amended accordingly.

For an amount necessary to increase the salary of one clerk under the Office of the Secretary from \$2,400 to \$2,700, fiscal year 1947, \$300,

July 23, 1946
[H. R. 6885]
[Public Law 521]

Third Deficiency
Appropriation Act,
1946.

Ante, p. 387.

and the Legislative Branch Appropriation Act for the fiscal year 1947 hereby is amended accordingly.

For an amount necessary to increase the salary of the assistant to the press door from \$2,200 to \$2,400, fiscal year 1947, \$200, and the Legislative Branch Appropriation Act for the fiscal year 1947 hereby is amended accordingly.

Public Law 479, the Legislative Branch Appropriation Act, 1947, is hereby amended by striking out, under the heading "Senate", sub-head "Office of the Secretary", the words "special officer, \$2,460; special officer \$2,280" and inserting in lieu thereof the words "two special officers at \$2,460 each".

For an amount necessary to increase the salary of the assistant to the press door from \$1,900 to \$2,000, fiscal year 1947, \$100, and the Legislative Branch Appropriation Act for the fiscal year 1947 hereby is amended accordingly.

DOCUMENT ROOM

For an amount required to increase the compensation of the Superintendent of the Senate Document Room from \$3,960 and \$1,040 additional so long as the position is held by the present incumbent to \$3,960 and \$1,540 additional so long as the position is held by the present incumbent, fiscal year 1947, \$500, and the Legislative Branch Appropriation Act for the fiscal year 1947 hereby is amended accordingly.

Ante, p. 357.

CLERICAL ASSISTANCE TO SENATORS

For additional clerical and messenger services for each Senator from any State which has a population of five million or more, at the rate of \$5,040 per annum, \$64,680, and for additional clerical and messenger services for each Senator from any State which has a population of less than five million, at the rate of \$2,520 per annum, \$189,420; in all, from August 1, 1946, to June 30, 1947, fiscal year 1947, \$254,100.

Ante, p. 359.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Beginning July 1, 1946, the following salary rates shall be effective in lieu of those provided for the same positions in the Act making appropriations for the Legislative Branch for the fiscal year ending June 30, 1947, which hereby is amended accordingly:

Assistant doorkeeper, \$3,040; messengers—three (acting as assistant doorkeepers) at \$2,560 each; one at \$2,140; twenty-nine (including four for minority) at \$1,900 each; four at \$1,780 each; one at card door, \$2,800 and \$240 additional so long as the position is held by the present incumbent; janitor, \$2,600 and \$300 additional so long as the position is held by the present incumbent; Radio Press Gallery, superintendent, \$3,660, and one assistant superintendent, \$2,400; laborer in charge of private passage, \$1,800, and \$320 additional so long as the position is held by the present incumbent; laborers—two at \$1,700 each, one at \$1,580.

Capitol Police force under the Sergeant at Arms: Captain, \$3,300; two lieutenants at \$2,200 each; two special officers at \$2,200 each; four sergeants at \$2,120 each; sixty privates at \$2,000 each.

Post office: Assistant postmaster, \$3,080; chief clerk, \$2,660; wagon master, \$2,480; assistant, \$1,940; twenty-six mail carriers at \$1,940 each.

For paying such increases during the fiscal year 1947, \$28,240.

Ante, pp. 390, 391.

CONTINGENT EXPENSES OF THE SENATE

Ante, p. 184.

Miscellaneous items: For an additional amount, fiscal year 1946, for "Miscellaneous items", exclusive of labor, \$60,000.

Ante, p. 393.

Stationery: For an additional allowance for stationery of \$250 for each Senator and the President of the Senate, for the second session of the Seventy-ninth Congress, \$24,250, to remain available until June 30, 1947.

HOUSE OF REPRESENTATIVES

SALARIES, OFFICERS AND EMPLOYEES

Ante, p. 393.

Salaries, officers and employees, House of Representatives: To enable the Clerk of the House to carry out the provisions of House Resolutions Numbered 90 and 691, adopted July 2, 1946, fiscal year 1947, \$52,720.

Salaries, officers and employees, House of Representatives: To enable the Clerk of the House to carry out the provision of House Resolution Numbered 90, adopted July 2, 1946, fiscal years 1945-1946, \$1,840.80.

CONTINGENT EXPENSES OF THE HOUSE

Ante, p. 184.

Stationery: For an additional allowance for stationery of \$250 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the second session of the Seventy-ninth Congress, \$109,500, to remain available until June 30, 1947.

59 Stat. 633.

Attending physician's office: The compensation (including retired pay) of the technical assistant in the office of the attending physician, appointed pursuant to authority contained in the First Deficiency Appropriation Act, 1946, shall not be diminished by reason of any change subsequent to such appointment in his retired status.

JOINT COMMITTEE ON PRINTING

Ante, p. 399.

For an assistant clerk at \$3,600 per annum, fiscal year 1947, \$3,600, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House.

COMMISSION TO REPRESENT THE UNITED STATES AT THE PHILIPPINE
INDEPENDENCE CEREMONIES*Ante*, p. 263.

The appropriation for traveling and other expenses of the Commission to represent the United States at the Philippine Independence Ceremonies contained in Public, Numbered 419, Seventy-ninth Congress, approved June 21, 1946, shall be available until August 31, 1946, and the Secretary of the Senate is authorized to make such advances therefrom to the Chairman of the Commission or his order as may be necessary.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

55 Stat. 457.

Capitol Buildings: The appropriation "Capitol Building and repairs, 1942", contained in the Legislative Branch Appropriation Act, 1942, and made available until expended under the provisions of the Second Deficiency Appropriation Act, 1944, to pay the balance outstanding on contract entered into by the Architect of the Capitol with the Westinghouse Electric and Manufacturing Company November 7,

58 Stat. 599.

1941, for furnishing the materials and performing the work for making changes to two motor generator sets of the Senate Office Building substation to increase their output capacity, is hereby made available also for the payment of an additional amount of \$2,977.51 for extra emergency work performed under such contract, by order of the Architect of the Capitol, during the month of August 1945.

Capitol Buildings: For an additional amount, fiscal year 1946, for "Capitol Buildings", including the objects specified under this head in the Legislative Branch Appropriation Act, 1946, \$10,000, to remain available until June 30, 1947.

59 Stat. 251.

Capitol Buildings: For alterations and improvements to the barber shop in the Senate wing of the Capitol Building, including replacement of equipment, fiscal year 1947, \$3,365, to be expended by the Architect of the Capitol.

House Office Buildings: For an additional amount, fiscal year 1946, for maintenance, including the objects specified under this head in the Legislative Branch Appropriation Act, 1946, \$16,000, to remain available until June 30, 1947.

59 Stat. 252.

GOVERNMENT PRINTING OFFICE

Working capital and congressional printing and binding: The limitation in the appropriation "Working capital and congressional printing and binding" in the Legislative Branch Appropriation Act, 1946, upon the amount which may be expended for printing, binding, and distribution of the Federal Register is hereby increased from "\$500,000" to "\$554,681.06".

59 Stat. 257.

Items contained in the Legislative Branch Appropriation Act, 1947, Public Law Numbered 479, approved July 1, 1946, which are specified as immediately available shall be available for liquidation of obligations incurred under such appropriations during the fiscal year 1946.

Ante, p. 405.

EXECUTIVE OFFICE OF THE PRESIDENT

EMERGENCY FUNDS APPROPRIATED TO THE PRESIDENT

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

United Nations Relief and Rehabilitation Administration: For an additional amount to enable the President to carry out the provisions of the Act of March 28, 1944 (Public Law 267), as amended, to be consolidated with the appropriations for the same purpose in the United Nations Relief and Rehabilitation Administration Participation Appropriation Act, 1945, the United Nations Relief and Rehabilitation Administration Participation Act, 1946, and the First Deficiency Appropriation Act, 1946, \$465,000,000, to remain available until June 30, 1947: *Provided*, That said consolidated funds may be expended without regard to the limitations in the proviso clause of the first paragraph of the United Nations Relief and Rehabilitation Administration Participation Act, 1946: *Provided*, That none of the funds herein appropriated shall be used for the acquisition, transportation, delivery or distribution of any supplies, commodities or equipment to or for any recipient country which fails or refuses in the determination of the Secretary of State to permit a reasonable number of properly accredited representatives of the American press to enter, observe and report on the distribution, and utilization of relief and rehabilitation supplies and services furnished to such country without any deletions or modifications by censorship of their reports dealing with such subjects: *Provided*, That none of the funds herein appropriated shall be used for the transportation, delivery, or distribution of any

Consolidation of funds.
Ante, p. 228.
58 Stat. 122.
50 U. S. C., Supp. V, app. §§ 1571-1578.

58 Stat. 629; 59 Stat. 609, 634.
50 U. S. C., Supp. V, app. § 1571 note.

59 Stat. 609.
Representatives of American press.

Distribution of supplies, etc.

supplies, commodities, or equipment to or for any recipient country until the Director General of the United Nations Relief and Rehabilitation Administration has advised the Secretary of State that such country has arranged for the prompt distribution of such supplies, commodities, and equipment.

DEFENSE AID—LEND-LEASE

59 Stat. 429.

55 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.

Time limitation on
shipments abroad.

Liquidation: Not to exceed \$5,500,000 of the funds made available by title II of the Second Deficiency Appropriation Act, 1945, and other Acts mentioned in said title for carrying out the provisions of an Act to promote the defense of the United States, approved March 11, 1941, are hereby continued available during the fiscal year 1947 for the liquidation of the activities under said Act of March 11, 1941, said sum to be derived from the amounts appropriated for the several categories for which appropriations have been made as may be determined by the Secretary of State, or such official as he may designate: *Provided*, That the amount named herein shall not be available for any expense incident to the shipment abroad of any commodities after December 31, 1946.

SURPLUS PROPERTY, CARE AND HANDLING

Reimbursement.

Surplus property, care and handling: That current naval and military appropriations shall be available for the care and handling of property wherever situated declared surplus to disposal agencies pending reimbursement for such expenses by such disposal agencies or in consequence of supplemental appropriations hereafter made directly to the owning agencies, any law to the contrary notwithstanding: *Provided*, That reimbursement shall not be made for pay and allowances and subsistence of military and naval personnel within the numbers appropriated for heretofore.

OFFICE FOR EMERGENCY MANAGEMENT

OFFICE OF ALIEN PROPERTY CUSTODIAN

Expenses.

40 Stat. 411.
50 U. S. C. app.
§§ 1-31; Supp. V,
app. § 3 *et seq.*
Ante, pp. 50, 54, 182,
418; *post*, pp. 925, 944.

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

41 U. S. C. § 5.
Post, p. 809.

Travel expenses.

Office of Alien Property Custodian: The Alien Property Custodian is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him all necessary expenses of the Office of Alien Property Custodian in carrying out the powers and duties conferred on the Alien Property Custodian pursuant to the Trading with the Enemy Act of October 6, 1917, as amended (50 U. S. C. App.): *Provided*, That not to exceed \$3,500,000 shall be available for the entire fiscal year 1947 for the general administrative expenses of the Office of Alien Property Custodian, including the salary of the Alien Property Custodian at \$10,000 per annum; printing and binding; not to exceed \$8,500 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); rent in the District of Columbia; not to exceed \$70,000 for the temporary employment of persons or organizations by contract or otherwise for special services without regard to the civil service and classification laws and section 3709, Revised Statutes; personal services in the District of Columbia and elsewhere; contract stenographic reporting services; lawbooks, books of reference, newspapers, and periodicals; maintenance, operation, and repair of passenger automobiles; acceptance and utilization of voluntary and uncompensated services; traveling expenses, including expenses of attendance at meetings of organizations concerned with the work of the agency; and all other necessary general administrative

expenses: *Provided further*, That on or before November 1, 1946, the Alien Property Custodian shall make a report to the Appropriations Committees of the Senate and the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred in connection with the activities of the Office of Alien Property Custodian.

Report to Congress.

CIVILIAN PRODUCTION ADMINISTRATION

Salaries and expenses: For all necessary expenses of the Civilian Production Administration, fiscal year 1947, including salary of the Administrator at \$12,000 per annum, and salaries of six principal officials at \$10,000 per annum each and other personal services in the District of Columbia and elsewhere; the employment of aliens; the employment of expert witnesses; acceptance and utilization of voluntary and uncompensated services; not to exceed \$10,000 for the temporary employment of persons or organizations, by contract or otherwise, without regard to the civil-service or classification laws; contract stenographic reporting services; lawbooks, books of reference, and periodicals; reimbursement at not to exceed 4 cents per mile, of employees for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations; not to exceed \$2,000,000 for travel expenses, including travel to and from their homes or regular places of business in accordance with the Standardized Travel Regulations, including travel in privately owned automobile (and including per diem in lieu of subsistence at place of employment), of persons employed intermittently away from their homes or regular places of business as compliance commissioners and receiving compensation on a per diem when actually employed basis and expenses of attendance at meetings of organizations concerned with the work of the Administration; not to exceed \$157,850 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); not to exceed \$494,000 for printing and binding; and the rental, maintenance, and operation of passenger automobiles and one airplane; \$18,000,000: *Provided*, That no part of this appropriation shall be available for the maintenance or operation of an airplane or for the payment of rental of any airplane.

Voluntary services.
Temporary employ-
ment.

Travel expenses.

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

OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For all necessary expenses of the Office of Defense Transportation, fiscal year 1947, including salary of the Director at not to exceed \$12,000, and the Deputy Director at \$10,000, traveling expenses (not to exceed \$50,000), including reimbursement, at not to exceed 4 cents per mile, of employees or others rendering service to said Office for official travel performed by them in privately owned automobiles within the limits of their official stations and attendance at meetings of organizations concerned with the work of the agency; personal services in the District of Columbia and elsewhere; contract stenographic reporting services; lawbooks, books of reference, newspapers, and periodicals; maintenance, operation and repair of passenger automobiles; acceptance and utilization of voluntary and uncompensated services; printing and binding (not to exceed \$10,000); not to exceed \$4,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); payment, at rates not in excess of those fixed by law for witnesses attending in United States courts (28 U. S. C. 600c), of fees, mileage, and subsistence of witnesses appearing at hearings held by the Office of Defense Transportation

Travel expenses.

Voluntary services.

58 Stat. 394.
39 U. S. C., Supp.
V, § 321d.
28 U. S. C., Supp.
V, § 600c.

Subsistence to witnesses.

License or inspection fees; taxes.

in connection with the performance of its functions; \$525,000; *Provided*, That the payment of subsistence to witnesses shall be subject to certification by the Director of the Office of Defense Transportation or his designee, as to the necessity therefor: *Provided further*, That in operating any commercial railroad or truck line the Office of Defense Transportation shall pay whatever license or inspection fees and highway use compensation taxes such lines would have been obligated to pay had they continued in operation under the control of the owners thereof.

OFFICE OF ECONOMIC STABILIZATION

Salaries and expenses: For all necessary expenses of the Office of Economic Stabilization, fiscal year 1947, including salaries of the Director at \$15,000 per annum and one assistant to the Director at \$9,800 per annum and other personal services in the District of Columbia and elsewhere; lawbooks, books of reference, periodicals, and newspapers; temporary employment (not to exceed \$2,193) of persons or organizations by contract or otherwise, without regard to civil-service and classification laws; not to exceed \$3,750 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); traveling expenses including expenses of attendance at meetings of organizations concerned with the work of the Office (not to exceed \$8,000); hire, maintenance, operation, and repair of passenger automobile; and printing and binding (not to exceed \$8,000); \$200,000.

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

OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

Liquidation.

Salaries and expenses: For all necessary expenses for liquidating the activities of the Office of Scientific Research and Development, fiscal year 1947, including personal services in the District of Columbia; maintenance, operation, and repair of passenger automobiles; acceptance and utilization of voluntary and uncompensated services; purchase of reports, documents, plans, or specifications; printing and binding; reimbursement at not to exceed 3 cents per mile, of employees and others rendering service to the Government, for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations; the cost of a compartment or such other accommodation as may be authorized by the Director for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment; and not to exceed \$2,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); \$575,000: *Provided*, That the Office of Scientific Research and Development may sell, lease, lend, or otherwise dispose of, under such terms and conditions as it may deem advisable, devices, scientific or technical equipment, models, or other articles of personalty, developed, constructed, produced in or purchased for the performance of its scientific or medical contracts, except articles acquired for administrative purposes, and all receipts from such dispositions shall be covered into the Treasury as miscellaneous receipts.

Travel expenses.

58 Stat. 394.
39 U. S. C., Supp.
V, § 321d.
Disposal of articles
of personalty.

WAR ASSETS ADMINISTRATION

Salaries and expenses: There is hereby appropriated from the special fund account in the Treasury as provided for in the First Deficiency Appropriation Act, 1946, not to exceed \$435,000,000 for the fiscal year 1947 for all necessary expenses of the War Assets

59 Stat. 653.

Administration established by Executive Order 9689; for allocation or reimbursement by the War Assets Administrator to Government agencies designated by the Administrator as disposal agencies by or pursuant to the Surplus Property Act of 1944; for payment to Government agencies designated by the Administrator for rendering special services in connection with the disposal of surplus property in such amounts as shall be approved by the Bureau of the Budget; and for allocation or reimbursement to owning agencies in such amounts and upon such basis as shall be approved by the Bureau of the Budget, for the care and handling (including pay and allowances and subsistence of military and naval personnel) of surplus property subsequent to the filing of a declaration of surplus covering such property with a disposal agency designated by the Administrator, or, if the Administrator prescribes procedures whereby declarations of surplus are made at approximately the time of disposal or removal, subsequent to notice by the owning agency to the disposal agency that property has been determined to be surplus and is subject to such procedures, such funds to be available for personal services in the District of Columbia; fees and mileage of witnesses at rates provided by law for witnesses attending in the United States courts (28 U. S. C. 600c); temporary (not in excess of one year) or intermittent services of experts or consultants or organizations thereof, including stenographic reporting services, by contract or otherwise, without regard to the civil-service and classification laws; lawbooks, books of reference, newspapers, and periodicals; acceptance and utilization of voluntary and uncompensated services; printing and binding; travel expenses, including reimbursement, at not to exceed 4 cents per mile, to employees for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations; expenses of attendance at meetings of organizations concerned with the work of the Administration; procurement of supplies, equipment, reports, and services in connection with the care, handling, and disposition of surplus property without regard to the provisions of section 3709 of the Revised Statutes (41 U. S. C. 5) upon determination by the Administrator or by any official designated by him for this purpose that such method of procurement is necessary; purchase and procurement of reports of experts or consultants or organizations thereof; advertising, including radio time; purchase, maintenance, operation, and repair of passenger automobiles; maintenance, operation, and repair of aircraft in the Territories and possessions in connection with disposal activities and, in the continental limits of the United States in connection with the disposition of aircraft and airports; acquisition of buildings, lands, leaseholds, and other interests therein, and temporary use thereof for the care, handling, and disposition of surplus property; payments to States or political subdivisions thereof of sums in lieu of and equivalent to taxes accruing against real property declared surplus to the Administration by Government corporations; authority to advance money to Administration cashiers and collection officials upon furnishing bond, for the purpose of handling cash transactions and making change at surplus property sales: *Provided*, That the Administrator may delegate to any official in the War Assets Administration the authority to make appointments of personnel and he may also delegate to any subordinate official the authority to make other determinations necessary for the conduct of the administrative management within said Administration: *Provided further*, That any employee of the War Assets Administration is authorized, when designated for the purpose by the Administrator, to administer to or take from any person an oath, affirmation, or affidavit, when such instrument is required in connection with the performance of the functions

11 F. R. 1265.

58 Stat. 765.
50 U. S. C., Supp.
V, app. §§ 1611-1646.
Ante, pp. 168, 169,
509; *post*, pp. 754, 886.

23 U. S. C., Supp.
V, § 600c.

Travel expenses.

Post, p. 809.

Delegation of au-
thority.

Administration of
oaths.

Services to employ-
ees.

or activities of the War Assets Administration: *Provided further*, That the Administration may procure by contract or otherwise and furnish to Governmental employees and employees of Government contractors at the reasonable value thereof food, meals, subsistence, and medical supplies, emergency medical services, quarters, heat, light, household equipment, laundry service, and sanitation facilities, and erect temporary structures and make alterations in existing structures necessary for these purposes, when such employees are engaged in the disposal of surplus property, or in the preparation for such disposal, at locations where such supplies, services, equipment, or facilities are otherwise unavailable, the proceeds derived therefrom to be credited to this appropriation: *Provided further*, That the provisions of subparagraph (A) of paragraph (1) of section 14 (a) of the Federal Employees Pay Act of 1946 (Public Law 390) shall not apply with respect to officers and employees of the War Assets Administration.

Ante, p. 219.

OFFICE FOR EMERGENCY MANAGEMENT—GENERAL PROVISIONS

Delegation of au-
thority.

(a) The head of any constituent agency may delegate to any official in such agency the authority to make appointments of personnel and he may also delegate to any official in the agency of which he is the head the authority to make other determinations necessary for the conduct of the administrative management within such agency.

Administration of
oaths.

(b) Any employee of any of the constituent agencies is authorized, when designated for the purpose by the head of such agency, to administer to or take from any person an oath, affirmation, or affidavit, when such instrument is required in connection with the performance of the functions or activities of such agency.

Claims against U. S.

(c) The head of any of the constituent agencies is authorized, in connection with the operations of such agency, to consider, ascertain, adjust, determine, and certify claims against the United States in accordance with the Act of December 28, 1922 (31 U. S. C. 215), and to designate certifying officers in accordance with the Act of December 29, 1941, or to delegate authority to the head of any other agency to designate employees of such agency as certifying officers to certify vouchers payable against the funds of the constituent agency concerned.

42 Stat. 1066.
31 U. S. C., Supp.
V, § 215 notes et seq.
Post, p. 846.
55 Stat. 876.
31 U. S. C., Supp.
V, §§ 82b-82c.

OFFICE OF PRICE ADMINISTRATION

Post, p. 913.
56 Stat. 23, 765.
50 U. S. C., Supp.
V, app. §§ 901-946,
961-971.
Ante, pp. 57, 214;
post, p. 664 et seq.
50 U. S. C., Supp.
V, app. § 1152.
56 Stat. 176.
50 U. S. C., Supp.
V, app. §§ 631-645a.
Ante, pp. 345, 346;
post, p. 868.

Salaries and expenses: For all necessary expenses of the Office of Price Administration in carrying out the provisions of the Emergency Price Control Act of 1942, as amended by the Act of October 2, 1942 (50 U. S. C. App. 901), and the provisions of the Act of May 31, 1941 (55 Stat. 236), as amended by the Second War Powers Act, 1942 (50 U. S. C. App. 622), and Acts amending or supplementing such Acts, and all other powers, duties, and functions which may be lawfully delegated to the Office of Price Administration, including personal services in the District of Columbia and elsewhere; lawbooks, books of reference, newspapers, and periodicals; expenses of in-service training of employees, including salaries and traveling expenses of instructors; not to exceed \$55,000 for the employment of aliens; not to exceed \$30,000 for the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709, Revised Statutes, or the civil-service and classification laws; contract stenographic reporting services without regard to said section 3709; witness fees; printing and binding (not to exceed \$790,290, which limitation shall not apply to the printing of forms prescribed for use of trade or public, instructions, regulations, coupon books, price lists, and printing required for the conduct of litigation); not to exceed \$300,000 for

Employment of
aliens.

41 U. S. C. § 5.
Post, p. 809.

Test purchases.

test purchases of commodities, services, or ration currency for enforcement purposes, authorization in each case to have approval prior to purchase of the Administrator, regional administrator, or the district director in the region or district in which the purchase is contemplated; traveling expenses (not to exceed \$7,674,330), including reimbursement, at not to exceed 4 cents per mile, of employees for expenses incurred by them on official travel in privately owned automobiles within the limits of their official stations, expenses of appointees from point of induction in continental United States to their first post of duty in the Territories and return and expenses of attendance at meetings of organizations concerned with the work of the Office of Price Administration; hire, maintenance, operation, and repair of passenger automobiles; not to exceed \$2,509,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); fiscal year 1947, \$75,000,000: *Provided*, That the aggregate of expenditures of any kind directly incident to informational functions shall not exceed for the period of the fiscal year \$1,750,000: *Provided further*, That no part of the funds appropriated in this paragraph shall be used to pay the salary of any person engaged in preparing or disseminating general propaganda in support of price control: *Provided further*, That within thirty days after the enactment of legislation extending the termination date of the Office of Price Administration beyond June 30, 1946, the Director of the Bureau of the Budget shall reconsider the estimate of appropriation contained in House Document Numbered 653, Seventy-ninth Congress, and within such period of thirty days make such revision (in no case upward) of the component parts and within the total amount thereof as would, in his judgment, enable compliance with the provisions of such legislation, and such revision shall be published promptly in the Federal Register and shall be binding upon the Office of Price Administration: *Provided further*, That obligations in pursuance of such revision, if justified thereby, may be incurred at quarterly rates not exceeding (except for liquidation expenses and the added cost of the Federal Employees Pay Act of 1946) those that would have been permissible under an appropriation made in accordance with the estimate of appropriation contained in the afore-mentioned House Document Numbered 653: *Provided further*, That no part of this appropriation shall be used for the compensation of any officer, agent, clerk, or other employee of the United States who shall divulge or make known in any manner whatever to any person the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any questionnaire, report, return, or document, required or requested to be filed by order or regulation of the Administrator or to permit any questionnaire, report, return, or document or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; nor for any person who shall print or publish in any manner whatever, except as hereinafter provided, any questionnaire, report, return, or document or any part thereof or source of income, profits, losses, expenditures, or methods of doing business, appearing in any questionnaire, report, return, or document: *Provided further*, That the foregoing provisions shall not be construed to prevent or prohibit the publication or disclosure of studies, graphs, charts, or other documents of like general character wherein individual statistics or the source thereof is not disclosed or identified directly or indirectly nor to prevent the furnishing in confidence to the War Department, the Navy Department, or the United

Travel expenses.

58 Stat. 394,
39 U. S. C., Supp.
V, § 321d.
Informational func-
tions.
Persons preparing
propaganda, etc.

Revision of appro-
priation estimate.
Post, p. 664.

Obligations.

Ante, p. 216.

Divulging of infor-
mation, restriction.

Authorized disclo-
sures.

Subsidy payments.
Maximum prices on agricultural commodities.

56 Stat. 27, 765.
50 U. S. C., Supp. V, app. §§ 903 (a), (b), (c), 961-971.
Post, pp. 664, 677.

56 Stat. 766.
50 U. S. C., Supp. V, app. § 963.
Post, p. 677.
Administration of oaths.

Experience requirement for designated personnel.

Salary, etc., of persons fixing certain maximum prices.

States Maritime Commission, such data and information as may be requested by them for use in the performance of their official duties: *Provided further*, That no part of this appropriation shall be available for making any subsidy payments: *Provided further*, That no part of this appropriation shall be used to enforce any maximum price or prices on any agricultural commodity or any commodity processed or manufactured in whole or substantial part from any agricultural commodity, including milk and its products and livestock, unless and until (1) the Secretary of Agriculture has determined and published for each agricultural commodity the prices specified in section 3 (a) of the Emergency Price Control Act of 1942, as amended by Public Law 729, approved October 2, 1942, as amended; (2) in case of a comparable price for such agricultural commodity, the Secretary of Agriculture has held public hearings and determined and published such comparable price in the manner prescribed by section 3 (b) of said Act as amended; and (3) the Secretary of Agriculture has determined after investigation and proclaimed that the maximum price or prices so established on any such agricultural commodity, including milk and its products and livestock, will reflect to the producer of such agricultural commodity a price in conformity with section 3 (c) of said Act as amended: *Provided further*, That such maximum price or prices shall conform in all respects to the provisions of section 3 of Public Law 729, approved October 2, 1942, as amended: *Provided further*, That any employee of the Office of Price Administration is authorized and empowered, when designated for the purpose by the head of the agency, to administer to or take from any person an oath, affirmation, or affidavit when such instrument is required in connection with the performance of the functions or activities of said Office: *Provided further*, That no part of this appropriation shall be directly or indirectly used for the payment of the salary or expenses of any person who directs the formulation of any price policy, maximum price, or price ceiling with respect to any article or commodity unless, in the judgment of the Administrator, such person shall be qualified by experience in business, industry, or commerce; but this limitation shall not apply to the Administrator or Acting Administrator as the case may be, in considering, adopting, signing, and promulgating price policies, maximum prices, or price ceilings formulated and prepared in compliance herewith: *Provided further*, That none of the funds appropriated in this Act shall be used to pay the salary or expenses of any person fixing maximum prices for different kinds, classes, or types of processed fruits and vegetables which are described in terms of specifications or standards, unless such specifications or standards were, prior to such order, in general use.

INDEPENDENT OFFICES

AMERICAN BATTLE MONUMENTS COMMISSION

American Battle Monuments Commission: The appropriation American Battle Monuments Commission in the Independent Offices Appropriation Act, 1947, is hereby made available for travel expenses in the amount of \$15,100, notwithstanding section 105 of said Act.

Ante, pp. 62, 78.

Ante, p. 65.

FEDERAL TRADE COMMISSION

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses", \$325,000: *Provided*, That the limitation under this head in the Independent Offices Appropriation Act, 1947, on

the amount which may be expended for penalty mail costs is hereby increased from \$5,000 to \$6,000.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", \$5,000.

Ante, p. 65.

OFFICE OF WAR MOBILIZATION AND RECONVERSION

Salaries and expenses: For all necessary expenses of the Office of War Mobilization and Reconversion, including the Office of Contract Settlement, in carrying out the provisions of the Act of October 3, 1944 (Public Law 458), the Act of July 1, 1944 (Public Law 395), and all other powers, duties, and functions which may be lawfully vested in the Office of War Mobilization and Reconversion, including personal services in the District of Columbia and elsewhere; contract stenographic reporting services; acceptance and utilization of voluntary and uncompensated services; fees and expenses of witnesses; lawbooks, books of reference, newspapers, and periodicals; printing and binding; maintenance, operation, and repair of passenger automobiles; travel expenses, including expenses of attendance at meetings of organizations concerned with the work of this agency; and not to exceed \$8,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); fiscal year 1947, \$725,000.

Ante, p. 188.

58 Stat. 785, 649.
50 U. S. C., Supp. V, app. §§ 1651-1678;
41 U. S. C., Supp. V, §§ 101-125.
Ante, p. 209.

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

FEDERAL WORKS AGENCY

OFFICE OF THE ADMINISTRATOR

Public Works Administration liquidation: The funds made available for "Public Works Administration liquidation" by the Second Deficiency Appropriation Act, 1944, approved June 28, 1944 (Public Law 375), as amended by the First Deficiency Appropriation Act, 1945, approved April 25, 1945 (Public Law 40), and the First Deficiency Appropriation Act, 1946, approved December 28, 1945 (Public Law 269), are hereby continued available until June 30, 1947, of which not to exceed \$40,000 shall be available for administrative expenses during the fiscal year 1947.

Ante, p. 65.

58 Stat. 602.

50 Stat. 80, 638.

PUBLIC BUILDINGS ADMINISTRATION

Site and building, west central heating plant, Washington, District of Columbia: For an additional amount for "Site and building, west central heating plant, Washington, District of Columbia", including the objects specified under this head in the First Supplemental Civil Functions Appropriation Act, 1941, and as authorized by the Act of December 23, 1941 (55 Stat. 856), \$2,600,000, to remain available until expended.

54 Stat. 1036.

General administrative expenses: For an additional amount, fiscal year 1947, for "General administrative expenses", including the objects specified under this head in the Independent Offices Appropriation Act, 1947, \$282,000, of which amount not to exceed \$79,635 may be expended for personal services in the District of Columbia, \$144,920 for personal services in the field, and \$50,000 for travel expenses, which limitations shall be in addition to those specified under said head.

Ante, p. 66.

Salaries and expenses, public buildings and grounds outside the District of Columbia: For an additional amount, fiscal year 1947, for "Salaries and expenses, public buildings and grounds outside the District of Columbia", including the objects specified under this head in the Independent Offices Appropriation Act, 1947, \$1,448,000.

Ante, p. 67.

Veterans' decentralization allowances: For expenses of packing, crating, drayage, transportation, temporary storage (not to exceed thirty days), unpacking and uncrating household goods and personal effects (not exceeding seven thousand pounds if uncrated and eight thousand seven hundred and fifty pounds if crated) in accordance, unless otherwise specified herein, with the Act of October 10, 1940, and regulations promulgated thereunder or any amendments thereto, of employees transferred from Washington in order to be restored pursuant to the provisions of section 8 of the Selective Training and Service Act of 1940, as amended, to positions in certain activities of departments and establishments, which positions were removed from the seat of government under the President's program of decentralization during 1941-1944, and for payment to such employees of special allowances of \$5 per day for not to exceed fifteen days after arrival at destination subject to conditions hitherto prescribed with respect to such special allowances, fiscal year 1947, \$57,000, to remain available until June 30, 1948: *Provided*, That such sums as may be determined by the Commissioner of Public Buildings to be necessary therefor may be transferred to other agencies concerned for the payment of such expenses and allowances.

PUBLIC ROADS ADMINISTRATION

Damage claims: For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended (23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army or the Navy, or both, by any other agency of the Government, and so forth," as fully set forth in Senate Document Numbered 226 and House Document Numbered 586, Seventy-ninth Congress, \$1,172,850.67.

BUREAU OF COMMUNITY FACILITIES

Veterans' educational facilities: For carrying out the provisions of section 504 of the Act entitled "An Act to amend title V of the Act entitled 'An Act to expedite the provision of housing in connection with the national defense, and for other purposes', approved October 14, 1940, as amended, to authorize the Federal Works Administrator to provide needed educational facilities, other than housing, to educational institutions furnishing courses of training or education to persons under title II of the Servicemen's Readjustment Act of 1944, as amended" (S. 2085 or H. R. 6952, Seventy-ninth Congress), \$75,000,000, to remain available until expended of which amount not to exceed \$3,000,000 shall be available for administrative expenses, including travel expenses and the objects specified under the head "Defense public works (community facilities)" in the Second Deficiency Appropriation Act, 1941, and the joint resolution approved December 23, 1941 (Public Law 371): *Provided*, That there may be excluded from the aggregate maximum personnel ceilings established by section 14 (a) of the Federal Employees Pay Act of 1946 (Public Law Numbered 390) in addition to other exclusions provided by law, not more than six hundred positions to the extent that all or part of such number may be determined by the Director of the Bureau of the Budget to be essential to the effectuation of the provisions of said section 504. This appropriation shall not be available for obligation until the enactment into law of said S. 2085 or H. R. 6952.

54 Stat. 1105.
5 U. S. C. § 730-1;
Supp. V, § 730-1 note.
Post, p. 807.

54 Stat. 890.
50 U. S. C. app.
§ 308; Supp. V, § 308.
Ante, p. 341.

Transfer of funds.

55 Stat. 768.
23 U. S. C., Supp.
V, § 110.

Post, p. 958.

59 Stat. 260.
42 U. S. C., Supp.
V, §§ 1571-1573.
Ante, p. 85; *post*, p.
958.

58 Stat. 287.
38 U. S. C., Supp.
V, § 701, note foll.
§ 735.
Post, p. 958.

55 Stat. 546, 855.
Exclusion of posi-
tions.

Ante, p. 219.

Supra.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Notwithstanding the provisions to the contrary under this head in the Independent Offices Appropriation Act, 1947, the unobligated balances of the funds appropriated in the First Deficiency Appropriation Act, 1945, for construction and equipment, Langley Field, Virginia, and Aircraft Engine Research Laboratory, Cleveland, Ohio, and the funds made available by the Navy Department for construction and equipment of a wind tunnel at Moffett Field, California, shall remain available for obligation until June 30, 1947.

Ante, p. 71.

59 Stat. 82.

PHILIPPINE WAR DAMAGE COMMISSION

Philippine War Damage Commission: For carrying out the provisions of title I of the Philippine Rehabilitation Act of 1946, fiscal year 1947, \$10,000,000, of which not to exceed \$800,000 shall be for all necessary expenses of the War Damage Commission, including personal services in the District of Columbia and elsewhere; purchase (not to exceed twelve), maintenance, operation, and repair of passenger automobiles; purchase of lawbooks; printing and binding; and contract stenographic reporting services: *Provided*, That no payment shall be made under the provisions of such title of such Act to any person whom the Commission is convinced collaborated with the enemy or committed any act involving disloyalty to the United States or the Commonwealth of the Philippines: *Provided further*, That no part of this appropriation shall be available for engaging in any phase of activity or for undertaking any phase of activity authorized by the Philippine Rehabilitation Act of 1946 which would result in obligating the Government of the United States in any sense or respect to the future payment of amounts in excess of the amounts authorized to be appropriated in such Act.

Ante, p. 128.

Persons involved in acts of disloyalty.

SELECTIVE SERVICE SYSTEM

Salaries and expenses: For all expenses necessary for the operation and maintenance of the Selective Service System as authorized by the Selective Training and Service Act of 1940 (50 U. S. C. App. 301); including not to exceed \$330,000 for printing and binding; not to exceed \$125,000 for expenditure through other Federal agencies, and through State agencies without regard to section 3648 of the Revised Statutes, for gathering of medical and social history information on registrants; personal services in the District of Columbia and elsewhere; contract stenographic reporting services; lawbooks, books of reference, newspapers, and periodicals; purchase (not to exceed sixty), maintenance, operation, and repair of passenger automobiles; not to exceed \$875,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); expenses incident to the granting of nonmonetary awards, including citations, insignia, emblems, and devices, to civilian employees of the Selective Service System and others rendering service to the System in recognition of faithful and meritorious services; and, under such rules or regulations as may be prescribed by the Director of Selective Service, expenses of emergency medical care, including hospitalization, of registrants who suffer illness or injury, and the transportation, and burial, of the remains of registrants who suffer death, while acting under orders issued under the selective-service law but such burial expenses shall not exceed \$150 in any one case; fiscal year 1947,

54 Stat. 885.
50 U. S. C. app.
§§ 301-318; Supp. V,
§ 302 et seq.
Ante, pp. 181, 341,
342.

31 U. S. C. § 520.
Post, p. 800.

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

Conscientious objectors.
Work program.

\$27,750,000: *Provided*, That such amounts as may be necessary shall be available for the planning, directing, and operation of a program of work of national importance under civilian direction, either independently or in cooperation with governmental or nongovernmental agencies, and the assignment and delivery thereto of individuals found to be conscientiously opposed to participation in work of the land or naval forces, which cooperation with other agencies may include the furnishing of funds to and acceptance of money, services, or other forms of assistance from such nongovernmental agencies for the more effectual accomplishment of the work; and for the pay and allowances of such individuals at rates not in excess of those paid to persons inducted into the Army under the Selective Service System, and such privileges as are accorded such inductees: *Provided further*, That the travel of persons engaged in the administration of the Selective Service System, including commissioned, warrant, or enlisted personnel of the Army, Navy, Marine Corps, or their reserve components, including not to exceed \$5,000 for attendance at meetings of societies or associations for the purpose of obtaining or imparting information concerning functions of the Selective Service System and reimbursement at not to exceed 4 cents per mile of employees or others rendering service to the Government for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations, may be ordered by the Director or by such persons as he may authorize: *Provided further*, That no person traveling hereunder shall be allowed travel expenses on the mileage basis unless such expenses are authorized by regulation of the service to which he belongs: *Provided further*, That within thirty days after the enactment of legislation extending the Selective Training and Service Act of 1940, as amended, the Director of the Bureau of the Budget shall reconsider the estimate of appropriation contained in House Document Numbered 641, Seventy-ninth Congress, and within such period of thirty days make such revision (in no case upward) of the total amount thereof as would, in his judgment, enable compliance with the provisions of such legislation, and such revision shall be published promptly in the Federal Register and shall be binding upon the Selective Service System: *Provided further*, That obligations in pursuance of such revision, if justified thereby, may be incurred at quarterly rates not exceeding (except for liquidation expenses and the added cost of the Federal Employees Pay Act of 1946) those that would have been permissible under an appropriation made in accordance with the estimate of appropriation contained in the afore-mentioned House Document Numbered 641.

Travel expenses.

Revision of appropriation estimate.

54 Stat. 885.
50 U. S. C. app.
§§ 301-318; Supp. V,
§ 302 *et seq.*
Ante, pp. 181, 341,
342.

Obligations incurred at quarterly rates.

Ante, p. 216.

THE TAX COURT OF THE UNITED STATES

Salaries and expenses: For an additional amount for "Salaries and expenses, The Tax Court of the United States," fiscal year 1946, including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$5,200.

59 Stat. 127.

UNITED STATES MARITIME COMMISSION

Receipts from operations of any functions of the War Shipping Administration which are transferred to the United States Maritime Commission under the terms of title II of Public Law 492, Seventy-ninth Congress, second session, shall be available until March 1, 1947, for obligation by the United States Maritime Commission in carrying out any such transferred operating functions as the Commission shall deem necessary, including personnel and other administrative expenses necessary to conduct such operations.

Ante, p. 499.

VETERANS' ADMINISTRATION

Readjustment benefits: For an additional amount, fiscal year 1947, for "Readjustment benefits, Veterans' Administration," \$1,843,000,000, to remain available until expended.

Ante, p. 76.

Operation of canteens: For all expenses necessary for carrying out the provisions of the Act entitled "An Act to establish and provide for the maintenance and operation of a Veterans' Canteen Service in the Veterans' Administration, and for other purposes" (H. R. 6836 or S. 2354), \$4,000,000, which shall be available to provide adequate working capital for each canteen and for the Service as a whole for (a) the acquisition of necessary furniture, furnishings, fixtures, and equipment for the establishment, maintenance, and operation of canteens, warehouses, and storage depots, (b) for the procurement of merchandise, supplies, and services for sale at canteens at stations of the Veterans' Administration, in accordance with the provisions of the Act, and (c) for the employment of personnel and other expenses necessary for the operation of the canteens: *Provided*, That the amount appropriated and the proceeds of canteen operations shall be deposited in the Treasury or other depositories selected by the Administrator in a special account which shall be available for the continued operation of canteens: *Provided further*, That the availability of this appropriation is contingent upon the enactment of H. R. 6836 or S. 2354.

Post, p. 887.

Deposit of proceeds,
etc.

Supra.

DISTRICT OF COLUMBIA

FISCAL SERVICE

Collector's office: For an additional amount, fiscal year 1945, for "Collector's office", including the objects specified for this purpose in the District of Columbia Appropriation Act, 1945, \$13,463.54.

58 Stat. 510.

Ante, p. 502.

For an additional amount, fiscal year 1947, for "Collector's Office", including the objects specified for this purpose in the District of Columbia Appropriation Act, 1947, \$136,645.91.

REGULATORY AGENCIES

Office of Administrator of Rent Control: For an additional amount, fiscal year 1947, for "Office of Administrator of Rent Control", including the objects specified under this head in the District of Columbia Appropriation Act, 1947, \$45,200.

Ante, p. 504.

COURTS

United States courts: For an additional amount, fiscal year 1945, for the appropriation "United States Courts", \$21,944.12.

58 Stat. 518.

PUBLIC WELFARE

DAY CARE CENTERS

For all expenses necessary for the establishment, maintenance, and operation of a system of nurseries and nursery schools for the day care of children of school or under school age, including personal services, as authorized by Public Law 514, Seventy-ninth Congress, approved July 16, 1946, fiscal year 1947, \$250,000.

Ante, p. 540.

MENTAL REHABILITATION SERVICE

58 Stat. 523.

Saint Elizabeths Hospital: For an additional amount, fiscal year 1945, for "Saint Elizabeths Hospital", including the objects specified under this head in the District of Columbia Appropriation Act, 1945, \$1,910.

PUBLIC WORKS

Testing laboratory.

No appropriation in this or any other Act shall be used for the operation of a testing laboratory of the Highway Department for making tests of materials in connection with any activity of the District government, and the equipment of the existing laboratory, not adaptable to other uses, shall be declared surplus to the War Assets Administration, and such Administration shall undertake the disposal thereof in accordance with surplus property disposal procedures established by or in pursuance of law, the net proceeds of sale to be deposited in the Treasury of the United States to the credit of the general fund of the District of Columbia.

NATIONAL GUARD

Ante, p. 521.

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses, National Guard", including the objects specified under this head in the District of Columbia Appropriation Act, 1947, \$55,000, including compensation to the commanding general at the rate of \$3,600 per annum.

SETTLEMENT OF CLAIMS AND SUITS

45 Stat. 1160.
D. C. Code §§ 1-902
to 1-905.

For the payment of claims in excess of \$250, approved by the Commissioners in accordance with the provisions of the act of February 11, 1929, as amended (46 Stat. 500), \$7,478.05: *Provided*, That no part of such appropriation in excess of 10 per centum, respectively, of the amount of any claim embraced thereby shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with any claim the appropriation covers, and any larger payment to any agent or attorney shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions hereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

JUDGMENTS

For the payment of final judgments, rendered against the District of Columbia, as set forth in House Document Numbered 630, Seventy-ninth Congress, together with such further sum as may be necessary to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment, \$1,759.59.

AUDITED CLAIMS

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under the appropriations listed below, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), being for the service of the fiscal year 1943 and prior fiscal years, as follows:

18 Stat. 110.

District offices, expenses, District of Columbia, 1943, \$66.58;
 Washington Aqueduct, District of Columbia, 1943, (payable from
 water fund), \$12.12;
 Public schools, repairs and improvements to buildings and grounds,
 District of Columbia, 1940, \$1.55;
 In all, \$80.25.

56 Stat. 424.

56 Stat. 457.

53 Stat. 1016.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia,
 shall, unless otherwise specifically provided, be paid out of the general
 fund of the District of Columbia, as defined in the District of Colum-
 bia Appropriation Act, 1947.

Ante, p. 501.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ANIMAL INDUSTRY

Inspection and quarantine: For an additional amount, fiscal year
 1947, for "Inspection and quarantine," including the objects specified
 under this head in the Department of Agriculture Appropriation
 Act, 1947, and for carrying out the provisions of H. J. Res. 364, Sev-
 enty-ninth Congress, \$141,000: *Provided*, That \$85,000 of this amount
 shall not be available for obligation until the enactment of said H. J.
 Res. 364.

Ante, p. 278.*Post*, p. 633.

BUREAU OF DAIRY INDUSTRY

Salaries and expenses: For an additional amount, fiscal year 1947,
 for "Salaries and expenses", including the objects specified under this
 head in the Department of Agriculture Appropriation Act, 1947,
 \$10,000.

Ante, p. 278.

FARM LABOR SUPPLY PROGRAM

Supply and distribution of farm labor: The authority and funds
 provided by the Farm Labor Supply Appropriation Act, 1944, as
 amended and supplemented, are hereby continued through June 30,
 1947, for carrying out the purposes of said Act, as amended, and, in
 addition to the amount hereby continued available, there is hereby
 appropriated the sum of \$12,000,000 for such purposes, to be merged
 with the funds hereby continued available. Not less than \$3,000,000
 of such additional funds shall be apportioned among the several
 States in the manner and for the purposes specified in section 2 of said
 Act, and of the amount so apportioned, not more than \$50,000 may be
 expended by the State agricultural extension services for the construc-
 tion of labor supply centers under the limitations of said section 2.
 In addition to the amounts heretofore made available for administra-
 tive expenses pursuant to section 3 (c) of said Act there is hereby made
 available out of said funds, the sum of \$280,000 for such purposes.

Post, p. 969.

58 Stat. 11.

50 U. S. C., Supp.

V, app. §§ 1351-1355.

Apportionment to
States.

58 Stat. 12.

50 U. S. C., Supp.

V, app. § 1352.

50 U. S. C., Supp.
V, app. § 1353 (c).

COMMODITY CREDIT CORPORATION

Notwithstanding any other provision of law, the Commodity Credit
 Corporation is authorized to purchase surplus potatoes (including
 sweet potatoes) produced during the year 1946 and to process and
 sell such potatoes to any foreign country, and, upon requisition, to
 the Army and the United Nations Relief and Rehabilitation Admin-
 istration for the relief of hungry people.

Potatoes.

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

Transfer of funds.

Compiling census reports, and so forth: The appropriation "Compiling census reports and so forth" in the Department of Commerce Appropriation Act, 1946, as amended, is hereby made available for the transfer of not to exceed \$300,000 to the National Bureau of Standards, to be available until expended for the objects specified under the aforesaid appropriation.

59 Stat. 188.

Ante, p. 466.

Compiling census reports, and so forth: The appropriations under the heading "Compiling census reports, and so forth," in the Department of Commerce Appropriation Act, 1947, are hereby made available for expenditure at the seat of Government on and after October 1, 1946, for the compilation of Foreign Trade Statistics within a limitation of \$1,200,000.

58 Stat. 417.

Census of Agriculture: The appropriations under the head "Census of Agriculture" in the Department of Commerce Appropriation Act, 1945, as supplemented by the Act of February 28, 1945 (59 Stat. 6), are hereby continued available until June 30, 1947.

DEPARTMENT OF THE INTERIOR

SOLID FUELS ADMINISTRATION FOR WAR

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

Deputy Administrator, etc.

Salaries and expenses: For all necessary expenses of the Solid Fuels Administration for War in performing its functions as prescribed in Executive Order Numbered 9332 of April 19, 1943, including the employment, without regard to civil-service and classification laws, of a Deputy Administrator at not to exceed \$10,000 per annum and not to exceed twenty-eight technical employees; other personal services in the District of Columbia; printing and binding; traveling expenses, including attendance at meetings of organizations concerned with the purposes of this appropriation; reimbursement at not to exceed 3 cents per mile of employees for expenses incurred by them in official travel in privately owned automobiles within the limits of their official stations; contract stenographic reporting services; newspapers (not to exceed \$300); books and periodicals; office supplies; furniture and equipment; maintenance, repair, and operation of passenger-carrying automobiles; and the acceptance and utilization of voluntary and uncompensated services; fiscal year 1947, \$2,950,000.

BUREAU OF INDIAN AFFAIRS

IRRIGATION AND DRAINAGE

Ante, p. 192.

59 Stat. 328.

Maintenance, San Carlos irrigation project, Gila River Reservation, Arizona: For an additional amount, fiscal year 1946, for operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, \$50,000 (power revenues), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.
Post, p. 895.

BUREAU OF RECLAMATION

RECLAMATION FUND, SPECIAL FUND

Ante, p. 355.

Construction: For additional amounts for construction of the following projects including the objects specified under the head

“Bureau of Reclamation” in the Interior Department Appropriation Act, 1947, to be expended from the reclamation fund, to remain available until expended and to be reimbursable under the reclamation law:

Projects:

Boise project, Idaho, Anderson Ranch, \$806,260;

Provo River project, Utah, \$878,480;

Total, from the reclamation fund, \$1,684,740.

COLORADO RIVER FRONT WORK AND LEVEE SYSTEM

For operating and maintaining the Colorado River front work and levee system in Arizona, Nevada, and California; constructing, improving, extending, operating, and maintaining protection and drainage works and systems along the Colorado River; controlling said river and improving, modifying, straightening, and rectifying the channel thereof; and conducting investigations and studies in connection therewith; as authorized by Public Law 469, approved June 28, 1946; \$500,000, to remain available until expended.

Ante, p. 338.

NAVY DEPARTMENT

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled “An Act to provide the Navy with a system of laws for the settlement of claims uniform with that of the Army”, approved December 28, 1945, Public Law 277, Seventy-ninth Congress, as fully set forth in Senate Document Numbered 222 and House Document Numbered 600, Seventy-ninth Congress, \$2,589.96.

59 Stat. 662.
31 U. S. C., Supp.
V, §§ 215 note, 222e,
222f, 223d.
Ante, p. 333; *post*,
p. 846.

BUREAU OF SUPPLIES AND ACCOUNTS

Transportation of things, Navy: For an additional amount for “Transportation of things, Navy”, fiscal year 1947, including the charter and hire of tankers and cargo-carrying vessels and including the objects and subject to the conditions specified under this head in the Naval Appropriation Act for the fiscal year 1947, \$28,750,000.

Ante, p. 489.

POST OFFICE DEPARTMENT

(Out of the postal revenues)

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

OFFICE OF THE POSTMASTER GENERAL

Salaries: For an additional amount, fiscal year 1947, for “salaries”, \$8,179.

Ante, p. 580.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Foreign mail transportation: Not to exceed \$7,500 of the appropriation “Foreign mail transportation”, fiscal year 1947, is hereby made available for expenses of delegates designated from the Post Office Department by the Postmaster General to the Fifth Congress of the

Ante, p. 583.

Postal Union of the Americas and Spain, to be expended in the discretion of the Postmaster General and accounted for on his certificate, which certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

DEPARTMENT OF STATE

Ante, p. 448.

FOREIGN SERVICE

Pay period of employees: Until July 1, 1947, the Secretary of State may, under such regulations as he may prescribe, compute and pay on a biweekly basis (one twenty-sixth of the annual rate) the annual or monthly compensation of employees of the Department of State, including the Foreign Service, outside the continental limits of the United States who are paid in accordance with local native wage rates for the area in which employed, and when a pay period for such employees begins in the fiscal year 1946 and ends in the fiscal year 1947, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period. This provision shall be considered as effective from July 1, 1945.

Effective date.

Salaries of clerical, administrative, and fiscal personnel, Foreign Service: For an additional amount, fiscal year 1947, for "Salaries of clerical, administrative, and fiscal personnel, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1947, \$647,850.

Miscellaneous salaries and allowances, Foreign Service: For an additional amount, fiscal year 1947, for "Miscellaneous salaries and allowances, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1947, \$133,450.

Cost-of-living allowances, Foreign Service: For an additional amount, fiscal year 1947, for "Cost-of-living allowances, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1947, \$180,000.

Foreign Service quarters: For an additional amount, fiscal year 1947, for "Foreign Service quarters", including the objects specified under this head in the Department of State Appropriation Act, 1947, \$36,500.

Allowances for living quarters.

The limitations under the appropriation "Foreign Service quarters", fiscal year 1947, on the amounts which may be used for allowances for living quarters shall not apply to Foreign Service posts in Turkey, Switzerland, Union of Soviet Socialist Republics, Venezuela, and The Netherlands possessions. This provision shall be effective as of July 1, 1946.

Transportation, Foreign Service: For an additional amount, fiscal year 1947, for "Transportation, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1947, \$147,000.

Contingent expenses, Foreign Service: For an additional amount, fiscal year 1947, for "Contingent expenses, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1947, \$396,000.

INTERNATIONAL OBLIGATIONS

United States contributions to international commissions, congresses, and bureaus: For an additional amount, fiscal year 1946, for "United States contributions to international commissions, congresses, and bureaus", as follows: International Bureau of Permanent Court of Arbitration, \$10,945.14; Cape Spartel and Tangier

59 Stat. 175.

Light, Coast of Morocco, \$800; International Hydrographic Bureau, \$5,031.18; Convention Relating to Liquor Traffic in Africa, \$66.38; in all, \$16,842.70.

For an additional amount, fiscal year 1947, for "United States contributions to international commissions, congresses, and bureaus", as follows: International Institute of Agriculture at Rome, Italy, \$339,853.60, to be used only for the liquidation of the Institute by January 1, 1947.

Ante, p. 453.

United States participation in United Nations: For an additional amount, fiscal year 1947, for "United States participation in United Nations," including the objects specified under this head in the Department of State Appropriation Act, 1947, and including the purchase of two (one at not to exceed \$3,000) passenger automobiles, \$660,000.

Ante, p. 453.

Special and technical investigations, International Joint Commission, United States and Canada: For an additional amount for "Special and technical investigations, International Joint Commission, United States and Canada," fiscal year 1947, including the objects specified under this head in the Department of State Appropriation Act, 1947, and including the purchase of four additional passenger automobiles, \$70,000.

Ante, p. 456.

Philippine rehabilitation: For all expenses necessary to carry out the provisions of titles III and V of the Philippine Rehabilitation Act of 1946 (hereinafter called the Act), without regard to section 3709 of the Revised Statutes, including personal services in the District of Columbia or elsewhere, and employment of personnel outside the continental United States without regard to civil-service and classification laws; temporary services of experts or consultants by contract or otherwise; purchase (not to exceed sixty-nine passenger automobiles), hire, maintenance, operation, and repair of motor-propelled and animal-drawn passenger-carrying vehicles; purchase (not to exceed four), hire, maintenance, operation, and repair of aircraft; not to exceed \$4,000 for deposit in the general fund of the Treasury for cost of handling penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); purchase of lawbooks, books of reference, newspapers, and periodicals; travel expenses, including expenses of attendance at meetings of organizations concerned with the furtherance of the purposes hereof; compilation, printing, and distribution, in the Philippine Islands or the United States, of charts, reports, and publications pertaining to the various programs set forth in the Act; acquisition of sites for the construction of additional buildings, and furnishing and equipping of buildings acquired or constructed, under section 501 of the Act; and acquisition of quarters in the Philippines to house employees of the United States Government, including military personnel, by purchase, rental (without regard to section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a)), lease, or construction and necessary repairs and alterations to and maintenance of such quarters; amounts as follows: (a) For carrying out the provisions of sections 302, 303, 304, and 305 of title III of the Act, \$33,000,000; (b) for carrying out sections 306, 307, 308, 309, 310, and 311 of said title III, \$10,918,000; and (c) for carrying out the provisions of title V of the Act, \$4,000,000; in all, \$47,918,000, to be available on July 1, 1946, and to remain available until June 30, 1950: *Provided*, That no part of this appropriation shall be available for engaging in any phase of activity or for undertaking any phase of activity authorized by the Philippine Rehabilitation Act of 1946 that would result in obligating the Government of the United States in any sense or respect to the future payment of amounts in excess of the amounts authorized to be appropriated in

Ante, pp. 135, 140.
41 U. S. C. § 5.
Post, p. 809.

58 Stat. 394.
39 U. S. C., Supp.
V, § 321d.
40 Stat. 1270.

Ante, p. 140.

47 Stat. 412.

Ante, pp. 135-139,
140.

Restrictions.

Ante, p. 128.

such Act, nor shall any part of this appropriation be available for expanding any public works project authorized by law to be replaced or rehabilitated beyond such as may be justified by sound engineering practice and which can be accomplished within the amount authorized to be appropriated: *Provided further*, That the total amount that may be obligated for the entire accomplishment of section 307 (a) of title III of such Act shall not exceed \$8,000,000: *Provided further*, That the Secretary of State, or such official as he may designate, is authorized to transfer from any of the foregoing amounts to any department or independent establishment of the Government for participation in the foregoing programs, sums for expenditure by such department or establishment for the purposes hereof, and sums so transferred shall be available for expenditure in accordance with the provisions hereof and, to the extent determined by the Secretary of State, in accordance with the law governing expenditures of the department or independent establishment of the Government for *ther*, That transfers of funds to participating agencies for the programs set forth in sections 302 to 305 of the Act shall be approved by the President prior to such transfers: *Provided further*, That sums from the foregoing applicable appropriation may be transferred directly to and merged with the appropriations contemplated in section 306 (b) of the Act to reimburse said latter appropriations for expenditures therefrom for the purposes hereof: *Provided further*, That the construction of diplomatic and consular establishments of the United States in the Philippine Islands shall be without regard to the proviso contained in twenty-two United States Code 295a.

Ante, p. 137.
Transfer of funds.
Post, p. 916.

Prior approval.
Ante, pp. 135, 136.
Reimbursement.

Ante, p. 137.

Construction of diplomatic, etc., establishments.
52 Stat. 441.

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

Refunds under Renegotiation Act: To enable the Secretary of the Treasury to make the refunds during the fiscal year 1947, including refunds for prior years, required by section 403 (a) (4) (D) (relating to the recomputation of the amortization deduction) and by the last sentence of section 403 (i) (3) (relating to excess inventories) of the Renegotiation Act; and to refund any amount finally adjudged or determined to have been erroneously collected by the United States pursuant to a unilateral determination of excessive profits, with such interest thereon (at a rate not to exceed 4 per centum per annum) as may be adjudged or determined to be owing in law or equity; \$15,000,000, together with the unused portion of the \$15,000,000 authorized for this purpose in the First Deficiency Appropriation Act, 1945: *Provided*, That to the extent refunds are made from this appropriation of excessive profits collected under the Renegotiation Act and retained by the Reconstruction Finance Corporation or any of its subsidiaries, the Reconstruction Finance Corporation or the appropriate subsidiary shall reimburse this appropriation: *Provided further*, That the War Contracts Price Adjustment Board or its duly authorized representative shall certify the amount of any refund to be made in pursuance hereof to the Secretary of the Treasury who shall make payment upon such certificate in lieu of any voucher which might otherwise be required.

OFFICE OF THE CHIEF CLERK

Salaries: For an additional amount for "Salaries, Office of the Chief Clerk", fiscal year 1947, including the objects specified under this head in the Treasury Department Appropriation Act, 1947, \$11,500.

58 Stat. 80, 89.
50 U. S. C., Supp.
V, app. § 1191.

59 Stat. 90.
Reimbursement.

Certification of amount.

Ante, p. 569.

COAST GUARD

Retired pay, former Lighthouse Service, Coast Guard: For an additional amount for "Retired pay, former Lighthouse Service, Coast Guard," fiscal year 1946, including the objects specified under this head in the Navy Department Appropriation Act, 1946, \$3,000.

The appropriation "General expenses, Coast Guard", fiscal years 1946 and 1947, shall be available for the payment of claims authorized under section 1 of Public Law 277, Seventy-ninth Congress, approved December 28, 1945, as amended by Public Law 327, Seventy-ninth Congress, approved March 20, 1946.

Ante, p. 531.59 Stat. 662.
31 U. S. C., Supp.
V, § 223d.
Ante, pp. 56, 333;
post, p. 847.

SECRET SERVICE DIVISION

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces, Treasury Department: For an additional amount for "Reimbursement to District of Columbia, benefit payments to White House Police and Secret Services forces, Treasury Department," fiscal year 1946, \$16,625.

59 Stat. 64.

BUREAU OF THE MINT

Medals for General Marshall and Admiral King: For carrying out the provisions of the House joint resolution approved March 22, 1946, (Private Law 438), fiscal years 1946 and 1947, \$4,500.

Post, p. 1134.

PROCUREMENT DIVISION

Strategic and critical materials: The appropriation "Strategic and critical materials, Procurement Division, Act of June 7, 1939", is hereby made available in addition to the purposes for which appropriated, for all necessary expenses of care and handling, including putting into forms best suited for storage and use for the common defense, of surplus strategic minerals, metals, and materials transferred to the Procurement Division under section 22 of the Surplus Property Act of 1944: *Provided*, That any amount in excess of the amount required for the purposes for which this appropriation is hereby made available, shall, upon ascertainment, be carried to the surplus fund and covered into the Treasury.

53 Stat. 811.
50 U. S. C. §§ 98-
98f, Supp. V, § 98e.
Ante, p. 596.58 Stat. 776.
50 U. S. C., Supp.
V, app. § 1631.
Ante, p. 599.

WAR DEPARTMENT

OFFICE OF THE SECRETARY

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army", approved July 3, 1943 (31 U. S. C. 223b) as fully set forth in Senate Document Numbered 221 and House Document Numbered 579, Seventy-ninth Congress, \$398,405.94.

57 Stat. 372.
31 U. S. C., Supp.
V, §§ 215 note, 222a,
222b, 223b, 223c.
Ante, p. 332; *post*,
p. 847.

FINANCE DEPARTMENT

FINANCE SERVICE, ARMY

Pay of the Army: The appropriation for "Pay of the Army" in the Military Appropriation Act, 1947, is hereby made available to pay mustering-out payments, as authorized by the "Mustering-Out Payment Act of 1944", Public Law 225, Seventy-eighth Congress, second session, as amended, to members of the armed forces who were or may

Ante, p. 542.58 Stat. 8.
38 U. S. C., Supp.
V, §§ 601-601g.

be denied such payments because they resigned from the Army to enter the United States Military Academy or the United States Naval Academy and subsequently were separated from either Academy because of physical disability.

CIVIL FUNCTIONS, CORPS OF ENGINEERS

RIVERS AND HARBORS

Ante, p. 199.

Rivers and harbors: For an additional amount, fiscal year 1946, for "Rivers and harbors", including the objects specified under this head in the War Department Civil Appropriation Act, 1946, \$3,800,000, to remain available until expended.

FLOOD CONTROL

Flood control, general: For an additional amount, fiscal year 1946, for "Flood control, general", including the objects specified under this head in the War Department Civil Appropriation Act, 1946, \$1,500,000, to remain available until expended.

THE JUDICIARY

UNITED STATES SUPREME COURT

Ante, p. 475.

Salaries: For an additional amount, fiscal year 1947, for "Salaries, United States Supreme Court", \$15,116.

UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Ante, p. 200.

Repairs and improvements, United States Court of Appeals for the District of Columbia: The unexpended balance on June 30, 1946, of the appropriation of \$11,000 carried under this head in the Second Deficiency Appropriation Act, 1946, is hereby continued available for the same purposes until June 30, 1947.

Third Supplemental Surplus Appropriation Rescission Act, 1946.

TITLE II—SURPLUS APPROPRIATION RESCISSIONS

Appropriations of the departments and agencies available in the fiscal year 1946, and prior-year unreverted appropriations for the Navy Department and the naval service, are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

EXECUTIVE OFFICE OF THE PRESIDENT

Office for Emergency Management:

Office of Scientific Research and Development:

Salaries and expenses, \$1,825,000.

War Shipping Administration:

Revolving fund, \$50,000,000.

State marine schools, \$70,000.

Marine and war-risk insurance fund, revolving fund, \$30,000,000.

EMERGENCY FUNDS APPROPRIATED TO THE PRESIDENT

Ante, pp. 8, 11, 221, 223.

Defense aid—lend-lease, \$672,000,000, to be deducted from such of the categories specified in the various appropriation Acts as may be determined by the Secretary of the Treasury, or such official as he shall designate, in consultation with the Department of State.

INDEPENDENT OFFICES

Selective Service System: Salaries and expenses, \$1,100,000.	<i>Ante</i> , p. 8.
United States Employees' Compensation Commission:	<i>Ante</i> , pp. 8, 221.
Employees' compensation fund, \$1,100,000.	
Wage accruals, \$2,000,000.	59 Stat. 377.
United States Maritime Commission: Construction fund, Act of June 29, 1936, revolving fund, \$378,460,000.	<i>Ante</i> , pp. 8, 221. 49 Stat. 1987.
Federal Works Agency:	46 U. S. C. § 1116; Supp. V, § 1116 note.
Office of the Administrator: War public works (community facilities), \$350,172.	<i>Ante</i> , pp. 9, 221.
Public Buildings Administration: Emergency safeguarding of public buildings and property, \$50,000.	<i>Ante</i> , pp. 9, 222.
Public Roads Administration: Access roads, \$320,596.	

EXECUTIVE DEPARTMENTS

Department of the Interior: Government in the Territories: Emergency fund, Territories and island possessions (national defense), \$550,000.	<i>Ante</i> , pp. 11, 222.
Department of State: Office of International Information and Cultural Affairs, Inter-American affairs functions, Department of State, \$112,000.	
War Department:	
Military Establishment:	<i>Ante</i> , pp. 13, 14, 223-225.
General Staff Corps: Special field exercises, Army, 1942-1946, \$1,252,000.	
Finance Department: Finance Service, Army, 1942-1946, \$1,902,500, and subappropriations under this head are hereby decreased as follows: (1) Expenses of the courts martial, \$300,000; (2) apprehension of deserters, \$179,500; (3) claims for damage to or loss or destruction of property, or personal injury, or death, \$1,125,000; and (4) claims of military and civilian personnel of the War Department, \$298,000.	
Quartermaster Corps: Quartermaster Service, Army, 1942-1946, \$21,175,000, and subappropriations under this head are hereby decreased as follows: (1) Welfare of enlisted men, \$2,000,000; and (2) clothing and equipage, \$19,175,000.	
Signal Corps: Signal Service of the Army, 1942-1946, \$12,364,000.	
Air Corps: Air Corps, Army, 1942-1946, \$1,507,959,000.	
Medical Department: Medical and Hospital Department, Army, 1942-1946, \$6,051,000.	
Corps of Engineers:	
Engineer Service, Army, 1942-1946, \$2,756,000, and subappropriations under this head are hereby decreased as follows: (1) Military posts, \$2,756,000.	
Repair of arsenals, Army, 1942-1946, \$90,305.	
Acquisition of land, Act June 26, 1940, no year, \$71,918.	
Acquisition of land for military purposes, national defense, no year, unexpended balance.	
Acquisition of land, Ogden Ordnance Depot, Utah, no year, unexpended balance.	
Construction of buildings, utilities, and appurtenances at military posts, no year, \$793,845.	
Office buildings and appurtenances, War Department, Arlington County, Virginia, no year, unexpended balance.	

Chemical Warfare Service: Chemical Warfare Service, Army, 1942–1946, \$4,881,000.

Seacoast defenses:

Seacoast defenses, general, no year, \$18,885.

Seacoast defenses, no year, \$149.

Seacoast defenses, Insular Departments, no year, unexpended balance.

Citizens' Military Training: Reserve Officers' Training Corps, 1942–1946, \$1,308,000.

National Board for Promotion of Rifle Practice, Army: Promotion of rifle practice, 1942–1946, \$1,500.

Inter-American Relations, War Department: Inter-American Relations, War Department, 1943–1946, \$10,000.

Office of the Secretary: Printing and binding, War Department, 1942–1946, \$2,243,000.

So much of title 2 of the Second Supplemental Surplus Appropriation Rescission Act, 1946, as reads, "Emergency fund for the President, national defense (allotment to War), 1942–1946, \$10,000,000", is hereby repealed.

Navy Department:

Naval Establishment:

Office of the Secretary:

Miscellaneous expenses, Navy, 1945, \$289,519.

Naval emergency fund, 1945, \$1,167,926.

Operation and conservation of naval petroleum reserves, 1945, \$185,912.

Ocean and lake surveys, 1945, \$22,749.

Bureau of Naval Personnel:

Naval training station, Newport, Rhode Island, 1945, \$5,801.

Naval training station, Norfolk, Virginia, 1945, \$200,000.

Naval training station, Lake Pend, Oreille, Idaho, 1945, \$100,000.

Naval training station, Lake Seneca, New York:

Fiscal year 1945, \$28,130.

Fiscal year 1946, \$120,279.

Fleet training, Navy:

Fiscal year 1945, \$22,577.

Fiscal year 1946, \$30,000.

Miscellaneous expenses, Bureau of Naval Personnel, 1945, \$1,417.

Naval Reserve, 1945, \$9,326,196.

Maintenance, Naval Academy, 1945, \$2,009.

Bureau of Ships:

Maintenance, Bureau of Ships: Fiscal year 1945, \$150,000,000.

Bureau of Ordnance:

Ordnance and ordnance stores, Navy:

Fiscal year 1945, \$66,000,000.

Fiscal year 1946, \$38,223,994.

Bureau of Supplies and Accounts:

Maintenance, Bureau of Supplies and Accounts, 1945, \$14,230,000.

Fuel and transportation, Navy, 1945, \$30,000,000.

Bureau of Medicine and Surgery: Medical Department, Navy, 1946, \$2,589,847.

Repeal.
Ante, p. 225.

Ante, pp. 15–18, 225–227.

Bureau of Aeronautics: Aviation, Navy, 1945, \$24,960,434.

Marine Corps:

Pay, Marine Corps:

Fiscal year 1945, \$15,000,000.

Fiscal year 1946, \$7,361,946.

Increase and replacement of naval vessels: Repair facilities, Navy, \$3,952,950.

Coast Guard:

Salaries, Office of Commandant, United States Coast Guard, 1945, \$1,825.

Pay and allowances, Coast Guard:

Fiscal year 1945, \$6,000,000.

Fiscal year 1946, \$3,468,244.

General expenses, Coast Guard, 1945, \$164,107.

Civilian employees, Coast Guard, 1945, \$5,594.

Establishing and improving aids to navigation, Coast Guard, \$528.

Salaries and expenses, merchant marine inspection, Coast Guard:

Fiscal year 1945, \$29,731.

Fiscal year 1946, \$48,412.

Special projects, vessels, Coast Guard (Navy), \$655.

Special projects, aids to navigation, Lighthouse Service, Coast Guard (Navy), \$983.

Construction of vessels and shore facilities, Coast Guard (lend-lease) (Navy), \$34,102.

Maritime training fund, Coast Guard, \$199,000.

Navy Department:

Salaries:

Salaries, General Board, Navy Department, 1946, \$2,542.

Salaries, Board of Inspection and Survey, Navy Department, 1946, \$670.

Salaries, Hydrographic Office, 1945, \$7,182.

Contingent expenses:

Contingent expenses, Navy Department, 1946, \$71,000.

Contingent and miscellaneous expenses, Hydrographic Office, 1945, \$13,058.

Ante, pp. 19, 227.

TRANSFER OF APPROPRIATIONS

Transfers of amounts shall be made between appropriations as follows:

From "Maintenance, Bureau of Ships, 1946", to "Pay and subsistence of naval personnel, 1946", \$15,000,000.

Ante, pp. 16, 225.

From "Aviation, Navy, 1946", to "Pay and subsistence of naval personnel, 1946", \$25,000,000.

Ante, pp. 17, 226, 227.

From "Medical Department, Navy, 1946", to "Pay and subsistence of naval personnel, 1946", \$4,410,153.

Ante, pp. 17, 226.

From "Pay, Marine Corps, 1946", to—

Ante, p. 17.

"Fuel and transportation, Navy, 1944", \$2,222,110.

"Welfare and recreation, Navy, 1945", \$282,816.

"Naval Reserve Officers' Training Corps, 1945", \$91,128.

"Salaries, Hydrographic Office, 1944", \$42,000.

From "General expenses, Marine Corps, 1946", to "Pay and subsistence of naval personnel, 1946", \$80,000,000.

Ante, p. 17.

From "Aviation, Navy, 1945", to—

Ante, p. 17.

"Naval Reserve Officers' Training Corps", 1945, \$39,566.

"Pay, subsistence, and transportation of naval personnel, 1945", \$100,000,000.

Ante, pp. 17, 227.

From "Increase and replacement of naval vessels, construction and machinery", to "Pay and subsistence of naval personnel, 1946", \$100,000,000.

Ante, pp. 18, 227.

From "Increase and replacement of naval vessels, emergency construction", to—

"Contingent, Navy, 1946", \$25,000.

"Pay, Naval Academy, 1946", \$13,000.

"Maintenance, Naval Academy, 1946", \$84,600.

"Naval Home, Philadelphia, Pennsylvania, 1946", \$8,856.

"Pay and subsistence of naval personnel, 1946", \$30,589,847.

"Transportation and recruiting of naval personnel, 1946", \$99,100,000.

"Fuel, Navy, 1946", \$27,312,000.

From "Clothing and small stores fund" to "Pay and subsistence of naval personnel, 1946", \$45,000,000.

Transfer of funds.

The Secretary of the Treasury is authorized, upon request of the Secretary of the Navy, to transfer sums from any annual naval appropriation available prior to the fiscal year ending June 30, 1946, having an unobligated surplus, to any other annual naval appropriation available prior to said fiscal year with respect to which a deficiency was incurred, but the amount transferred from any one appropriation shall not exceed \$10,000.

REDUCTIONS IN CONTRACT AUTHORIZATIONS

Contract authorizations of the departments and agencies available in the fiscal year 1946 are hereby reduced in the sums hereinafter set forth:

INDEPENDENT OFFICES

Ante, pp. 12, 222.

United States Maritime Commission: Construction fund, Act June 29, 1936, revolving fund, \$173,678,000.

Ante, p. 12.

Federal Works Agency: Public Roads Administration: Access roads, \$500,000.

Citation of title.

SEC. 202. This title may be cited as the "Third Supplemental Surplus Appropriation Rescission Act, 1946".

TITLE III—JUDGMENTS AND AUTHORIZED CLAIMS

PROPERTY DAMAGE CLAIMS

SEC. 301. (a) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in House Document Numbered 592, Seventy-ninth Congress, as follows:

Federal Security Agency, \$78.50;

Federal Works Agency, \$1,000.00;

National Housing Agency, \$114.70;

Department of Commerce, \$53.00;

Department of the Interior, \$176.00;

Department of Justice, \$49.07;

Post Office Department (payable from postal revenues), \$738.53;

Department of State, \$324.50;

Treasury Department, \$299.58;

In all, \$2,833.88;

42 Stat. 1066.
31 U. S. C., Supp.
V, § 215 notes *et seq.*
Post, p. 846.

(b) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document Numbered 227, Seventy-ninth Congress, as follows:

Executive Office of the President:

Office for Emergency Management:

War Shipping Administration, \$69.10;

Office of Price Administration, \$15;

Independent offices:

General Accounting Office, \$74.50;

United States Maritime Commission, \$60;

Veterans' Administration, \$2,977;

Federal Security Agency, \$92.50;

Federal Works Agency, \$150;

National Housing Agency, \$64;

Department of Agriculture, \$1,860.53;

Department of Commerce, \$362;

Department of the Interior, \$86.53;

Department of Justice, \$67;

Post Office Department (payable from postal revenues), \$4,149.60;

Department of State, \$40;

Treasury Department, \$385.09;

In all, \$10,452.85.

42 Stat. 1066.
31 U. S. C., Supp.
V, § 215 notes et seq.
Post, p. 846.

JUDGMENTS, UNITED STATES COURTS

SEC. 302 (a) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 787), and which have been certified to the Seventy-ninth Congress in Senate Document Numbered 220 and House Document Numbered 580, under the following agencies:

Navy Department, \$36,777.93;

War Department, \$14,040.82;

In all, \$50,818.75; together with such amount as may be necessary to pay interest as and when specified in such judgments.

(b) For the payment of final judgments, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which have been certified to the Seventy-ninth Congress in Senate Document Numbered 219, under the following agencies:

Federal Works Agency:

Public Roads Administration, \$9,999.99;

Commerce Department, \$360;

War Department, \$6,728.32;

In all, \$17,088.31, together with such additional sum as may be necessary to pay interest as and where specified in the judgments and as provided by law.

(c) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have

43 Stat. 1112.
46 U. S. C. §§ 781-790.

24 Stat. 506.

36 Stat. 1163.

Right of appeal.

become final and conclusive against the United States by failure of the parties to appeal or otherwise.

(d) Payment or interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 303. (a) For payment of judgments rendered by the Court of Claims and reported to the Seventy-ninth Congress in Senate Document numbered 217 and House Document Numbered 577, under the following agencies, namely:

Federal Works Agency: Public Buildings Administration, \$92,968.67;

National Housing Agency: Federal Public Housing Authority, \$42,306.34;

Executive:

War Shipping Administration, \$242,500;

Department of Agriculture, \$30,091.50;

Navy Department, \$855,413.29;

Treasury Department, \$457,527.96;

War Department, \$873,577.22;

In all, \$2,594,384.98; together with such amount as may be necessary to pay interest as and when specified in the judgments.

(b) For the payment of judgment numbered 45869 rendered by the Court of Claims in favor of Alexander D. Walker and Adger C. Forney, Co-Partners doing business as A. D. Walker and Company, \$22,550.76, and certified to the Seventy-ninth Congress in Senate Document Numbered 218, to be paid from funds of the Reconstruction Finance Corporation.

(c) None of the judgments contained under this caption shall be paid until the right of appeal has expired, except such as has become final and conclusive against the United States by failure of the parties to appeal or otherwise.

AUDITED CLAIMS

SEC. 304. For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1943 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 223 and House Document Numbered 578, Seventy-ninth Congress, there is appropriated the sum of \$5,964,227.41, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund, \$64.33, payable from District of Columbia revenues, and \$33,096.08 payable from postal revenues, in all, \$5,997,387.82.

SEC. 305. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act granting travel pay and other allowances to certain soldiers of the War with Spain and the Philippine Insurrection who were discharged in the Philippine Islands", approved December 5, 1945 (Public Act Numbered 247, Seventy-ninth Congress), and which have been certified to the Seventy-ninth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C.

Alexander D. Walker;
Adger C. Forney.

Right of appeal.

18 Stat. 110.

23 Stat. 254.

59 Stat. 506.
10 U. S. C., Supp.
V. §§ 806f-806j.

266), under the War Department in Senate Document Numbered 224 and House Document Numbered 581, \$23,893.93.

SEC. 306. For the payment of a claim allowed by the General Accounting Office under the Navy Department pursuant to the provisions of section 2 of the Act of July 7, 1884 (5 U. S. C. 266), and which has been certified to the Seventy-ninth Congress in House Document Numbered 582, \$394.20.

SEC. 307. For the payment of a claim allowed by the General Accounting Office pursuant to the Act entitled "An Act for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain, and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899", approved May 2, 1940 (Public Act Numbered 505, Seventy-sixth Congress), and which has been certified to the Seventy-ninth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in Senate Document Numbered 225 and House Document Numbered 583, \$652.11.

23 Stat. 254.

23 Stat. 254.

Volunteers, War
with Spain.54 Stat. 176.
10 U. S. C. §§ 866a-
866e.

23 Stat. 254.

TITLE IV—GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That the provisions of this section shall apply to all appropriations or funds available for obligation during the fiscal year 1947, however made available, if not heretofore made applicable (any exclusions made in any other Act excepted) to such appropriations or funds in the respects herein provided.

Persons engaging, etc.,
in strikes against or
advocating overthrow
of U. S. Government.

Affidavit.

Penalty.

Applicability of section
to appropriations.

Personnel ceilings.

Aide, p. 219.

SEC. 402. Nothing contained in this or any other Act shall be construed to alter, or modify in any manner whatsoever, the aggregate maximum personnel ceilings established by section 14 (a) of the Federal Employees Pay Act of 1946 (Public Law Numbered 390), nor to authorize the compensation of a greater aggregate number than the number provided for in the aforesaid Act. In the case of any activity

Waiver of offsetting reduction.

Exclusion of positions.
Ante, p. 219.

Ante, pp. 207, 170, 128.

Payment of increased compensation.

42 Stat. 1488.
5 U. S. C. §§ 661-674;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

31 U. S. C., Supp. V,
§ 665 notes.

Availability of funds.

Ante, p. 79.

within the purview of such Act whose personnel may be and is increased in consequence of appropriations or funds made available in or in pursuance of this or any other Act, the Director of the Bureau of the Budget shall recommend and effectuate such reduction in personnel in such other activity or activities as he may deem advisable as will offset any such increase in personnel: *Provided*, That if the Director of the Bureau of the Budget shall find and so certify to the President that any such offsetting reduction would be inimical to the public interest, such offsetting reduction, subject to the President's approval, may be waived in whole or in part in writing by the Director of the Bureau of the Budget, and such action by such official shall be published promptly in the Federal Register with a statement of the reasons therefor: *Provided further*, That there may be excluded from the aggregate personnel ceilings established by section 14 (a) of the Federal Employees Pay Act of 1946, in addition to any exclusions otherwise provided, not more than six thousand five hundred and seventy-three positions, to the extent that all or any part of such number may be determined by the Director of the Bureau of the Budget to be essential to the effectuation of the Veterans' Emergency Housing Act of 1946, the Federal Airport Act, and the Philippine Rehabilitation Act of 1946, and to enabling the rendition of essential service by the Public Buildings Administration to the Veterans' Administration and the War Assets Administration.

SEC. 403. Appropriations and funds available during the fiscal year 1947 to the executive departments and independent establishments, including corporations, for personal services shall be available for the payment of increased compensation, not above rates comparable to those provided for employees under the Classification Act of 1923, as amended by the Federal Employees Pay Act of 1946, to those groups of employees not covered by such Act but for which the head of the agency concerned is authorized to establish rates of pay by administrative action, and the additional expense of such increased compensation may be included in making apportionments of appropriations or funds available in pursuance of this Act or otherwise as required by the antideficiency law (31 U. S. C. 665). The availability of funds for the payment of those groups of employees whose basic compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or other similar administrative authority serving the same purpose shall not be affected hereby.

SEC. 404. The appropriations and authority with respect to appropriations in this Act in whole or in part for the fiscal year 1946 shall be available from and including July 1, 1945, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1945, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

SEC. 405. The appropriations and authority with respect to appropriations in this Act in whole or in part for the fiscal year 1947 shall be available from and including July 1, 1946, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1946, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

SEC. 406. Subsection (a) of section 202 of the Independent Offices Appropriation Act, 1947, is hereby amended by striking therefrom the figures "\$1,050" and substituting therefor the figures "\$1,300".

SEC. 407. Wherever an appropriation for the fiscal year 1947 is made available for the purchase of passenger automobiles and such availability is specifically limited to used or surplus vehicles, such limitation is hereby repealed.

Purchase of automobiles.
Limitation repealed.

SEC. 408. This Act may be cited as the "Third Deficiency Appropriation Act, 1946".

Short title.

Approved July 23, 1946.

[CHAPTER 592]

JOINT RESOLUTION

To provide for the establishment of an international animal quarantine station on Swan Island, and to permit the entry therein of animals from any country and the subsequent importation of such animals into other parts of the United States, and for other purposes.

July 24, 1946
[H. J. Res. 364]
[Public Law 522]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized, in his discretion, to establish and maintain on Swan Island, either independently or in cooperation with other American Republics and with breeders' organizations and similar organizations and individuals within the United States, an international animal quarantine station, including the acquisition of sites by lease or otherwise, and the construction of temporary building, improvements, and other facilities on such sites, and notwithstanding the provisions of any other law but subject to regulations prescribed hereunder by the Secretary of Agriculture to prevent the introduction into the United States of communicable diseases of animals, animals may be brought into said quarantine station from any country, including but not limited to those countries in which the Secretary of Agriculture determines that rinderpest and foot-and-mouth disease exist, and may be subsequently imported into other parts of the United States under said regulations.

International animal quarantine station, Swan Island.
Ante, p. 617.

Approved July 24, 1946.

[CHAPTER 593]

AN ACT

Authorizing the State of Indiana to construct, maintain, and operate a free highway bridge across the Wabash River at or near Montezuma, Indiana.

July 24, 1946
[H. R. 6041]
[Public Law 523]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Indiana to construct, maintain, and operate a free highway bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Montezuma, Indiana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions contained in this Act.

Bridge.
Wabash River.

34 Stat. 84.
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 24, 1946.

[CHAPTER 594]

AN ACT

Granting the consent of Congress to the Iowa State Highway Commission to construct, maintain, and operate a free highway bridge across the Des Moines River at or near the town of Eddyville, Iowa.

July 24, 1946
[H. R. 6081]
[Public Law 524]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Iowa State Highway Commission,

Bridge.
Des Moines River.

and its successors and assigns to construct, maintain, and operate a free highway bridge and approaches thereto across the Des Moines River, at a point suitable to the interests of navigation, at or near the town of Eddyville, Iowa, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 24, 1946.

[CHAPTER 595]

AN ACT

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated: *Provided*, That penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission, and such recommendations shall be based upon consideration of the proper utilization and conservation in the public interest of the resources of the region: *Provided*, That the provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public, Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects herein authorized; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full: *And provided further*, That the word "navigation" appearing in paragraph (b) of section 1 of the River and Harbor Act approved March 2, 1945 (Public, Numbered 14, Seventy-ninth Congress, first session), shall in respect to the Arkansas River and tributaries include the use of water herein referred to for power purposes:

Portland Harbor, Maine; House Document Numbered 510, Seventy-ninth Congress;

Boston Harbor, Massachusetts; in accordance with the report of the Chief of Engineers dated July 1, 1946;

Fall River Harbor, Massachusetts; House Document Numbered 628, Seventy-ninth Congress;

Wickford Harbor, Rhode Island; Senate Document Numbered 141, Seventy-ninth Congress;

New Haven Harbor, Connecticut; House Document Numbered 517, Seventy-ninth Congress;

Bridgeport Harbor, Connecticut; House Document Numbered 680, Seventy-ninth Congress;

Stamford Harbor, Connecticut; House Document Numbered 676, Seventy-ninth Congress;

Barnegat Inlet, New Jersey; House Document Numbered 358, Seventy-ninth Congress;

Absecon Inlet, New Jersey; House Document Numbered 504, Seventy-ninth Congress;

34 Stat. 84.
33 U. S. C. §§ 491-498.

July 24, 1946
[H. R. 6407]
[Public Law 525]

Rivers and harbors, improvements.

Penstocks.

59 Stat. 10.
Ante, p. 6.

59 Stat. 11.
Ante, p. 6.

Maine.

Massachusetts.

Rhode Island.

Connecticut.

New Jersey.

- Delaware River, vicinity of Biles Creek, Pennsylvania; House Document Numbered 679, Seventy-ninth Congress; Pennsylvania.
- Schuylkill River, Pennsylvania; House Document Numbered 529, Seventy-ninth Congress; and in accordance with the report of the Chief of Engineers dated May 7, 1946;
- New Jersey Intracoastal Waterway; pending fulfillment of the conditions of local cooperation for this project as authorized by the River and Harbor Act of March 2, 1945, appropriations heretofore or hereafter made for maintenance and improvement of rivers and harbors may be used for a period of not to exceed five years for maintenance of the canal from Cape May Harbor to Delaware Bay constructed as an emergency wartime project with Navy Department funds, including the cost of maintaining the temporary railroad and seashore highway bridges over said canal; New Jersey Intracoastal Waterway.
59 Stat. 13.
Act, p. 6.
- Middle River and Dark Head Creek, Maryland; maintenance work in accordance with the report on file in the Office, Chief of Engineers; Maryland.
- Mattaponi River, Virginia; House Document Numbered 766, Seventy-eighth Congress; Virginia.
- Newport News Creek, Virginia; House Document Numbered 559, Seventy-ninth Congress;
- Norfolk Harbor, Virginia; House Document Numbered 563, Seventy-ninth Congress;
- Savannah Harbor, Georgia; House Document Numbered 678, Seventy-ninth Congress; Georgia.
- Saint Johns River, Florida, Jacksonville to Lake Harney; Senate Document Numbered 208, Seventy-ninth Congress; Florida.
- Hollywood Harbor (Port Everglades), Florida; House Document Numbered 768, Seventy-eighth Congress;
- Withlacoochee River, Florida; House Document Numbered 293, Seventy-ninth Congress;
- Apalachicola, Chattahoochee and Flint Rivers, Georgia and Florida; in accordance with the report of the Chief of Engineers, dated May 13, 1946: *Provided*, That the proposed dam referred to in such report as Junction Dam shall, upon its completion, be known and designated on the public records as the Jim Woodruff Dam; Georgia and Florida.
Jim Woodruff Dam.
- Tombigbee and Tennessee Rivers, Alabama and Mississippi; House Document Numbered 486, Seventy-ninth Congress; Alabama and Mississippi.
- Mississippi River, Baton Rouge to the Gulf of Mexico, barge channel through Devils Swamp, Louisiana; in accordance with the report of the Chief of Engineers dated May 7, 1946; Louisiana.
- Waterway from Empire, Louisiana, to the Gulf of Mexico, in accordance with the report of the Chief of Engineers dated May 31, 1946;
- Plaquemine-Morgan City Route, Intracoastal Waterway, Louisiana; in accordance with the report of the Chief of Engineers dated April 25, 1946;
- Franklin Canal, Louisiana; Senate Document Numbered 189, Seventy-ninth Congress;
- Mermentau River and tributaries, and Gulf Intracoastal Waterway and connecting waters, Louisiana; Senate Document Numbered 231, Seventy-ninth Congress;
- Lake Charles Deep Water Channel and Calcasieu River and Pass, Louisiana; Senate Document Numbered 190, Seventy-ninth Congress;
- Red River below Fulton, Arkansas; in accordance with the report of the Chief of Engineers dated April 19, 1946: *Provided*, That the improvement herein authorized between Shreveport and the mouth, shall when completed be named the Overton-Red River Waterway in honor to Senator John H. Overton, of Louisiana; Arkansas.
Overton-Red River Waterway.
- Arkansas River and tributaries, Arkansas and Oklahoma: The multiple-purpose plan recommended in the report of the Chief of Arkansas and Oklahoma.

Engineers dated September 20, 1945, and letter of the Chief of Engineers dated March 19, 1946, is approved, and for initiation and partial accomplishment of said plan there is hereby authorized to be appropriated the sum of \$55,000,000;

Texas.

Sabine River, Cow Bayou, Texas, in accordance with the report of the Chief of Engineers dated May 31, 1946;

Sabine River, Adams Bayou, Texas; House Document Numbered 626, Seventy-ninth Congress;

Sabine-Neches Waterway, Texas; House Document Numbered 571, Seventy-ninth Congress;

Trinity River, Texas, below Liberty; House Document Numbered 634, Seventy-ninth Congress;

Mill Creek, tributary of Brazos River, Texas; in accordance with the report of the Chief of Engineers dated May 16, 1946;

Gulf Intracoastal Waterway in vicinity of Aransas Pass, Texas; in accordance with the report of the Chief of Engineers dated April 29, 1946;

Brazos Island Harbor and Gulf Intracoastal Waterway at Port Isabel, Texas; House Document Numbered 627, Seventy-ninth Congress;

Iowa, Minnesota,
Wisconsin.

Mississippi River Seepage, Iowa, Minnesota, and Wisconsin; House Document Numbered 515, Seventy-ninth Congress;

Iowa.

Mississippi River at Lansing, Iowa; Senate Document Numbered 192, Seventy-ninth Congress;

Minnesota.

Mississippi River at Wabasha, Minnesota; House Document Numbered 514, Seventy-ninth Congress;

Mississippi River at Lake Pepin, Minnesota; House Document Numbered 511, Seventy-ninth Congress;

Mississippi River at Hastings, Minnesota; House Document Numbered 599, Seventy-ninth Congress;

South Dakota.

Big Sioux River, South Dakota; House Document Numbered 561, Seventy-ninth Congress;

Tennessee and Ken-
tucky.

Cumberland River and tributaries, Tennessee and Kentucky; in accordance with the report of the Chief of Engineers dated May 20, 1946;

Illinois.

Illinois River at Peoria, Illinois; in accordance with the report of the Chief of Engineers dated May 17, 1946;

Indiana and Illinois.

Illinois Waterway and Grand Calumet River, Indiana and Illinois; House Document Numbered 677, Seventy-ninth Congress;

Illinois.

Chicago River, North Branch of, Illinois; House Document Numbered 767, Seventy-eighth Congress;

Michigan.

Great Lakes Connecting Channels, Michigan; in accordance with the report of the Chief of Engineers dated February 20, 1946;

Ohio.

Cleveland Harbor, Ohio; House Document Numbered 629, Seventy-ninth Congress;

Fairport Harbor, Ohio; in accordance with the report of the Chief of Engineers dated May 17, 1946;

California.

San Diego River and Mission Bay, San Diego County, California; in accordance with the report of the Chief of Engineers dated May 8, 1946;

Napa River, California; House Document Numbered 397, Seventy-ninth Congress;

Sacramento River, California; Senate Document Numbered 142, Seventy-ninth Congress;

Oregon.

Coos Bay, Oregon; in accordance with the report of the Chief of Engineers dated April 22, 1946;

Yaquina Bay and Harbor, Oregon, in accordance with the report of the Chief of Engineers dated June 13, 1946;

Columbia River at Astoria, Oregon; House Document Numbered 692, Seventy-ninth Congress;

Columbia River between Vancouver, Washington, and The Dalles, Oregon; in accordance with the report of the Chief of Engineers dated May 9, 1946;

Columbia River at The Dalles, Oregon; Senate Document Numbered 89, Seventy-ninth Congress;

Columbia River at Foster Creek, Washington; House Document Numbered 693, Seventy-ninth Congress;

Honolulu Harbor, Territory of Hawaii; in accordance with the report of the Chief of Engineers dated May 15, 1946.

SEC. 2. The project for the Lavon Reservoir on East Fork of Trinity River, Texas, authorized in the River and Harbor Act of March 2, 1945, in accordance with House Document Numbered 533, Seventy-eighth Congress, is hereby modified to provide for conservation storage as may be determined warranted by the Secretary of War upon the recommendations of the Chief of Engineers.

SEC. 3. That authority is hereby granted to the Port of Siuslaw, a municipal corporation organized under the laws of the State of Oregon, to construct, maintain, and operate, at points suitable to the interests of navigation, dams or dikes for preventing the flow of the waters of the Siuslaw River into Duncan Slough in Lane County, Oregon.

Work shall not be commenced on such dams or dikes until the plans therefor, including plans for all accessory works, are submitted to and approved by the Chief of Engineers, United States Army, and the Secretary of War, who may impose such conditions and stipulations as they deem necessary to protect the interests of the United States.

The authority granted by this section shall terminate if the actual construction of the dams or dikes hereby authorized is not commenced within one year and completed within three years from the date of the passage of this Act.

The right to alter, amend, or repeal this section is hereby expressly reserved.

SEC. 4. The Secretary of War may assign two retired engineer officers of the Army, with their consent, to active duty; one as resident or senior member of the Board of Engineers for Rivers and Harbors organized pursuant to the provisions of section 3 of the River and Harbor Act of June 13, 1902, as amended, and one as resident or senior member of the Beach Erosion Board organized pursuant to the provisions of section 2 of the River and Harbor Act of July 3, 1930: *Provided*, That such assignment shall not be made for a period extending beyond four years from the date of retirement.

SEC. 5. That there may be established in the Office of the Chief of Engineers a position to be filled by an engineer with not less than fifteen years' actual experience in the classified civil service on river and harbor or flood-control work of the Corps of Engineers; the salary for which shall be fixed, from time to time, by the Secretary of War upon the recommendation of the Chief of Engineers at not to exceed \$12,000.

SEC. 6. The Chief of Engineers is authorized to provide such school facilities as he may deem necessary for the education of dependents of persons engaged on the construction of the projects listed below, and to pay for the same from any funds available for said projects: *Provided*, That when it is determined to be in the public interest, the Chief of Engineers may enter into cooperative arrangements with local agencies for the operation of such Government facilities; for

Washington and Oregon.

Oregon.

Washington.

Hawaii.

Lavon Reservoir, Texas.

59 Stat. 18.
Ante, p. 6.

Siuslaw River, Oregon.

Approval of plans.

Time limitation.

Assignment of Army officers to Boards.

32 Stat. 372.
33 U. S. C. § 841.

46 Stat. 933.
33 U. S. C. § 426.

Office of Chief of Engineers.

School facilities, etc.

the expansion of local facilities at Federal expense, and for contributions by the Federal Government to cover the increased cost to local agencies of providing the additional services required by the Government:

River and Harbor Act of March 2, 1945, Public Law Numbered 14, Seventy-ninth Congress:

Columbia River at Umatilla, Oregon.

Neches and Angelina Rivers, Texas.

Snake River to Lewiston, Idaho.

SEC. 7. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless authorized by law: *Provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law: *Provided further*, That reports of surveys on beach erosion and shore protection shall include an estimate of the public interests involved, and such plan of improvement as is found justified, together with the equitable distribution of costs in each case: *And provided further*, That this section shall not be construed to interfere with the performance of any duties vested in the Federal Power Commission under existing law:

Lynn Harbor, Massachusetts.

Cuttyhunk Harbor, Massachusetts.

Newport Harbor, Rhode Island.

Bullocks Point Cove, Rhode Island.

Dutch Island Harbor, Rhode Island.

Cove Harbor and Cove Pond, Connecticut.

Patchogue River, Connecticut.

Connecticut River, Connecticut.

Harbor at Pine Orchard, Branford, Connecticut.

Greenwich Cove, Connecticut.

Sag Harbor, New York.

East Basin of Mamaroneck Harbor, New York.

Gardiners Bay, New York.

Milburn Creek, Swift Creek, and adjacent bays and channels, New York.

Mohawk and Hudson Rivers, New York, with a view to the elimination of the water chestnut.

Rondout Harbor, New York.

Shoal Harbor and Compton Creek, New Jersey.

Cold Spring Inlet (Cape May Harbor), New Jersey, with a view to shore protection.

Delaware River between Philadelphia, Pennsylvania, and Trenton, New Jersey.

Delaware River, Pennsylvania, New Jersey, and Delaware, Philadelphia to the sea.

Pennypack Creek, a tributary of the Delaware River located in Philadelphia, Pennsylvania, with a view to providing facilities for light-draft navigation.

59 Stat. 10.
33 U. S. C. Supp.
V, §§ 603a, 544b.

Ante, p. 6.
Oregon.
Texas.

Idaho.

Preliminary examinations and surveys.

Supplemental reports, etc., restriction.

Adoption of projects by law.

Reports of surveys on beach erosion, etc.

Noninterference with duties of FPC.

Massachusetts.

Rhode Island.

Connecticut.

New York.

New Jersey.

Pennsylvania and New Jersey.

Pennsylvania, New Jersey, Delaware.

Pennsylvania.

- North East River, Cecil County, Maryland, from Church Point to Stony Run. Maryland.
- Harbor at Betterton, Maryland.
- Little Creek, Kent Island, Queen Annes County, Maryland.
- Levering Creek at Ewell, Maryland.
- Lakes Cove, Honga River, Dorchester County, Maryland.
- Chapel Creek, Dorchester County, Maryland.
- Tedious Creek, Dorchester County, Maryland, with a view to establishing such jetties as may be necessary.
- Insley's Cove, Fox Creek, Dorchester County, Maryland.
- Anchorage at Lowe's Wharf, Talbot County, Maryland.
- Saint Michaels, Talbot County, Maryland.
- Johnsons Creek, a branch of the Wicomico River, in Somerset County, Maryland.
- Intracoastal Waterway, with a view to constructing a boat basin at or near Beaufort, South Carolina. South Carolina.
- Patuxent River, Maryland, with a view to establishing a deepwater port at Benedict and a suitable navigation channel thence to Solomons Island. Maryland.
- Lake Placid, Shore Acres, Anne Arundel County, Maryland.
- Hatton Creek, Wicomico River, on Western Shore of Maryland, in the vicinity of Rock Point, Charles County, Maryland.
- Miles River, opposite Oak Creek Bridge, to give outlet to Miles River, Talbot County, Maryland.
- Point Lookout Creek, in the vicinity of Point Lookout, Saint Marys County, Maryland.
- Hull Creek, Virginia. Virginia.
- Harpers Creek, Mathews County, Virginia, and the channel connecting said creek with Mobjack May.
- Aberdeen Creek, Gloucester County, Virginia.
- Salters Creek, Newport News, Virginia.
- At or near Hopewell, Virginia, with a view to the construction of a harbor for light-draft vessels.
- Oregon Inlet, North Carolina, and Channel from Manteo to Oregon Inlet; particularly with a view to providing a depth of twelve feet to fifteen feet through the Ocean Bar Channel, thence a channel ten feet to twelve feet deep through the inlet to Pamlico Sound via Davis Slough, Old House Channel, or other more suitable route. North Carolina.
- Harkers Point Basin, at Harkers Island, Carteret County, North Carolina.
- Cross-Rock Channel between Wallace Channel and Sheep Island Slue, via Casey Island, Pamlico Sound, North Carolina.
- Neuse and Trent Rivers, North Carolina.
- Carolina Beach, North Carolina.
- Cape Fear River at and below Wilmington, North Carolina.
- Holden Beach, Brunswick County, North Carolina.
- Charleston Harbor, South Carolina, with a view to extending Shem Creek Channel. South Carolina.
- Intracoastal Waterway, with a view to constructing a boat basin at or near Ocean Drive Beach, South Carolina.
- Intracoastal Waterway with a view to constructing a boat basin at or near Beaufort, South Carolina.
- Myrtle Beach, South Carolina; with a view to establishing a harbor for light-draft vessels.
- Intracoastal Waterway with a view to relocating the route of the waterway in the vicinity of Brunswick, Georgia. Georgia.
- Little Sarasota Bay and Channel through Casey's Pass, Florida, with a view to providing a channel across Robert's Bay (Venice Bay), with a suitable turning basin at the eastern end thereof. Florida.
- Johns Pass, Pinellas County, Florida.

Blind Pass, Pinellas County, Florida.
 Pass-a-Grille Pass, Pinellas County, Florida.
 Julington Creek, Florida.
 Little Pottsburg Creek, Florida.
 Rice Creek, Putnam County, Florida.
 Sebastian Inlet, Florida.

West Palm Beach Canal, Hillsboro Canal, New River Canal, and Miami Canal, for the purpose of raising the water table in the area of Lake Okeechobee, Florida.

Boca Raton Inlet, Florida, including connection with the Intra-coastal Waterway.

Saint George Sound at East Point, Florida.

East Point, Apalachicola Bay, Florida.

Apalachicola Bay, Florida, with a view to constructing a yacht basin.

West Gap, Saint George Island, Florida.

Waterway from Saint Mary DeGalvez Bay, across Santa Rosa Peninsula, to Sound Bay, Florida.

Choctawhatchee River, Alabama and Florida.

Flint River, Georgia.

Sioux Bayou and connecting waterways, Mississippi.

Bayou Segnette, Louisiana.

Channel from Port Lavaca, Texas, and Palacios, Texas, to the Gulf of Mexico by way of Pass Cavallo, Cotton Bayou or any other suitable outlet to the Gulf of Mexico.

Turtle Cove, Texas.

Arkansas River, from Little Rock, Arkansas, to Mississippi River via Grand Prairie.

Arkansas and Canadian Rivers, Oklahoma and Arkansas.

Mississippi River at West Memphis, Arkansas, with a view to the construction of a harbor.

Hatchie River, Mississippi and Tennessee, in the interest of navigation and flood control.

Harbor at Springsteel Island, Lake of the Woods, Minnesota.

Lake Taneycomo, Missouri.

Mississippi River at Louisiana, Missouri.

Gavins Point, on the Missouri River, South Dakota and Nebraska.
 Lake De Pue in Bureau County, Illinois, and its connecting channels to the Illinois River.

Mississippi River at Winona, Minnesota.

Wisconsin River, Wisconsin.

Lake Superior shore line from Middle Island Point south to the mouth of Carp River with a view to providing a harbor for light-draft vessels.

Black River, Port Huron, Michigan.

Charlevoix Harbor, Michigan: The South Arm, with a view to the construction of a breakwater at or near East Jordan.

Leland Harbor, Michigan, with a view to shore protection.

Millecoquin River, Michigan, and the adjacent waters of Lake Michigan.

Grand Traverse Bay on Lake Michigan and adjacent waters, with a view to the establishment of a suitable lock system to permit the passage of boats between Grand Traverse Bay and Torch Lake and other lakes in Antrim County, Michigan.

West Fork of White River, Indiana.

Fairport Harbor, Ohio, with a view to shore protection.

Muskingum River, Ohio.

Cattaraugus Creek, New York.

Irondequoit Bay, New York.

Alabama and Florida.

Georgia.

Mississippi.

Louisiana.

Texas.

Arkansas.

Oklahoma and Arkansas.

Arkansas.

Mississippi and Tennessee.

Minnesota.

Missouri.

South Dakota and Nebraska.

Illinois.

Minnesota.

Wisconsin.

Lake Superior.

Michigan.

Indiana.

Ohio.

New York.

Great Salt Lake, at or near Garfield, Utah, with a view to providing a harbor for light-draft vessels.

Utah.

The coast of northern California from Point Pinos to the northern boundary of the State, including the San Francisco Bay area, with a view to the establishment of harbors for light-draft vessels.

California.

Harbor at Camp Pendleton, California, with a view to shore protection.

Harbor at Anaheim Bay, California, with a view to shore protection.

Harbor at Port Hueneme, California, with a view to shore protection.

Ohio River at Brookport, Illinois.

Illinois.

Drift Creek, Oregon.

Oregon.

Siuslaw River and Bar, Oregon.

Duwamish Waterway, Washington.

Washington.

Deception Pass, Skagit Bay, Washington.

Shilshole Bay, Ballard Locks, Seattle, Washington.

Olympia Harbor, Washington.

Alaska.

Harbor at Hydaburg, Alaska.

Harbor at Angoon, Alaska.

Channel to connect Oliver Inlet and Seymour Canal, Alaska.

Tenakee Harbor, Alaska.

Harbor at Pelican, Alaska.

Harbor at Gustavus, Alaska.

Hilo Harbor, Hawaii, including consideration of a seawall to protect against tidal waves and excessive high tides.

Hawaii.

Kawaihae Harbor, Hawaii.

Approved July 24, 1946.

[CHAPTER 596]

AN ACT

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

July 24, 1946
[H. R. 6597]
[Public Law 526]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Flood Control Act of 1946".

Flood Control Act of 1946.

SEC. 2. That section 3 of the Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this Act except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided*, That the authorization for any flood-control project herein adopted requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the War Department of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished.

State, etc., cooperation.
49 Stat. 1571; 52 Stat. 1215,
33 U. S. C. §§ 701c, 701c-1; Supp. V, § 701c note.

Time limitation.

The provisions of section 1 of the Act of December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects herein authorized; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

Procedures.
58 Stat. 887.

It is hereby declared to be the policy of the Congress that the following provisions shall be observed:

Declaration of policy.

No project or any modification not authorized, of a project for flood control or rivers and harbors shall be authorized by the Congress unless a report for such project or modification has been

Submission of report.

previously submitted by the Chief of Engineers, United States Army, in conformity with existing law.

Alterations of railroad bridges.

SEC. 3. That hereafter for authorized flood-protection projects which include alterations of railroad bridges the Chief of Engineers is authorized to include at Federal expense the necessary alterations of railroad bridges and approaches in connection therewith.

58 Stat. 889, 16 U. S. C., Supp. V, § 490d.

Recreational facilities in reservoir areas.

SEC. 4. That section 4 of the Act approved December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress), is amended to read as follows:

“The Chief of Engineers, under the supervision of the Secretary of War, is authorized to construct, maintain, and operate public park and recreational facilities in reservoir areas under the control of the War Department, and to permit the construction, maintenance, and operation of such facilities. The Secretary of War is authorized to grant leases of lands, including structures or facilities thereon, in reservoir areas for such periods and upon such terms as he may deem reasonable: *Provided*, That leases to nonprofit organizations may be granted at reduced or nominal rentals in recognition of the public service to be rendered in utilizing the leased premises: *Provided further*, That preference shall be given to Federal, State, or local governmental agencies, and licenses may be granted without monetary considerations, to such agencies for the use of all or any portion of a reservoir area, when the Secretary of War determines such action to be in the public interest, and for such periods of time and upon such conditions as he may find advisable. The water areas of all such reservoirs shall be open to public use generally, without charge, for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such water areas along the shores of such reservoirs shall be maintained for general public use, when such use is determined by the Secretary of War not to be contrary to the public interest, all under such rules and regulations as the Secretary of War may deem necessary. No use of any area to which this section applies shall be permitted which is inconsistent with the laws for the protection of fish and game of the State in which such area is situated. All moneys received for leases or privileges shall be deposited in the Treasury of the United States as miscellaneous receipts.”

Leases.

Nonprofit organizations.

Preference in granting of licenses.

Public use of water areas.

55 Stat. 650, 33 U. S. C., Supp. V, § 701c-3.

Receipts from land leases. Payments to States.

SEC. 5. That section 7 of the Act approved August 18, 1941 (Public, Numbered 228, Seventy-seventh Congress), is hereby amended to read as follows:

“That 75 per centum of all moneys received and deposited in the Treasury of the United States during any fiscal year on account of the leasing of lands acquired by the United States for flood-control purposes shall be paid at the end of such year by the Secretary of the Treasury to the State in which such property is situated, to be expended as the State legislature may prescribe for the benefit of public schools and public roads of the county, or counties, in which such property is situated: *Provided*, That when such property is situated in more than one State or county, the distributive share to each from the proceeds of such property shall be proportional to its area therein.”

Apportionment.

School facilities.

SEC. 6. That the Chief of Engineers is authorized to provide such school facilities as he may deem necessary for the education of dependents of persons engaged on the construction of the projects listed below, and to pay for the same from any funds available for said projects: *Provided*, That when it is determined to be in the public interest, the Chief of Engineers may enter into cooperative arrangements with local agencies for the operation of such Government facilities; for the expansion of local facilities at Federal expense, and for contribution by the Federal Government to cover the

Cooperative operation, etc.

increased cost to local agencies of providing the educational services required by the Government:

Harlan County Reservoir, Nebraska.
 Garrison Reservoir, North Dakota.
 Fort Randall Reservoir, South Dakota.
 Detroit Reservoir, Oregon.
 Dorena Reservoir, Oregon.
 Lookout Point Reservoir, Oregon.
 Bull Shoals Reservoir, Arkansas.
 Clearwater Reservoir, Missouri.

Nebraska.
 North Dakota.
 South Dakota.
 Oregon.

Arkansas.
 Missouri.
 Easements for rights-of-way.

SEC. 7. That the Secretary of War is hereby authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant easements for rights-of-way over, across, in, and upon acquired lands under his jurisdiction and control, and public lands permanently withdrawn or reserved for the use of the War Department, to any State, political subdivision thereof, or municipality, or to any individual, partnership, or corporation of any State, Territory, or possession of the United States, for (a) railroad tracks; (b) oil pipe lines; (c) substations for electric power transmission lines, telephone lines, and telegraph lines, and pumping stations for gas, water, sewer, and oil pipe lines; (d) canals; (e) ditches; (f) flumes; (g) tunnels; (h) dams and reservoirs in connection with fish and wildlife programs, fish hatcheries, and other fish-cultural improvements; (i) roads and streets; and (j) for any other purpose or purposes deemed advisable by the Secretary of War: *Provided*, That such rights-of-way shall be granted only upon a finding by the Secretary of War that the same will not be incompatible with the public interest: *Provided further*, That such rights-of-way shall not include any more land than is reasonably necessary for the purpose for which granted: *And provided further*, That all or any part of such rights-of-way may be annulled and forfeited by the Secretary of War for failure to comply with the terms and conditions of any grant hereunder or for nonuse for a period of two consecutive years or abandonment of rights granted under authority hereof. Copies of all instruments granting easements over public lands pursuant to this section shall be furnished to the Secretary of the Interior.

Condition.

Forfeiture.

Copies of instruments for Secretary of the Interior.

Use of property.

SEC. 8. That the Secretary of War is authorized and empowered, in his discretion, to use any property or parts thereof, including lands other than lands withdrawn from public domain, under his control and jurisdiction for the prosecution of any authorized civil work or function administered by the War Department without charge, except usual handling charges, against appropriations for such civil works or functions.

Damage to highways, etc.

SEC. 9. Whenever the Chief of Engineers shall find that any highway, railway, or utility has been or is being damaged or destroyed by reason of the operation of any dam or reservoir project under the control of the War Department, he may utilize any funds available for the construction, maintenance, or operation of the project involved for the repair, relocation, restoration, or protection of such highway, railway, or utility: *Provided*, That this section shall not apply to highways, railways, and utilities previously provided for by the War Department, unless the Chief of Engineers determines that the actual damage has or will exceed that for which provision had previously been made.

Nonapplicability.

SEC. 10. That the following works of improvement for the benefit of navigation and the control of destructive flood-waters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein:

Projects authorized.

Prosecution of plans,
etc.

Initiation of proj-
ects.

Installation of pen-
stocks, etc.

Provided, That the necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this Act with funds from appropriations heretofore or hereafter made for flood control so as to be ready for rapid inauguration of a construction program: *Provided further*, That the projects authorized herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements: *And provided further*, That penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the War Department when approved by the Secretary of War on the recommendation of the Chief of Engineers and the Federal Power Commission:

DELAWARE RIVER BASIN

Lehigh River, Pa.

The project for flood protection on the Lehigh River, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 587, Seventy-ninth Congress, second session, at an estimated cost of \$12,471,000.

POTOMAC RIVER BASIN

Cumberland and
West Cumberland,
Md.; Ridgeley, W.
Va.

49 Stat. 1574,
33 U. S. C. § 701a
et seq.; Supp. V, § 701b
et seq.
Ante, p. 641.

The local flood-protection project at Cumberland and West Cumberland, Maryland, and Ridgeley, West Virginia, authorized in the Flood Control Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), is hereby amended to provide for completion of the project substantially in accordance with plans on file in the Office of the Chief of Engineers at an estimated cost to the United States of \$7,420,000 and subject to the conditions of local cooperation prescribed for that project in the Act approved June 22, 1936, as modified, now estimated at \$1,520,000.

Waynesboro, Va.

The project for flood protection at Waynesboro, Virginia, on South River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 622, Seventy-ninth Congress, second session, at an estimated cost of \$1,431,000.

Washington, D. C.
Supra.

The project for protection at Washington, District of Columbia, on Potomac River, authorized by the Act of June 22, 1936, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 622, Seventy-ninth Congress, second session, at an estimated cost of \$500,000.

Savage River Dam,
Md.

Completion of the Savage River Dam on Savage River, Maryland, is hereby authorized substantially in accordance with the plan contained in House Document Numbered 622, Seventy-ninth Congress, second session, at a cost to the United States now estimated at \$1,900,000, subject to the conditions that local interests make a cash contribution of \$200,000 toward the cost of the work, and agree to hold and save the United States free from damages due to the construction works, and to maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of War.

RAPPAHANNOCK RIVER BASIN

Salem Church Res-
ervoir, Va.

The project for the Salem Church Reservoir on Rappahannock River, Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 8, 1946, at an estimated cost of \$17,755,000: *Provided*, That the power pool shall be maintained at an elevation not to exceed two hundred and twenty feet.

JAMES RIVER BASIN

The project for the Gathright Reservoir and the Falling Spring reregulating dam on Jackson River, Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 18, 1946, at an estimated cost of \$11,000,000.

Gathright Reservoir
and Falling Spring
dam, Va.

YADKIN-PEE DEE RIVER BASIN

The project for the construction of four detention reservoirs at the Wilkesboro, Upper Wilkesboro, Reddies Numbered 1 and Reddies Numbered 3 sites is hereby authorized substantially in accordance with plans contained in the report of the Chief of Engineers dated June 19, 1946, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable, at an estimated cost of \$7,194,000.

ALTA MAHA RIVER BASIN

The project for flood protection at Macon, Georgia, on Ocmulgee River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 560, Seventy-ninth Congress, second session, at an estimated cost of \$349,000.

Macon, Ga.

LOWER MISSISSIPPI RIVER

The project for flood control and improvement of the Lower Mississippi River adopted by the Act approved May 15, 1928, as amended by subsequent Acts, is hereby modified and expanded to include the following items and the authorization for said project is increased accordingly:

45 Stat. 534.
33 U. S. C. §§ 702a-
702m, 704; Supp. V,
§ 702a-134 *et seq.*

(a) Improvement of the Boeuf and Tensas Rivers and Bayou Macon at an estimated cost of \$5,013,000 authorized in the Act approved December 22, 1944.

Arkansas and Louisiana.
58 Stat. 894.
33 U. S. C., Supp.
V, § 701a-1 *et seq.*;
16 U. S. C., Supp. V,
§§ 460d, 825c; 43 U. S.
C., Supp. V, § 390.
Ante, p. 642.

(b) Extension of the authorized improvement under subparagraph (a) to include the improvement of Bayou LaFourche, Louisiana, including cut-offs, as may be found requisite to effectuate the purposes of the plan, at an estimated cost of \$5,913,000 and substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 191, Seventy-ninth Congress, second session.

(c) Extension of the authorized improvement under subparagraph (a) to include the improvement of the Boeuf and Tensas Rivers and Bayou Macon north of the Louisiana State line, including cut-offs, as may be found requisite to effectuate the purposes of the plan, at an estimated cost of \$4,930,000 substantially in accordance with the report of the Chief of Engineers dated April 8, 1946.

(d) Improvement of Big Sunflower, Little Sunflower, Hushpuckena, and Quiver Rivers and their tributaries, and on Hull Brake—Mill Creek Canal, Bogue Phalia, Ditchlow Bayou, Deer Creek, and Steele Bayou, Mississippi, at an estimated cost of \$3,752,000 authorized in the Act approved December 22, 1944.

Mississippi
Improvements.

(e) Extension of the authorized improvement under subparagraph (d) upstream and downstream, including cut-offs, as may be found requisite to effectuate the purposes of the plan, at an estimated cost of \$2,500,000 for modification of the authorized project.

58 Stat. 887.
33 U. S. C., Supp.
V, § 701a-1 *et seq.*;
16 U. S. C., Supp. V,
§§ 460d, 825c; 43 U. S.
C., Supp. V, § 390.
Ante, p. 642.

(f) Extension of the authorized headwater project for the Yazoo River and tributaries to include improvements in the area between the Yazoo-Tallahatchie-Coldwater River System and the hills to protect against overflows from the main stem and hill tributaries in

Yazoo River.

such cases and by such means as the Chief of Engineers may consider warranted, at an estimated cost of \$7,500,000 for modification of the authorized project.

(g) Extension of the authorized headwater project for the Yazoo River and tributaries to include the drainage of run-off waters from the watershed of McKinney Bayou or the providing of pumping capacity additional to that now existing for said waters in the proportion determined by the Chief of Engineers are authorized in the discretion of the Chief of Engineers at an estimated cost of \$300,000 for modification of the authorized project.

(h) The Bayou des Glaisses diversion channel, Louisiana, authorized by and constructed under the Act approved June 22, 1936.

(i) That portion of the North Little Rock to Gillette, Arkansas, levee on the north bank of the Arkansas River along and below Plum Bayou authorized by and constructed under the Act approved June 22, 1936, work thereon to be hereafter prosecuted in accordance with the Act of May 15, 1928, as amended.

(j) The projects for local flood protection on the White River, on the east side between Augusta and Clarendon, Arkansas, and at the town of DeValls Bluff, Arkansas, at an estimated cost of \$2,847,500 authorized by the Act approved August 18, 1941.

(k) The Tiptonville-Obion Levee authorized by and constructed under the Act approved June 22, 1936.

(l) Extension of the levee under subparagraph (k) to include the levee and drainage improvements, at an estimated cost of \$6,000,000 substantially in accordance with the report of the Chief of Engineers dated April 16, 1946.

(m) The improvement of Saint John's Bayou, Missouri, at an estimated cost of \$1,300,000, substantially in accordance with the report of the Chief of Engineers, dated April 16, 1946.

(n) The improvement of the harbor at Memphis, Tennessee, at an estimated cost of \$17,120,000, substantially in accordance with the report of the Chief of Engineers dated April 12, 1946.

(o) Modification of the main line levee system of the authorized project for the Lower Mississippi River to include protection of the potential industrial area immediately north of Vicksburg, Mississippi, known as the Vicksburg-Yazoo area, together with local dredging and the construction of such drainage facilities as in the opinion of the Chief of Engineers are requisite and justified, at an estimated cost of \$4,000,000, subject to the conditions that local interests provide without cost to the United States all rights-of-way required for levees and drainage, and maintain and operate the works after completion.

(p) Modification of the authorized project for the Lower Mississippi River to provide drainage in the discretion of the Chief of Engineers where drainage is impaired by levees hitherto or hereafter constructed, at an estimated cost of \$500,000, subject to the conditions that local interests provide without cost to the United States all rights-of-way and maintain and operate the works after completion.

(q) Modification of the authorized project for the Lower Mississippi River to provide that the local cooperation to be hereafter furnished for the works authorized in the Saint Francis River Basin and the Yazoo River Basin shall consist of the requirement that responsible local interests agree to maintain levees in accordance with the provisions of section 3 of the Act of May 15, 1928, where maintenance is required under existing law.

(r) Any former officer of the Corps of Engineers who, after retirement and recall to active duty in the Army, has served over fifteen years as a member of the Mississippi River Commission while on such active duty shall, upon being relieved of such active duty, be eligible

Louisiana.

Infra.

North Little Rock,

Ark. 49 Stat. 1570; 45

Stat. 534.

33 U. S. C. §§ 701a

et seq., 702a *et seq.*;

Supp. V. §§ 701b *et*

seq., 702d.

White River.

55 Stat. 638.

33 U. S. C., Supp.

V., § 701b *et seq.*

Anie., p. 642; *post*,

p. 652.

Tiptonville-Obion

Levee.

Supra.

Saint John's Bayou,
Mo.

Memphis, Tenn.

Vicksburg, Miss.

Drainage.

Saint Francis and
Yazoo River Basins.

45 Stat. 535.

33 U. S. C. § 702c.

Mississippi River
Commission.

Retired Army offi-
cers.

to and shall retain, during the will of the President, the position and office held by him as a member of the Mississippi River Commission, without prejudice to his status as a retired Army officer, and, in addition to his authorized Army retired pay, shall receive from the Mississippi flood control funds the difference between the authorized salary of a member of the Mississippi River Commission and the Army retired pay received by him.

(s) To facilitate the inspection, supervision, and conduct of flood fighting, flood control, and navigation operations, the president of the Mississippi River Commission is hereby authorized, notwithstanding any other provision of law, to purchase, maintain, and operate an amphibian airplane from any appropriations heretofore or hereafter made for flood control: *Provided*, That the cost of such airplane shall not exceed \$120,000.

In order to provide for the increased costs of construction of the authorized project for the Lower Mississippi River as recommended by the president of the Mississippi River Commission and the Chief of Engineers, the authorization for flood control and improvement of the Lower Mississippi River is hereby increased by an additional \$100,000,000.

The project for flood control along Lake Pontchartrain in Jefferson Parish, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 691, Seventy-ninth Congress, second session, at an estimated cost of \$900,000.

The project for flood protection at Memphis on Wolf River and Nonconnah Creek, Tennessee, authorized by the Act approved August 28, 1937 (Public, Numbered 406, Seventy-fifth Congress), as amended by the Act approved June 28, 1939 (Public, Numbered 154, Seventy-sixth Congress), is further amended to authorize the completion of the project at an additional estimated cost of \$1,500,000.

RED-OUACHITA RIVER BASIN

The project for flood protection on Bayou Pierre in the vicinity of Shreveport, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 285, Seventy-ninth Congress, first session, at an estimated cost of \$127,000.

The general plan for flood control on Red River, Texas, Oklahoma, Arkansas, and Louisiana, below Denison Dam, Texas and Oklahoma, including the incorporation therein of the several separate existing projects for flood control along the Red River below Denison (above the jurisdiction of the Mississippi River Commission) and providing for the modification of the existing or authorized Federal and non-Federal levees, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 602, Seventy-ninth Congress, second session, at an estimated cost of \$77,500,000.

ARKANSAS RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$40,000,000 for the prosecution of the comprehensive plan for the Arkansas River Basin, approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress.

The Chief of Engineers is authorized to provide in the Canton Reservoir on the North Canadian River sixty-nine thousand acre-feet of irrigation storage, upon the condition that when siltation of the

Pay.

Purchase of amphibian airplane.

Restriction.

Increased authorization for costs of construction.

Jefferson Parish, La.

Memphis, Tenn.

50 Stat. 881.
Post, p. 652.
53 Stat. 860.

Shreveport, La.

Red River.

Additional appropriation authorized.

52 Stat. 1215.
33 U. S. C. § 701b et seq.; Supp. V, § 701b et seq.
Canton Reservoir.

reservoir shall encroach upon the flood control allocation the irrigation storage will be reduced progressively unless provision is made to raise the height of the dam or otherwise provide compensatory storage for flood control on the basis of an equitable distribution of the costs among the water users and other beneficiaries of conservation storage, as determined at that time.

Oklahoma City,
Okla.

The project for flood protection at Oklahoma City, Oklahoma, on North Canadian River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 572, Seventy-ninth Congress, second session, at an estimated cost of \$2,037,000.

Carden's Bottom
Drainage, Ark.

The project for local flood protection of Carden's Bottom Drainage District Number 2, Yell County, Arkansas, on Arkansas River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 17, 1946, at an estimated cost of \$1,485,000.

Heyburn Reservoir,
Okla.

The project for the Heyburn Reservoir on Polecat Creek and for channel improvement on Rock Creek and on Polecat Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 17, 1946, at an estimated cost of \$1,838,500.

WHITE RIVER BASIN

Additional appro-
priation authorized.

52 Stat. 1215.
33 U. S. C. § 701b
et seq.; Supp. V, § 701b
et seq.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$40,000,000 for the prosecution of the comprehensive plan for the White River Basin approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress.

UPPER MISSISSIPPI RIVER BASIN

Additional appro-
priation authorized.

52 Stat. 1215.
33 U. S. C. § 701b
et seq.; Supp. V, § 701b
et seq.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$10,000,000 for the prosecution of the comprehensive plan for the Upper Mississippi River Basin approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress.

Prairie du Rocher.

The project for flood protection on the Mississippi River at Prairie du Rocher and vicinity is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 17, 1946, at an estimated cost of \$2,575,000.

Sny Basin, Ill.

The project for local flood protection on McCraney, Hadley, Kiser, Six-Mile, and Bay Creeks in the Sny Basin, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 17, 1946, at an estimated cost of \$4,854,944.

MISSOURI RIVER BASIN

Additional appro-
priation authorized.

52 Stat. 1215; 58
Stat. 891.
33 U. S. C. § 701b
et seq.; Supp. V, § 701b
et seq.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$150,000,000 for the prosecution of the comprehensive plan approved by the Act of June 28, 1938, as expanded by section 9a of the Act approved December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress), for continuing the works in the Missouri River Basin to be undertaken under said expanded plans by the Corps of Engineers.

Mandan, N. Dak.

The project for flood protection at Mandan, North Dakota, on Heart River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 294, Seventy-ninth Congress, first session, at an estimated cost of \$246,000.

OHIO RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$125,000,000 for the prosecution of the comprehensive plan for the Ohio River Basin approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress including: (1) Such channel rectification works or other measures at or below the Muskingum River Reservoirs as in the discretion of the Chief of Engineers and the Secretary of War may be found necessary to provide for the most efficient operation of those reservoirs, at an estimated cost of \$2,200,000, and (2) the following projects in tributary basins, namely:

The local flood-protection works at Galax, Virginia, on Chestnut Creek, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 506, Seventy-eighth Congress, first session, at an estimated cost of \$276,125;

The plan of improvement for flood control in the Wabash River Basin, Illinois and Indiana, substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 9, 1946, at an estimated cost of \$9,366,000;

The local flood-protection works at Olean, New York, on Allegheny River, substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 12, 1946, at an estimated cost of \$2,282,400;

The local flood-protection works at Portville, New York, on Allegheny River, substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 12, 1946, at an estimated cost of \$1,281,500;

The local flood-protection works at Allegany, New York, on the Allegheny River, substantially in accordance with the recommendations of the Chief of Engineers in his report, dated April 12, 1946, at an estimated cost of \$388,800;

The project for the West Fork Reservoir on the West Fork of Mill Creek in Ohio, substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 8, 1946, at an estimated cost of \$1,527,000.

GREAT LAKES BASIN

The project for flood protection at Mount Clemens and vicinity, Michigan, on Clinton River, is hereby authorized substantially in accordance with the recommendations in House Document Numbered 694, Seventy-ninth Congress, second session, at an estimated cost of \$378,000.

BRAZOS RIVER BASIN

The project for the Belton Reservoir on Leon River, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 19, 1946, at an estimated cost of \$15,500,000.

Of the conservation storage capacity provided by such reservoir, not to exceed forty-five thousand acre-feet of such capacity shall be available for irrigation purposes in the Leon, Lampasas, and Little River Valleys.

The project for flood protection at Eastland, on Leon River, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 19, 1946, at an estimated cost of \$82,800.

Additional appro-
priation authorized.

52 Stat. 1215.
33 U. S. C. § 701b
et seq.; Supp. V, § 701b
et seq.

Galax, Va.

Wabash River Ba-
sin, Ill. and Ind.

Olean, N. Y.

Portville, N. Y.

Allegany, N. Y.

West Fork Reser-
voir, Ohio.

Mount Clemens,
Mich.

Belton Reservoir,
Tex.

Irrigation.

Eastland, Tex.

GILA RIVER BASIN

Whitlow Ranch
Reservoir, Ariz.

The project for the Whitlow Ranch Reservoir on Queen Creek, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 24, 1946, at an estimated cost of \$1,645,000.

GREAT SALT BASIN

Spanish Fork River,
Utah.

The project for local flood protection on Spanish Fork River, Utah, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 518, Seventy-ninth Congress, second session, at an estimated cost of \$74,500.

Salt Lake City,
Utah.

The project for flood protection at Salt Lake City, Utah, on Jordan River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 562, Seventy-ninth Congress, second session, at an estimated cost of \$412,000.

Magna, Utah.

The project for flood protection at Magna, Utah, on Little Valley Wash, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 562, Seventy-ninth Congress, second session, at an estimated cost of \$222,000.

LOS ANGELES-SAN GABRIEL BASIN AND BALLONA CREEK

Additional appro-
priation authorized.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$25,000,000 for the prosecution of the comprehensive plan for the Los Angeles-San Gabriel Basin and Ballona Creek, California, approved in the Act of August 18, 1941, as amended and supplemented, by subsequent Acts of Congress.

55 Stat. 638.
33 U. S. C., Supp. V,
§ 701b *et seq.*
Ante, p. 642; *post*,
p. 652.

SALINAS RIVER BASIN

Salinas River, Calif.

The project for flood protection along Salinas River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 29, 1946, at an estimated cost of \$1,905,000.

BOISE RIVER BASIN

Lucky Peak Reser-
voir, Idaho.

The project for the Lucky Peak Reservoir on Boise River, Idaho, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated May 13, 1946, at an estimated cost of \$10,684,000: *Provided*, That said dam and reservoir shall be so constructed as not substantially to damage the structure of the Arrow Rock Dam and shall be operated in such manner as not materially to interfere with the operation of said Arrow Rock Reservoir.

Arrow Rock Dam.

WILLAMETTE RIVER BASIN

Additional appro-
priation authorized.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$35,000,000 for the prosecution of the comprehensive plan for the Willamette River Basin approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress.

52 Stat. 1215.
33 U. S. C. § 701b
et seq.; Supp. V, § 701b
et seq.

Eugene, Oreg.

The project for flood protection on Amazon Creek at Eugene and vicinity, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 138, Seventy-ninth Congress, second session, at an estimated cost of \$226,000.

TERRITORY OF ALASKA

Modification of the existing project for Skagway on Skagway River and Harbor, Alaska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 695, Seventy-ninth Congress, second session, at an estimated cost of \$438,000.

SEC. 11. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and waterflow retardation and soil-erosion prevention on such drainage areas; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That after the regular or formal reports made on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Narraguagus River and tributaries, Maine.

Westfield River, Massachusetts, with a view to modifying the existing Knightville Reservoir to provide low flow regulation.

Oneida Creek and tributaries, New York.

Susquehanna River, at and in the vicinity of Sidney, New York.

Hackensack River and tributaries, New Jersey and New York.

Schuylkill River and tributaries, Pennsylvania.

Marshy Hope Creek and tributaries, Maryland.

Caloosahatchie River and Lake Okeechobee Drainage Area, Florida, for drainage improvement and flood control along North New River Canal in Broward County, Florida.

Coosa River and tributaries, at and in the vicinity of Rome, Georgia.

Choctawhatchee River and tributaries, Alabama and Florida.

Cold Water Creek, Calhoun County, Alabama.

Big South Fork River and tributaries, Tennessee.

Cypress Creek, Harris County, Texas.

Port Arthur, Texas (with a view to providing protection against damage from Sabine Lake resulting from erosion and from floods due to hurricane winds and tide).

The provision of outlets in the interest of providing egress of flood waters for Jefferson County drainage districts, into existing waterways in the general vicinity of Port Arthur, Texas, including Taylors Bayou in the interest of flood control, drainage and navigation.

Eight-Mile Creek and Locust Creek and their tributaries, Arkansas.

Saint Francis Bay Straight Slough and Big Bay Ditch, Arkansas, and tributary area.

Choctawhatchee River, Florida and Alabama.

Bear Creek, a tributary of Big Black River, Mississippi.

Pearl River and tributaries, Mississippi.

Lost Creek, Missouri, at and in the vicinity of Seneca, Missouri.

Chunky River, Mississippi.

Skagway, Alaska.

Preliminary examinations and surveys.

Supplemental reports, etc., restriction.

Maine.

Massachusetts.

New York.

New Jersey and New York.

Pennsylvania.

Maryland.

Florida.

Georgia.

Alabama and Florida.

Alabama.

Tennessee.

Texas.

Arkansas.

Florida and Alabama.

Mississippi.

Missouri.

Mississippi.

- Mississippi. Opookta Creek, Attala County, Mississippi, for flood control and drainage.
- Oklahoma. Potacocowa Creek, Mississippi.
- Missouri. Gates Creek and tributaries, Oklahoma, with a view to the completion of the Fort Towson Dam and flood control reservoir.
- Arkansas. Lower Grand River, Missouri, with a view to providing protection from erosion and bank caving.
- Illinois. Saint Francis River and its tributaries, Arkansas, with special reference to Tyronza and Little Rivers; Big Creek; and Blackfish, Fifteen Mile, and Frenchman Bayous; and the tributaries of these streams for flood control, drainage, and allied purposes.
- Missouri. Ouachita River, Arkansas, with a view to providing navigation from Camden, Arkansas, to Rockport, Arkansas.
- Missouri. Mississippi River at and in the vicinity of East Cape Girardeau and Clear Creek, North Alexander, Clear Creek, Preston and Miller Pond drainage and levee district, Illinois.
- Wisconsin. Mississippi River at and in the vicinity of Perry County drainage and levee districts numbered 1, 2, and 3, Missouri.
- West Virginia. Mississippi River at and in the vicinity of La Crosse, Wisconsin, with a view to providing a small boat harbor improvement at Isle La Plume.
- Illinois. Little Kanawha River and tributaries, West Virginia.
- Tennessee. Four Pole Creek, West Virginia.
- West Virginia and Pennsylvania. Lost Creek and tributaries, White and Hamilton Counties, Illinois.
- Iowa and Missouri. Wabash River at and in the vicinity of Mount Carmel, Illinois.
- Wisconsin. Coal Creek and tributaries, Tennessee.
- Wisconsin and Illinois. Buffalo Creek and tributaries, West Virginia and Pennsylvania.
- Minnesota. Chariton River and tributaries, Iowa and Missouri.
- Michigan. All streams and rivers, and tributaries thereof, flowing into Lake Superior in Ashland, Bayfield, or Douglas Counties, Wisconsin.
- North Dakota. Fox River and its tributaries, Wisconsin, for flood control and other purposes.
- Michigan. Pecatonica River and tributaries, Wisconsin and Illinois.
- North Dakota. Lost River and tributaries, Minnesota.
- California and Oregon. Root River and tributaries, Minnesota.
- Alaska. Clinton River and tributaries, Michigan.
- Alaska. Sagining River and tributaries, Michigan.
- Alaska. Red River and its tributaries, North Dakota, for flood control and other purposes.
- Alaska. Smith River and tributaries, California and Oregon.
- Alaska. Gold Creek and tributaries, Alaska.
- Alaska. Chena Slough, Alaska.
- 55 Stat. 650.
33 U. S. C., Supp.
V, § 701n.
Rescue work.
- SEC. 12. That section 5 of the Flood Control Act of August 18, 1941, is hereby amended to read as follows:
- "That the Secretary of War is hereby authorized to allot, from any appropriations heretofore or hereafter made for flood control, not to exceed \$2,000,000 for any one fiscal year to be expended in rescue work or in the repair or maintenance of any flood-control work threatened or destroyed by flood."
- 50 Stat. 877.
33 U. S. C. § 701g;
Supp. V, § 701g.
- Removal of debris,
etc.
- SEC. 13. That section 2 of the Flood Control Act of August 28, 1937, as amended, is hereby further amended to read as follows:
- "That the Secretary of War is hereby authorized to allot not to exceed \$1,000,000 from any appropriations heretofore or hereafter made for any one fiscal year for flood control, for removing accumulated snags and other debris, and clearing and straightening the channel in navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than \$50,000 shall be expended for this purpose for any single tributary from the appropriations for any one fiscal year."
- Limitation.

SEC. 14. That the Secretary of War is hereby authorized to allot from any appropriations heretofore or hereafter made for flood control, not to exceed \$1,000,000 per year, for the construction of emergency bank-protection works to prevent flood damage to highways, bridge approaches, and public works, when in the opinion of the Chief of Engineers such work is advisable: *Provided*, That not more than \$50,000 shall be allotted for this purpose at any single locality from the appropriations for any one fiscal year.

Emergency bank-protection works.

Limitation.

SEC. 15. That the sum of \$772,000,000 is hereby authorized to be appropriated for carrying out improvements by the War Department, the sum of \$10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of War and Agriculture for carrying out any examination or survey provided for in this Act and any other Acts of Congress to be prosecuted by said Departments.

Appropriations authorized.

Expenditure by Departments of War and Agriculture.

SEC. 16. That the program on the watershed of Buffalo Creek and its tributaries authorized in section 13 of the Flood Control Act of December 22, 1944, is hereby amended to authorize the Secretary of Agriculture to include and prosecute works for the stabilization of stream banks such as described in House Document Numbered 574, Seventy-eighth Congress, second session, at an estimated additional cost of \$1,842,400.

Buffalo Creek, N. Y.
58 Stat. 905.

SEC. 17. That the \$5,000,000 authorized to be appropriated in section 10 of the Flood Control Act approved August 18, 1941, is reauthorized to be appropriated, and the sum of \$20,000,000 additional is authorized to be appropriated, for expenditure by the Department of Agriculture for the prosecution of the works of improvement authorized to be carried out by that Department by the Flood Control Act of December 22, 1944.

Appropriations authorized.
55 Stat. 651.
33 U. S. C., Supp. V, § 701f-1 note.

SEC. 18. In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$150,000,000 for the prosecution of the comprehensive plan adopted by section 9a of the Act approved December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress), for continuing the works in the Missouri River Basin to be undertaken under said plans by the Secretary of the Interior.

58 Stat. 887.
33 U. S. C., Supp. V, § 701a-1 et seq.
Ante, p. 642.
Missouri River Basin.

58 Stat. 891.

Approved July 24, 1946.

[CHAPTER 597]

AN ACT

To extend the times for commencing and completing the construction of a toll bridge across the Saint Louis River between the States of Minnesota and Wisconsin, and for other purposes.

July 24, 1946
[H. R. 6889]
[Public Law 537]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a toll bridge across the Saint Louis River, between the States of Minnesota and Wisconsin, authorized to be built by the city of Duluth in the State of Minnesota by an Act of Congress approved August 7, 1939; which Act was heretofore amended and extended by an Act of Congress approved April 30, 1940; and further extended and amended by an Act of Congress approved May 9, 1941; and further revived and reenacted, and extended and amended by an Act of Congress approved October 16, 1945, the same being Public Law Numbered 196, Seventy-ninth Congress; are hereby extended one and three years, respectively, from October 16, 1946.

Bridge.
Saint Louis River.

53 Stat. 1258; 54 Stat. 172; 55 Stat. 181; 59 Stat. 545.

SEC. 2. Public Law 333, Seventy-sixth Congress, is hereby amended by adding a new section to read as follows:

53 Stat. 1258.

"Sec. 3a. No toll or other charge shall be levied against any official

or employee, civil or military, or any vehicle or conveyance of the United States for the use of such bridge in the performance of official duties.”

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 24, 1946.

[CHAPTER 600]

AN ACT

To clarify the law relating to the filling of the first vacancy occurring in the office of district judge for the eastern district of Pennsylvania, and to provide for the appointment of an additional United States district judge for the eastern, middle, and western districts of Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso contained in section 2 (a) of the Act approved May 24, 1940, entitled “An Act to provide for the appointment of additional district and circuit judges” (54 Stat. 219), as amended, is amended to read as follows: “*Provided*, That the first vacancy occurring in the office of district judge in each of said districts, except the district of New Jersey and the eastern district of Pennsylvania, shall not be filled.”

SEC. 2. The President is authorized to appoint, by and with the advice and consent of the Senate, one additional United States district judge, who shall be an additional district judge for the eastern, middle, and western districts of Pennsylvania. The judge so appointed shall at the time of his appointment be a resident and a citizen of the State of Pennsylvania: *Provided*, That when a vacancy occurs in said office it shall not be filled: *Provided further*, That unless the President shall submit a nomination to the Senate to fill the office hereby created within ninety days after the effective date of this Act, then in that event this Act shall be of no force and effect.

Approved July 24, 1946.

[CHAPTER 601]

AN ACT

To amend Veterans Regulation Numbered 9 (a), as amended, so as to increase the limit of amounts payable thereunder in connection with the funeral and burial of deceased veterans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Veterans Regulation Numbered 9 (a), as amended, is amended by striking out the amount “\$100” wherever such amount appears in paragraphs II and III thereof, and inserting in lieu thereof the amount “\$150”.

Approved July 24, 1946.

[CHAPTER 602]

AN ACT

Authorizing the appointment of an additional judge for the district of Delaware.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the judicial district of the State of Delaware, who, except where because of seniority other provision is made,

July 24, 1946

[S. 141]

[Public Law 528]

U. S. Courts.

28 U. S. C. § 1 note;
Supp. V, § 1 note.

Pennsylvania.
Additional judge for
designated districts.

Time limitation.

July 24, 1946

[S. 706]

[Public Law 529]

54 Stat. 963, 1193,
33 U. S. C. note foll.
§ 724.

July 24, 1946

[S. 1801]

[Public Law 530]

Delaware.
Additional U. S.
district judge.

shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district: *Provided*, That the first vacancy occurring in the office of district judge in said district shall not be filled: *Provided further*, That unless the President shall submit a nomination to the Senate or make a recess appointment to fill the office hereby created within ninety days after the effective date of this Act, then in that event this Act shall be of no force and effect.

Approved July 24, 1946.

Time limitation.

[CHAPTER 603]

AN ACT

To authorize the Secretary of the Navy to transfer a vessel to the American Antarctic Association, Incorporated.

July 24, 1946
[S. 2291]
[Public Law 531]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, the Secretary of the Navy is authorized to transfer to the American Antarctic Association, Incorporated, a nonprofit scientific corporation duly organized and existing under the laws of the State of Maryland, for use in a projected scientific expedition to the Antarctic one naval vessel and related and necessary equipment on such terms and subject to such conditions as are deemed appropriate by the Secretary: *Provided, however*, That such transfer shall be for purposes of carrying out the projected Antarctic expedition only, and that prior to the transfer the American Antarctic Association, Incorporated, deposits with the Secretary a bond with good and sufficient sureties to guarantee payment to the United States Government of such charge as is determined by the Secretary as is reasonable for the use of the vessel and to reimburse the United States in the event of the loss of the vessel or its return to the Navy in a damaged condition.

American Antarctic Association, Inc.
Transfer of naval vessel.

Deposit of bond, etc.

SEC. 2. The vessel transferred to the American Antarctic Association, Incorporated, under this Act shall be returned to the Navy if the projected scientific expedition has not departed from the continental United States within six months after the date of the transfer of the vessel and, subject to unforeseen circumstances, shall be returned to the Navy at a port within the continental United States no later than July 1, 1948.

Return of vessel.

Approved July 24, 1946.

[CHAPTER 604]

AN ACT

To authorize revisions in the boundary of the Hopewell Village National Historic Site, Pennsylvania, and for other purposes.

July 24, 1946
[H. R. 3533]
[Public Law 532]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to withdraw from the Hopewell Village National Historic Site, Pennsylvania, all or any part of the lands added to the Hopewell Village National Historic Site by the Act approved June 6, 1942, entitled "An Act to authorize the disposition of recreational demonstration projects, and for other purposes", which in his opinion are not required for historic-site purposes. Any lands so withdrawn shall revert to the status of a recreational demonstration area.

Hopewell Village National Historic Site, Pa.
Withdrawal of lands.

56 Stat. 326.
16 U. S. C., Supp.
V, §§ 459r-459t.

Approved July 24, 1946.

[CHAPTER 605]

AN ACT

To amend sections 4 and 8 of the Act of September 2, 1937, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of September 2, 1937 (50 Stat. 917; 16 U. S. C. 699), is hereby amended by striking out the provisos thereof and inserting in lieu thereof the following: "*Provided*, That such apportionments shall be adjusted equitably so that no State shall receive less than one-half of 1 per centum nor more than 5 per centum of the total amount apportioned to all the States."

Sec. 2. That section 8 of said Act is amended so as to read as follows:

"SEC. 8. Maintenance of wildlife-restoration projects established under the provisions of this Act shall be the duty of the States in accordance with their respective laws: *Provided*, That beginning July 1, 1945, the term 'wildlife-restoration project', as defined in section 2, shall include maintenance of completed projects, but not more than 25 per centum of the total amount apportioned to any State under the provisions of this Act may be expended for such maintenance."

Approved July 24, 1946.

[CHAPTER 606]

AN ACT

To amend the law relating to larceny in interstate or foreign commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 13, 1913, as amended (47 Stat. 773; U. S. C., title 18, secs. 409 to 411), be, and it is hereby, amended to read as follows:

"(a) Whoever shall—

"(1) unlawfully break the seal or lock of or enter any railroad car, vessel, aircraft, motortruck, wagon, or other vehicle containing interstate or foreign shipments of freight or express, with intent to commit larceny therein; or

"(2) embezzle, steal, or unlawfully take, carry away, or conceal, or by fraud or deception obtain from any—

(i) railroad car, motortruck, wagon, or other vehicle,

(ii) station house, platform, depot, or terminal,

(iii) steamboat, vessel, or wharf,

(iv) aircraft, airport, aircraft terminal or air navigation facility,

any goods or property moving as or which are a part of or which constitute an interstate or foreign shipment of freight or express, with intent to convert such goods or property to his own use, or shall buy, receive, or have in his possession any such goods or property, knowing the same to have been embezzled or stolen; or

"(3) embezzle, steal, or unlawfully take, carry away, or by fraud or deception obtain any baggage which shall have come into the possession of any carrier for transportation in interstate or foreign commerce, or shall break into, steal, take, carry away, or conceal any of the contents thereof, with intent to convert the same or any part thereof to his own use, or shall buy, receive, or

July 24, 1946

[H. R. 3821]

[Public Law 533]

Wildlife-restoration projects.
50 Stat. 918.
16 U. S. C. § 669c;
Supp. V, § 669c note.
Apportionments.

50 Stat. 919.
16 U. S. C. § 669g.

State maintenance of established projects.

July 24, 1946

[H. R. 4180]

[Public Law 534]

Larceny in interstate or foreign commerce.
37 Stat. 670.

Unlawful entry, etc.

Embezzlement, etc., of property.

Possession.

Baggage.

have in his possession any such baggage or any article therefrom, of whatever nature, knowing the same to have been embezzled or stolen; or

“(4) embezzle, steal, or unlawfully take by any fraudulent device, scheme, or game, from any railroad car, motortruck, steamboat, vessel, aircraft, or other vehicle operated by any carrier, or from any passenger or employee thereon, when such railroad car, or the train of which it is a part, motortruck, steamboat, vessel, aircraft, or other vehicle is moving in interstate or foreign commerce, any money, baggage, goods, or property, with intent to convert the same or any part thereof to his own use, or shall buy, receive, or have in his possession any such money, baggage, goods, or property, knowing the same to have been embezzled or stolen; or

Money, etc.

“(5) being an employee of any carrier riding in, on or upon any railroad car, motortruck, steamboat, vessel, aircraft, or other vehicle of such carrier transporting passengers or property in interstate or foreign commerce and having in his custody funds arising out of or accruing from such transportation, embezzle or unlawfully convert to his own use any such funds; shall in each case be fined not more than \$5,000 or imprisoned not more than ten years, or both.

Embezzlement of funds by employee.

Penalty.

“(b) The carrying or transporting of any such money, freight, express, baggage, goods, or property from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia, knowing the same to have been embezzled or stolen, shall constitute a separate offense and subject the offender to the penalties prescribed in subsection (a).

Transporting from one State to another, etc.

“(c) The term ‘interstate or foreign commerce’ shall include transportation from one State, Territory, or the District of Columbia to another State, Territory, or the District of Columbia, or to a foreign country, or from a foreign country to any State, Territory, or the District of Columbia.

“Interstate or foreign commerce.”

“(d) The term ‘aircraft’ shall mean airplane, glider, blimp, balloon, dirigible, helicopter, rocket ship, parachute, or any contrivance used or designed for navigation of or flight in the air.

“Aircraft.”

“(e) The term ‘motortruck’ shall mean truck, truck-tractor, trailer, semitrailer, automobile, bus, or other vehicle used upon or designed for use upon roads, highways, or streets.

“Motortruck.”

“(f) The term ‘wharf’ shall mean dock, quay, pier, or any structure or contrivance designed for the loading or unloading of water craft.

“Wharf.”

“(g) Prosecutions under this Act may be instituted in any district wherein the crime shall have been committed, or in which the offender may have taken, removed, brought or been in possession of said money, freight, express, baggage, goods, or property.

Prosecutions.

“SEC. 2. Nothing herein shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof; and a judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

Jurisdiction of State courts.

“SEC. 3. To establish the interstate or foreign commerce character of any shipment in any prosecution under this Act the waybill, or other shipping document, of such shipment shall be prima facie evidence of the place from which such shipment was made.”

Waybill.

Approved July 24, 1946.

[CHAPTER 607]

AN ACT

July 24, 1946
[H. R. 4484]
[Public Law 535]

Relating to the construction and maintenance of building and improvements for banking purposes on the Fort Ord Military Reservation, California.

Fort Ord Military
Reservation, Calif.
Use of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War may, upon such terms and conditions as he may prescribe, authorize the use and occupancy of land on the Fort Ord Military Reservation, California, by the Monterey County Trust and Savings Bank, Salinas, California, for the purpose of constructing and maintaining a building or buildings and other improvements for use in conducting a branch bank on such reservation.

Approved July 24, 1946.

[CHAPTER 608]

AN ACT

July 24, 1946
[H. R. 4651]
[Public Law 536]

To amend section 6 of the Civil Service Retirement Act of May 29, 1930, as amended.

46 Stat. 473.
5 U. S. C. § 713;
Supp. V, § 713.
Annuity.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third paragraph of section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

"If a recovered disability annuitant whose annuity is discontinued subsequent to June 30, 1945, shall after due diligence on his part fail to obtain reemployment in any position included in the provisions of this Act, he shall be considered as having been involuntarily separated from the service within the meaning of section 7 of this Act as of the date he was retired for disability and shall, after the discontinuance of the disability annuity, be entitled to an annuity in accordance with the provisions of such section, computed at the attained age at the date of discontinuance of the disability annuity."

Approved July 24, 1946.

[CHAPTER 609]

AN ACT

July 24, 1946
[H. R. 4701]
[Public Law 537]

Granting the consent of Congress to the States of Utah, Idaho, and Wyoming to negotiate and enter into a compact for the division of the waters of the Bear River and its tributaries.

Bear River.
Consent of Congress
to interstate compact
for division of waters.

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

Approved July 24, 1946.

Ratification and
approval.

[CHAPTER 610]

AN ACT

To authorize school districts in Alaska to issue bonds for school construction, and for other purposes.

July 24, 1946
[H. R. 5800]
[Public Law 538]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of May 31, 1938 (52 Stat. 589; 48 U. S. C., sec. 315 and the following), entitled "An Act to authorize public utility districts in the Territory of Alaska to incur bonded indebtedness, and for other purposes", is hereby amended to read: "That public utility and school districts in the Territory of Alaska, organized or which may be organized under the laws of the Territory, are hereby authorized to construct, improve, extend, better, repair, reconstruct, acquire, and operate any and all types of public utilities and improvements, school buildings and facilities connected therewith, respectively, under and in accordance with and to the full extent provided by the laws of said Territory relating to public utility and school districts in said Territory, and to incur bonded indebtedness and to issue negotiable bonds for any or all of said purposes: *Provided, however,* That no public utility or school district shall incur bonded indebtedness or issue its negotiable bonds under this Act to an amount which shall exceed 10 per centum of the aggregate value of the real and personal property within such district subject to taxation by such district."

Alaska, Issuance of bonds for school construction, etc.

Limitation.

SEC. 2. Section 2 of the above entitled Act is hereby amended by inserting after the words "public utility" the words "or school".

52 Stat. 589.
48 U. S. C. § 315a.

Approved July 24, 1946.

[CHAPTER 611]

AN ACT

Relating to mail service on Lake Winnepesaukee, New Hampshire.

July 24, 1946
[H. R. 5820]
[Public Law 539]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby repealed the proviso (39 U. S. C. 208) appearing in the first section of the Act of February 28, 1919 (40 Stat. 1189, 1194), entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes", providing as follows: "*Provided,* That hereafter the compensation for the carrier of mail on Lake Winnepesaukee from the post office at Laconia, New Hampshire, who furnishes his own equipment, shall be \$1,800 per annum."

Repeal.

Approved July 24, 1946.

[CHAPTER 612]

AN ACT

To include the heads of executive departments and independent agencies within the purview of the Civil Service Retirement Act of May 29, 1930.

July 24, 1946
[H. R. 5831]
[Public Law 540]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 (a) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by striking out the words "and heads of executive departments".

56 Stat. 147.
5 U. S. C., Supp. V,
§ 693.
Post, p. 850.

Effective date.

SEC. 2. This Act shall be effective, with respect to any head of a department, at the beginning of his first pay period commencing in the second month following the month in which this Act is enacted. As used in this section the term "department" means any department, independent establishment, or agency (including corporations) in the executive branch of the Government.

"Department."

Approved July 24, 1946.

[CHAPTER 613]

AN ACT

Authorizing the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge or a free bridge across the Ohio River at or near Cannelton, Indiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Indiana State Toll Bridge Commission be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at or near Cannelton, Indiana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the Indiana State Toll Bridge Commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The Indiana State Toll Bridge Commission is hereby authorized either to operate said bridge free of tolls or to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 24, 1946.

[CHAPTER 614]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Calcasieu River at or near Lake Charles, Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the

July 24, 1946
[H. R. 6065]

[Public Law 541]

Bridge.
Ohio River.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Acquisition of real
estate, etc.

Tolls.

Supra.

Sinking fund.

Records.

July 24, 1946
[H. R. 6222]

[Public Law 542]

Bridge.
Calcasieu River.

Calcasieu River, at or near Lake Charles, authorized to be built by the State of Louisiana, by an Act of Congress approved June 22, 1943, and heretofore extended by the Act approved June 1, 1944, are hereby extended two and four years, respectively, from June 22, 1946.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 24, 1946.

[CHAPTER 615]

AN ACT

To amend the Act entitled "An Act authorizing the Nebraska-Iowa Bridge Corporation, a Delaware corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River between Washington County, Nebraska, and Harrison County, Iowa", approved March 6, 1928.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of Section 4 of the Act entitled "An Act authorizing the Nebraska-Iowa Bridge Corporation, a Delaware corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River between Washington County, Nebraska, and Harrison County, Iowa", approved March 6, 1928, is amended by striking out the word "twenty" and inserting in lieu thereof the word "thirty".

SEC. 2. The second sentence of section 5 of such Act is amended to read as follows: "After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls."

SEC. 3. Said Act is further amended by adding thereto four new sections to be numbered 9, 10, 11, and 12, respectively, as follows:

"SEC. 9. Approval is hereby granted, insofar as such approval by the Congress is required, of the agreement entered into on the 9th day of May 1946, by and between the Nebraska-Iowa Bridge Corporation and the State of Iowa, acting by and through its State highway commission, and the State of Nebraska, acting by and through its department of roads and irrigation, which agreement provides for the liquidation of all indebtedness outstanding against said Nebraska-Iowa Bridge Corporation on account of said bridge on the date that said agreement was entered into, for the acquisition by said States and liquidation in like manner of said corporation's equity in said bridge over and above such outstanding indebtedness (the total amount of such outstanding indebtedness and the amount of value of the equity which said corporation shall have in said bridge after liquidation of said indebtedness having been heretofore determined and agreed upon and set forth in said agreement), and for the said Nebraska-Iowa Bridge Corporation on and after the date thereof to continue in control of and to maintain and operate said bridge as trustee for all of the parties to said agreement for the purpose of carrying out the terms thereof.

"SEC. 10. When the revenues derived from the operation of the bridge, after meeting reasonable annual maintenance, repair, and operation costs, shall have provided funds sufficient to pay all outstanding indebtedness and pay the equity of said Nebraska-Iowa Bridge Corporation in said bridge, pursuant to the terms of the hereinabove-mentioned agreement, the Nebraska-Iowa Bridge Corporation shall by deed or other suitable instrument of conveyance transfer to the State of Iowa all right, title, and interest held by said corporation in and to that portion of said bridge and its approaches, rights, rights-of-way,

57 Stat. 160; 58 Stat. 267.

July 24, 1946
[H. R. 6515]
[Public Law 543]

Bridge,
Missouri River.

45 Stat. 194.

45 Stat. 195.
Tolls.

Approval of agree-
ment.

Transfer of title,
etc., to States.

and appurtenances located in the State of Iowa and shall likewise transfer to the State of Nebraska all of the right, title, and interest held by said corporation in and to that portion of said bridge and its approaches, rights, rights-of-way, and appurtenances located in the State of Nebraska. Upon acceptance by each of said States of the portion of said bridge and its approaches located therein the trusteeship of said Nebraska-Iowa Bridge Corporation under the terms of the afore-mentioned agreement shall cease and the corporation shall thereupon cease the collection of tolls and release the respective portions of said bridge and approaches thereto, rights, rights-of-way, and appurtenances to the States of Iowa and Nebraska pursuant to the terms of said agreement and as provided in this Act. Said States shall thereafter maintain and operate said bridge and approaches free of tolls.

"SEC. 11. The corporation shall at the close of each year during its trusteeship file with the highway departments of the States of Nebraska and Iowa a sworn financial statement of its operation of the said bridge during such year. Such statement shall show funds on hand and indebtedness at the beginning and at the end of the year, receipts, disbursements, indebtedness retired during the year, and any other information required by either of said departments to show the true and complete accounting of revenues, expenditures, and financial status and operation of such bridge and approaches thereto.

"SEC. 12. The Nebraska-Iowa Bridge Corporation shall prepare and submit an annual budget of estimated operating and other expenditures for or on behalf of said bridge and approaches at the beginning of each year, and such budget shall be subject to approval by the highway departments of the States of Nebraska and Iowa before becoming effective. Expenditures during any year shall not exceed the approved budget unless an increase in the annual budget be likewise approved by said departments.

"SEC. 13. No toll or other charge shall be levied against any official or employee of the United States, civil or military, or any vehicle or conveyance of the United States for the use of such bridge in the performance of official duties."

Approved July 24, 1946.

[CHAPTER 616]

JOINT RESOLUTION

Relating to cotton marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of sections 341-350, inclusive, of the Agricultural Adjustment Act of 1938, as amended (U. S. C., 1940 edition, title 7, secs. 1341 to 1350, inclusive), and in view of the critical shortage of fats and oils and protein feeds, cotton marketing quotas shall not be proclaimed with respect to the marketing year beginning August 1, 1947, and no National, State, county, or farm acreage allotments for cotton for the 1947 crop shall be established.

Approved July 24, 1946.

Filing of financial statement by corporation.

Submission of annual budget.

Restriction on expenditures.

Use of bridge by U. S. employees.

July 24, 1946
[H. J. Res. 336]
[Public Law 544]

Cotton marketing quotas.

52 Stat. 55,
7 U. S. C., Supp. V,
§ 1344.

[CHAPTER 617]

JOINT RESOLUTION

Relating to peanut marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

July 24, 1946
[H. J. Res. 359]
[Public Law 545]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of sections 357–359, inclusive, of the Agricultural Adjustment Act of 1938, as amended (U. S. C., 1940 edition, Supp. IV, title 7, secs. 1357 to 1359, inclusive), and in view of the critical shortage of high protein foods and feeds, and fats and oils, peanut marketing quotas shall not be proclaimed with respect to the crop of peanuts produced in the calendar year 1947, and no National, State, or farm acreage allotments for peanuts for the 1947 crop shall be established.

Peanut marketing
quotas.

55 Stat. 88,
7 U. S. C., Supp. V,
§§ 1357–1359,
Post, p. 705.

Approved July 24, 1946.

[CHAPTER 642]

AN ACT

To extend the period within which the Secretary of Agriculture may carry out the purposes of the Soil Conservation and Domestic Allotment Act by making payments to agricultural producers.

July 25, 1946
[H. R. 6459]
[Public Law 546]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 (a), as amended, of the Soil Conservation and Domestic Allotment Act (U. S. C., 1940 edition, Supp. IV, title 16, sec. 590h (a)) is amended (a) by striking out "January 1, 1947" wherever appearing therein and inserting in lieu thereof "January 1, 1949", and (b) striking out "December 31, 1946" and inserting in lieu thereof "December 31, 1948".

55 Stat. 860,
16 U. S. C., Supp.
V, § 590h (a).

Approved July 25, 1946.

[CHAPTER 643]

AN ACT

For the acquisition of buildings and grounds in foreign countries for the use of the Government of the United States of America.

July 25, 1946
[H. R. 6627]
[Public Law 547]

Be it enacted by the Senate and House of Representatives of the United State of America in Congress assembled, That for the purpose of further carrying into effect the provisions of the Foreign Service Buildings Act of May 7, 1926, as amended (22 U. S. C. 291–297), there is authorized to be appropriated in addition to the amount authorized by such Act, and the Act of May 25, 1938, an amount not to exceed \$125,000,000, of which \$110,000,000 shall be available exclusively for payments representing the value, in whole or in part, of property or credits of whatever nature acquired through lend-lease settlements, the disposal of surplus property abroad, or otherwise, and held abroad by the Government or owing the Government by any foreign government or by any person or organization residing or situated abroad, which property or credits may be used by the Department of State for sites, buildings, equipment, construction, and leaseholds; such payments to be made to the agency of the United States administering the property or credits and be treated by such agency as though made by the foreign government, person, or organization concerned. Sums appropriated pursuant to this Act shall be available for the purposes and subject to the conditions and limitations of the above Acts, except that there shall be no limitation on the amount to be appropriated in any one year and that expenditures for furnishings shall not be subject to the provisions of section 3709 of the Revised Statutes.

Foreign Service
Buildings Act, 1926.
Additional appro-
priation authorized.

44 Stat. 403; 52 Stat.
441.
22 U. S. C. § 292 et
seq.

41 U. S. C. § 5.
Post, p. 809.

Approved July 25, 1946.

[CHAPTER 671]

JOINT RESOLUTION

Extending the effective period of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (b) of the Emergency Price Control Act of 1942, as amended, is amended by striking out "June 30, 1946" and substituting "June 30, 1947".

SEC. 2. Section 6 of the Stabilization Act of 1942, as amended, is amended by striking out "June 30, 1946" and substituting "June 30, 1947".

SEC. 3. Title I of the Emergency Price Control Act of 1942, as amended, is amended by inserting after section 1 thereof a new section as follows:

"PURPOSES AND POLICIES IN THE TRANSITION PERIOD

"SEC. 1A. (a) OBJECTIVES.—The Congress hereby affirms—

"(1) that because of abnormally excess spending power in relation to the presently available supply of commodities, rapid attainment of production equal to the public demand is one of the necessary and urgent objectives for the prevention of inflation and for the achievement of a reasonable stability in the general level of prices and rents, cost of living and costs of production (including labor costs), for the purposes set forth in section 1 of this Act and for the further purposes of protecting the real value of benefits provided by law for veterans and their dependents, of keeping faith with purchasers of United States War Bonds, and of making possible a successful transition to a peacetime economy of maximum employment, production, and purchasing power under a system of free enterprise;

"(2) that unnecessary or unduly prolonged controls over prices and rents and use of subsidies would be inconsistent with the return to such a peacetime economy and would tend to repress and prevent the attainment of this and the other goods herein declared; and

"(3) that adequate prices are necessary stimulants to the production thus desired and the expeditious attainment of said goals.

"(b) DECLARATION OF DECONTROL POLICY.—Therefore, it is hereby declared to be the policy of the Congress that the Office of Price Administration, and other agencies of the Government, shall use their price, subsidy, and other powers to promote the earliest practicable balance between production and the demand therefor of commodities under their control, and that the general control of prices and the use of subsidy powers shall, subject to other specific provisions of this Act, be terminated as rapidly as possible consistent with the policies and purposes set forth in this section and in no event later than June 30, 1947, and on that date the Office of Price Administration shall be abolished.

"(c) RECOMMENDATIONS BY THE PRESIDENT TO THE CONGRESS.—

(1) As soon as practicable after the enactment of this section and in any event on or before January 15, 1947, the President shall recommend to the Congress such further legislation as in his judgment is needed to establish monetary, fiscal, and other policies which are adequate to supplement the control of prices and wages during the balance of the fiscal year 1947, and to insure that general control of

July 25, 1946
[H. J. Res. 371]
[Public Law 548]

Price Control Extension Act of 1946.
Ante, p. 609; *post*, p. 915.

59 Stat. 306.
50 U. S. C., Supp. V, app. § 901 (b).

59 Stat. 306.
50 U. S. C., Supp. V, app. § 966.

56 Stat. 23.
50 U. S. C., Supp. V, app. § 901.

Termination of control and use of subsidy powers.

Legislation to establish supplementary policies.

prices and wages can be terminated by the end of that fiscal year without danger of inflation thereafter.

“(2) On or before April 1, 1947, the President shall report to the Congress what, if any, commodities or classes of commodities, including housing accommodations, are in such critically short supply as to necessitate, in his judgment, the continuance of the powers granted by this Act as to them after June 30, 1947, together with his recommendations as to established departments or agencies of the Government (other than the Office of Price Administration) which should be charged with the administration of such powers.

Report of shortages necessitating continuance of powers.

“(d) DECONTROL OF NONAGRICULTURAL COMMODITIES.—(1) On or before December 31, 1946, the Administrator shall decontrol all non-agricultural commodities not important in relation to business costs or living costs, and prior to that date shall proceed with such decontrol as rapidly as, in his judgment, will be consistent with the avoidance of a cumulative and dangerous unstabilizing effect. In no event shall maximum prices be maintained after December 31, 1946, for any non-agricultural commodity or class of commodities unless the same has been expressly found by the Administrator to be important in relation to business costs or living costs.

Maintenance of maximum prices after Dec. 31, 1946.

“(2) The Administrator shall provide for the prompt removal of maximum prices in the case of any nonagricultural commodity whenever the supply thereof exceeds or is in approximate balance with the demand therefor (including appropriate inventory requirements).

Removal of maximum prices.

“(3) Whenever, after a reasonable test period, it appears that the supply of a nonagricultural commodity which has been decontrolled is no longer consistent with the applicable decontrol standard, the Administrator, with the advance consent in writing of the Price Decontrol Board established under subsection (h), shall reestablish such maximum prices for the commodity, consistent with applicable provisions of law, as in his judgment may be necessary to effectuate the purposes of this Act. The supply of a nonagricultural commodity shall be deemed inconsistent with the applicable decontrol standard in any case where the prices of the commodity have risen to and after a reasonable test period remain at unreasonable and inflationary levels.

Reestablishment of maximum prices.

Post, p. 669.

“(4) Nothing contained in this Act shall be construed to authorize the Administrator to impose or maintain price controls with respect to petroleum or petroleum products processed or manufactured in whole or substantial part from petroleum, except that, after August 20, 1946, maximum prices with respect thereto may be reestablished pursuant to the provisions of paragraph (3) of this subsection (d), but only under the standards prescribed in paragraph (8) (C) of subsection (e).

Petroleum.

“(e) AGRICULTURAL COMMODITIES.—(1) On the first day of the first calendar month which begins more than thirty days after the date of enactment of this section, the Secretary of Agriculture shall certify to the Price Administrator each agricultural commodity which such Secretary determines to be in short supply. Thereafter, on the first day of each succeeding calendar month the Secretary shall certify modifications of such certification by adding other agricultural commodities which have become in short supply and by removing from such certification such commodities which he determines are no longer in short supply. No maximum price shall be applicable with respect to any agricultural commodity during any calendar month which begins more than thirty days after the date of enactment of this section, unless such commodity is certified to the Price Administrator under this paragraph as being in short supply.

Certification of commodities in short supply.

Recommendations
by Secretary of Agri-
culture.
Adjustments in
maximum prices.

"(2) (A) Whenever the Secretary of Agriculture determines that maximum prices applicable to any agricultural commodity which is in short supply are impeding the necessary production of such commodity, he may recommend to the Price Administrator such adjustments in such maximum prices as the Secretary determines to be necessary to attain the necessary production of such commodity.

Removal of maxi-
mum prices.

"(B) The Secretary of Agriculture by December 31, 1946, shall recommend to the Price Administrator the removal of maximum prices on all agricultural commodities, whether or not in short supply, not important in relation to business costs or living costs, and prior to that date shall make such recommendations as rapidly as, in his judgment, will be consistent with the avoidance of a cumulative and dangerous unstabilizing effect.

Adjustment, etc.,
by Price Administra-
tor.

"(C) Within ten days after the receipt of any recommendation under this subsection for the adjustment of maximum prices applicable to any agricultural commodity, or for the removal of maximum prices on agricultural commodities not important in relation to business costs or living costs, the Price Administrator shall adjust or remove such maximum prices in accordance with such recommendations.

Reestablishment of
maximum prices.

"(3) Whenever the Secretary of Agriculture determines that an agricultural commodity with respect to which maximum prices have been removed is in short supply and that the reestablishment of maximum prices with respect thereto is necessary to effectuate the purposes of this Act, the Secretary, with the written consent of the Price Decontrol Board, may recommend to the Administrator, and the Administrator shall establish, such maximum prices with respect to such commodity, consistent with applicable provisions of law, as in the judgment of the Secretary are necessary to effectuate the purposes of this Act.

"(4) For the purposes of this section (except subparagraph (6) of this subsection (d))—

"Short supply."

"(A) an agricultural commodity shall be deemed to be in short supply unless the supply of such commodity equals or exceeds the requirements for such commodity for the current marketing season;

"Agricultural com-
modity."

"(B) the term 'agricultural commodity' shall be deemed to mean any agricultural commodity and any food or feed product processed or manufactured in whole or substantial part from any agricultural commodity;

"Subsidy."
58 Stat. 635.
50 U. S. C., Supp.
V, app. § 902 (c).
Ante, pp. 57, 214;
post, p. 671.
Exercise of functions
by Secretary of Agri-
culture.

"(C) the term 'subsidy' means any subsidy or purchase and sale operations described in the last paragraph of section 2 (e) of this Act.

"(5) Notwithstanding any other provision of this or any other law, except as provided in subsection (h), the Secretary of Agriculture, in exercising his functions under this Act, shall not be subject to the direction or control of any other appointive officer or agency in the executive branch of the Government, and no such officer or agency shall undertake to exercise any direction or control over the Secretary of Agriculture with respect to the exercise of such functions. The Secretary of Agriculture may at any time withdraw his approval of any action with respect to which his approval is required under this Act, and upon the withdrawal of his approval such action shall be rescinded.

Applicability of
maximum prices, etc.
56 Stat. 765.
50 U. S. C., Supp.
V, app. §§ 961-964,
965-971.
Ante, p. 664; *post*,
p. 677.

"(6) No maximum price and no regulation or order under this Act or the Stabilization Act of 1942, as amended, shall be applicable with respect to any agricultural commodity, or any service rendered with respect to any agricultural commodity, unless a regulation or order establishing a maximum price with respect to such commodity had been issued under this Act prior to April 1, 1946.

"(7) No maximum price and no regulation or order under this Act or the Stabilization Act of 1942, as amended, shall be applicable with respect to poultry or eggs or food or feed products processed or manufactured in whole or substantial part therefrom, or in the case of leaf tobacco or tobacco products processed or manufactured in whole or substantial part therefrom, except that, after August 20, 1946, maximum prices with respect thereto may be reestablished pursuant to the provisions of paragraph (3) of this subsection (e), but only under the standards prescribed in paragraph (8) (C) of this subsection (e).

Poultry, etc.
56 Stat. 765.
50 U. S. O., Supp.
V, app. §§ 961-964,
965-971.
Ante, p. 664; *post*,
p. 677.
Tobacco.

"(8) (A) No maximum price and no regulation or order under this Act or the Stabilization Act of 1942, as amended, shall be applicable prior to August 21, 1946, with respect to livestock, milk, or food or feed products processed or manufactured in whole or substantial part from livestock or milk; with respect to cottonseed or soybeans, or food or feed products processed or manufactured in whole or substantial part from cottonseed or soybeans; with respect to grains for which standards have been established under the United States Grain Standards Act, as amended, or any livestock or poultry feed processed or manufactured in whole or substantial part therefrom.

Livestock and milk.
Supra.

Cottonseed or soybeans.

Grains.

39 Stat. 432.
7 U. S. C. §§ 71-87.

"(B) The Price Decontrol Board shall proceed forthwith to consider whether the commodities listed in subparagraph (A) shall continue, after August 20, 1946, to be free from regulation under this Act and the Stabilization Act of 1942, as amended. Such Board, after due notice of a public hearing and full opportunity for representatives of affected industries and consumers to present their views orally or in writing, shall have power to determine whether or not any commodity listed in subparagraph (A) shall be regulated after August 20, 1946, under this Act and the Stabilization Act of 1942, as amended. Such Board shall direct that any such commodity shall not be so regulated unless it finds:

Powers, etc., of
Price Decontrol
Board.

Supra.
Regulation of com-
modities.

56 Stat. 765.
50 U. S. O., Supp.
V, app. §§ 961-964,
965-971.
Ante, p. 664; *post*,
p. 677.

"(i) that the price of such commodity has risen unreasonably above a price equal to the lawful maximum price in effect on June 30, 1946, plus the amount per unit of any subsidy payable with respect thereto as of June 29, 1946, and

"(ii) that such commodity is in short supply and that its regulation is practicable and enforceable, and

"(iii) that the public interest will be served by such regulation.

If in the case of any commodity listed in subparagraph (A) such Board fails to direct, on or before August 20, 1946, that such commodity shall not be regulated under this Act and the Stabilization Act of 1942, as amended, maximum prices and regulations and orders under such Acts shall be applicable with respect to such commodity without regard to this paragraph (8).

Supra.

"(C) If in the case of any commodity listed in subparagraph (A) such Board, on or before August 20, 1946, does direct that such commodity shall not be regulated under such Acts, the Board may at any subsequent time direct that such commodity shall be so regulated if it finds:

"(i) that the price of such commodity has risen unreasonably above a price equal to the lawful maximum price in effect on June 30, 1946, plus the amount per unit of any subsidy payable with respect thereto as of June 29, 1946; and

"(ii) that such commodity is in short supply and that its regulation is practicable and enforceable; and

"(iii) that the public interest will be served by such regulation.

Thereafter, the provisions of such Acts and regulations and orders

thereunder shall be applicable with respect to such commodity without regard to this paragraph (8).

Milk.

“(D) In the case of milk, the Board may consider and determine decontrol or recontrol on a regional basis.

Reestablishment of subsidies.

“(9) The Price Decontrol Board shall also have power to determine, when maximum prices are in effect with respect to any commodity listed in paragraph (8) (A), whether any subsidy or any part thereof in effect prior to June 30, 1946, shall be reestablished in whole or in part; and the powers of the Administrator, the Commodity Credit Corporation, and the Reconstruction Finance Corporation to pay subsidies in connection with such commodity shall be limited in accordance with any order of the Board.

Powers of CCC, RFC, etc., limitation.

“(10) Whenever maximum prices are in effect for any commodity processed or manufactured in whole or substantial part from any commodity listed in paragraph (8) (A) with respect to which maximum prices are not in effect, no maximum price, and no margin, mark-up, or discount, shall be maintained with respect to such processed or manufactured commodity which does not return to the processors, manufacturers, and distributors thereof (A) the raw material cost (which must be computed at least once every sixty days at not less than the current cost), (B) the conversion or distribution cost, and (C) a reasonable profit.

Maintenance of maximum price for manufactured commodities, etc.

“(f) SAVING PROVISION.—Nothing in this section shall limit the Administrator's authority to remove maximum prices for any non-agricultural commodity, or any agricultural commodity with the approval of the Secretary of Agriculture, at an earlier time than would be required by this section, if in his judgment or in the judgment of the Secretary of Agriculture, as the case may be, such action would be consistent with the purposes of this section.

Filing of petition by industry advisory committee.

56 Stat. 24.
50 U. S. C., Supp.
V, app. § 902 (a).
Post, p. 670.

Nonagricultural commodities.

“(g) PETITIONS FOR DECONTROL.—(1) If in the judgment of the industry advisory committee appointed by the Administrator in accordance with section 2 (a) of this Act to advise and consult with respect to a commodity, the standards set forth in this section require the removal of maximum prices for such commodity, it may file a petition for the removal of such maximum prices. In the case of any nonagricultural commodity, such petition shall be filed with the Administrator in accordance with regulations prescribed by him. In the case of agricultural commodities, such petition shall be filed with the Secretary of Agriculture in accordance with regulations prescribed by him and shall request that he make an appropriate certification or recommendation to the Price Administrator. The petition shall specifically state the grounds upon which the committee believes such action to be required and shall be accompanied by affidavits or other written evidence in support thereof.

Agricultural commodities.

Action on petition.

“(2) Within fifteen days after receiving a petition filed in accordance with the provisions of this subsection, the Administrator or the Secretary of Agriculture, as the case may be, shall either grant the petition or inform the committee in writing why in his judgment the standards for decontrol stated in subsections (d) and (e) have not been satisfied with respect to the commodity involved. If the petition is not granted in full, the Administrator or the Secretary, as the case may be, shall, within ten days after the receipt of a request by the committee for further consideration of its petition, hold a hearing before himself or before a deputy administrator (or, in the case of the Secretary, before such officer as he may designate) at which the committee may present its argument in support of the petition. The Consumers Advisory Committee and the Labor Advisory Committee appointed by the Administrator shall be given

Ante, p. 665.

Hearing.

Notice to designated committees.

notice of any such hearing and an opportunity to present their views with respect to the petition and may, not later than five days prior to such hearing, present in writing evidence relating thereto. Within fifteen days after such hearing, the Administrator or the Secretary, as the case may be, shall either grant the petition in full or furnish the industry advisory committee with a statement in writing of his reasons for denying it in whole or in part together with a statement of any economic data or other facts of which he has taken official notice in connection with such denial.

“(3) At any time within thirty days after the denial in whole or in part, following a hearing, of a petition filed under this subsection, the petitioning industry advisory committee may petition the Price Decontrol Board established under subsection (h) for a review of the action of the Administrator or the Secretary of Agriculture. If the Administrator or the Secretary, as the case may be, fails to act upon a petition within the time prescribed by paragraph (2), the industry advisory committee may, at any time within thirty days after the expiration of the time so prescribed, petition the Price Decontrol Board for the removal of maximum prices on the commodity involved.

“(4) Nothing in this section shall be construed to take away or impair any right of any person to protest, in accordance with the provisions of sections 203 and 204 of this Act, the further maintenance of maximum prices for a commodity under the standards of subsection (d) or (e): *Provided*, That the filing of such a protest or of a petition under paragraph 3 of this subsection shall not be grounds for staying any proceeding brought pursuant to section 205 of this Act or section 37 of the Criminal Code, and no retroactive effect shall be given to any judgment setting aside a provision of a regulation, order, or price schedule under the standards set forth in this section.

“(h) PRICE DECONTROL BOARD.—(1) There is hereby established as an independent agency in the executive branch of the Government a Price Decontrol Board, to be composed of three members appointed by the President by and with the advice and consent of the Senate. Not more than two members of the Board shall be members of the same political party. Two members of the Board shall constitute a quorum, and a vacancy in the membership of the Board shall not impair the power of the remaining members to exercise its functions. Members of the Board shall receive compensation at the rate of \$12,000 a year.

“(2) The Board shall appoint and fix the compensation of a secretary for the Board and such other officers and employees as may be necessary to enable it to perform its functions. The Board may make such expenditures as may be necessary for performing its functions. The Board may, with the consent of the head of the department or agency concerned, utilize the facilities, services, and personnel of other agencies or departments of the Government. The Board shall maintain an office in charge of its secretary in the District of Columbia, which shall be open on all business days for the receipt of petitions for review and the transaction of other business of the Board. The Board shall prescribe regulations and procedures for the conduct of its business which will provide for summary disposition, with the utmost expedition consistent with sound decision, of petitions filed with the Board.

“(3) A petition made under subsection (g) (3) shall specifically state the grounds upon which the petitioning industry advisory committee believes that maximum prices on the commodity involved should be removed. A copy of such petition shall forthwith be served on the

Petition for review.

Petition for removal of maximum prices.

Right to protest.

56 Stat. 31.
50 U. S. C., Supp.
V, app. §§ 923, 924.
Ante, p. 665.

56 Stat. 33; 35 Stat.
1096.
50 U. S. C., Supp.
V, app. § 925; 18 U. S.
C. § 88.
Post, pp. 676, 677.

Establishment, etc.
Post, p. 915.

Compensation.

Officers and employees.

Expenditures, etc.

Office in D. C.

Regulations and procedures.

Petition.

Administrator or the Secretary, as the case may be, who shall within such time as may be fixed by the Board certify and file with the Board a transcript of such portions of the proceedings in connection with the petition under subsection (g) as are material. Such transcript shall include a statement in writing of the Administrator's or Secretary's reasons for believing that maximum prices on the commodity involved should not be removed, together with a statement of any economic data or other facts of which he has taken official notice. At the earliest practicable time the Board shall conduct a hearing upon the petition, at which the Administrator or the Secretary, as the case may be, and the committee shall be given an opportunity to present their views and argument orally or in writing. If application is made to the Board by either party for leave to introduce additional evidence, the Board may permit such evidence to be introduced or filed with it if it deems it material and determines that such evidence could not reasonably have been offered or included in the proceedings under subsection (g). At the earliest practicable time after the hearing on any petition, the Board shall make and issue an order specifying the extent, if any, to which maximum prices on the commodity involved shall be removed. The Board shall order the removal of such maximum prices if and to the extent that in its judgment the standards of decontrol stated in subsection (d) or (e) have been satisfied with respect to the commodity involved. The Administrator shall remove maximum prices with respect to the commodity in question within such time and to such extent as shall be specified in the order of the Board. Orders of the Board shall not be subject to modification or review by any other department or agency or by any court.

Hearing.

Order specifying extent of removal of maximum prices.

Ante, p. 665.

Filing of petition, restriction.

Service of Board members.

35 Stat. 1107, 1109; 58 Stat. 668. 18 U. S. C., Supp. V, § 198 note; 41 U. S. C., Supp. V, § 119.

Hearing commissioners.

"(4) No petition may be filed with the Board with respect to any commodity within a period of three months after the issuance of an order of the Board with respect to the same commodity.

"(5) The members of the Board may serve as such without regard to the provisions of sections 109 and 113 of the Criminal Code (18 U. S. C., secs. 198 and 203) or section 19 (e) of the Contract Settlement Act of 1944, except insofar as such sections may prohibit any such member from receiving compensation in respect of any particular matter which is within the jurisdiction of the Board.

"(6) If the number of petitions filed with the Board should at any time become so great as to prevent the Board from promptly conducting hearings upon such petitions, the Board shall appoint such hearing commissioners as it deems necessary in order to expedite the transaction of its business. The Board may authorize one or more of the hearing commissioners so appointed to conduct the hearing upon any petition under this subsection and to exercise the authority of the Board with respect to such hearing. After a hearing conducted before a hearing commissioner, the commissioner shall make recommendations consistent with this subsection to the Board concerning its action with respect to the petition. If the Board approves such recommendations, it shall issue an order in conformity therewith. If the Board does not approve such recommendations, the Board may issue such order as it deems proper upon the record or may conduct a new hearing upon the petition before the Board."

SEC. 4. Section 2 (a) of the Emergency Price Control Act of 1942, as amended, is amended by adding at the end thereof the following new sentence: "In administering the provisions of this subsection relating to the establishment of industry advisory committees, the Administrator, upon the request of a substantial portion of the industry in any region, shall promptly appoint a regional industry advisory committee for such region."

56 Stat. 24. 50 U. S. C., Supp. V, app. § 902 (a). Appointment of regional industry advisory committee.

SEC. 5. Section 2 (b) of the Emergency Price Control Act of 1942, as amended, is amended by adding at the end thereof the following new paragraphs:

56 Stat. 25.
50 U. S. C., Supp.
V, app. § 902 (b).

“After the date upon which this paragraph takes effect, the Administrator, when establishing rent ceilings on hotels or when passing upon applications for adjustments of rent ceilings on hotels, is authorized to take into consideration the distinction between transient hotels and residential or apartment hotels, including the difference in the investment, operation, expenses, and mechanical details of operation between the transient hotels and the residential and apartment hotels, and is directed to classify separately by regulation (1) transient hotels, (2) residential and apartment hotels, and (3) tourists courts, rooming houses, and boarding houses.

Rent ceilings on hotels.

“While maximum rents are in effect under this Act with respect to housing accommodations in any defense-rental area, such housing accommodations shall not be subject to rent control by any State or local government.”

Defense-rental areas.

SEC. 6. (a) The last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended by the Stabilization Extension Act of 1944, shall not apply with respect to operations for the fiscal year ending June 30, 1947, of the Commodity Credit Corporation and the Reconstruction Finance Corporation: *Provided*, That with respect to such corporations and such operations, the making of subsidy payments and buying for resale at a loss shall be limited as follows:

Operations of CCC and R.F.C.
58 Stat. 635.
50 U. S. C., Supp. V, app. § 902 (e).
Ante, pp. 57, 214.
Subsidy payments, etc., limitations.

Payments and purchases may be made with respect to operations for the fiscal year ending June 30, 1947, which involve subsidies and anticipated losses as follows:

(1) With respect to rubber produced in Latin America and Africa for which commitments were made before January 1, 1946, \$31,000,000.

Rubber.

(2) With respect to copper, lead, and zinc, in the form of premium price payments, \$100,000,000: *Provided*, That (A) premiums shall be paid on ores mined or removed from mine dumps or tailing piles before July 1, 1947, though shipped and/or processed and marketed subsequently thereto; and that (B) the premium price plan for copper, lead, and zinc shall be extended until June 30, 1947, on terms not less favorable to the producer than heretofore and (i) adjustments shall be made to encourage exploration and development work, (ii) adequate allowances shall be made for depreciation and depletion, and (iii) all classes of premiums shall be noncancelable unless necessary in order to make individual adjustments of income to specific mines.

Copper, lead, zinc. Premiums.

Adjustments.

(3) With respect to purchases by the Reconstruction Finance Corporation, of such tin ores and concentrates as it deems necessary to insure continued operation of the Texas City tin smelter.

Tin ores.

(4) With respect to noncrop programs, 1946 crop program operations and the 1947 crop program operations relating to sugar, flour, petroleum, petroleum products, and other domestic and imported materials and commodities, \$869,000,000: *Provided*, That the operations authorized under this subparagraph (4) shall be progressively reduced, shall be terminated not later than April 1, 1947, and shall not cost more than \$629,000,000 during the last six months of the calendar year 1946. Operations shall not be carried out under authority of this subparagraph (4) with respect to any commodity for any period occurring after the date of the enactment of this Act during which maximum prices on such

Sugar, flour, petroleum, etc.

Reduction, etc., of operations.

56 Stat. 23, 765.
50 U. S. C., Supp. V,
app. §§ 901-922, 923-
946, 961-964, 965-971.
Ante, pp. 57, 214,
664 *et seq.*; *post*, p. 673
et seq.

Restrictions.

Increase of maxi-
mum price when sub-
sidy is reduced, etc.

Ante, p. 207.

Roll-back subsidies.

Definition.

Designated laws not
affected.

59 Stat. 50, 260, 506;
ante, p. 57.

7 U. S. C., Supp. V,
§ 1381 note; 15 U. S. C.,
Supp. V, §§ 713-713a-4,
606b note.

Crop program oper-
ations with respect
to sugar.

59 Stat. 50; *ante*,
p. 57.

7 U. S. C., Supp. V,
§ 1381 note; 15 U. S. C.,
Supp. V, §§ 713-713a-4,
Cuban sugar.

Veterans' housing.

Ante, p. 207.

commodity are not in effect under the Emergency Price Control Act of 1942, as amended, or the Stabilization Act of 1942, as amended: *Provided*, That subsidies with respect to petroleum produced from stripper wells shall be continued at not to exceed the existing rates. No subsidy or purchase and sale operation shall be undertaken under authority of this subparagraph (4) with respect to any commodity unless a subsidy or purchase and sale operation with respect to such commodity was in effect on June 29, 1946; and no such operation shall be undertaken under authority of this subparagraph (4) which will increase the rate of subsidy paid or the rate of loss incurred with respect to any commodity above that which would be paid or incurred if the operations in effect on June 29, 1946, had been continued on the same basis.

(b) When any direct or indirect subsidy to an industry is reduced or terminated, or upon reconrol is not restored or is restored only in part, any maximum price applicable to the product affected shall be correspondingly increased, except in the case of transportation subsidies, differential subsidies to high-cost producers, and premium payments under authority of the Veterans' Emergency Housing Act of 1946.

(c) Where roll-back subsidies have previously been or presently are in effect, and have been discontinued, or shall hereafter be discontinued, the industries which have received such subsidies shall be permitted to increase their ceiling prices at least an amount equivalent to the amount of the discontinued roll-back subsidy. Such price increase shall become effective either upon discontinuance of the roll-back subsidy or upon passage of this Act, whichever date is the later. For the purposes of this paragraph, the term "roll-back subsidies" means subsidy payments, or purchases and sales of a commodity at a loss by the Government of the United States (including any Government-owned or controlled corporation), or contracts therefor, which resulted directly or indirectly in the lowering of ceiling prices below the maximum price levels established by the Office of Price Administration prior to the institution of the subsidy payments or purchases and sales at a loss, or the execution of the contracts therefor, whichever date is the earlier.

(d) Nothing in this section shall be construed to affect the provisions of Public Laws 30, 88, 164, and 328 of the Seventy-ninth Congress, or to prevent the use of the sums authorized in such laws to fulfill obligations incurred prior to July 1, 1946, with respect to operations prior to such date.

(e) Notwithstanding any of the foregoing provisions of this section 6, 1946 and 1947 crop program operations with respect to sugar, may, while maximum prices are in effect with respect to sugar, be continued until such crops are processed and distributed, and the cost of 1946 crop program operations with respect to sugar may be charged to the funds authorized by Public Law 30, Seventy-ninth Congress, as amended by Public Law 328, Seventy-ninth Congress. For the purpose of this section 6, no subsidy program operation on sugar shall be considered to be a new subsidy: *Provided*, That Commodity Credit Corporation or any other Government agency shall not absorb any increase in the price paid for Cuban sugar over 3.675 cents per pound, raw basis, f. o. b. Cuba, as being paid for such sugar, in Cuba, on June 30, 1946.

(f) Nothing in this section shall be construed as a limitation upon operations authorized by the Veterans' Emergency Housing Act of 1946; and nothing in this Act or in any other Act shall prohibit the establishment of maximum sales prices or maximum rents for housing accommodations for which materials or facilities are allocated, or

priorities for delivery thereof issued, under said Veterans' Emergency Housing Act of 1946.

SEC. 7. Section 2 (i) of the Emergency Price Control Act of 1942, as amended, is amended to read as follows:

"(i) For the purposes of this Act and the Stabilization Act of 1942, as amended, fish and other sea food shall be deemed to be agricultural commodities, and commodities processed or manufactured in whole or substantial part from fish or other sea foods shall be deemed to be manufactured in whole or substantial part from agricultural commodities: *Provided*, That the provisions of section 3 of the Stabilization Act of 1942, as amended, shall not be applicable with respect to fish and other sea foods and commodities processed or manufactured in whole or substantial part therefrom, but the maximum price established for any fish or sea food commodity or for any commodity processed or manufactured in whole or substantial part therefrom shall not be below the average price therefor in the year 1942."

SEC. 8. Section 2 (j) of the Emergency Price Control Act of 1942, as amended, is amended by inserting before the period at the end thereof a semicolon and the following: "or (5) as authorizing any regulation or order of the Administrator to fix a quantity or percentage of any product which any seller may sell to any buyer".

SEC. 9. Section 2 (k) of the Emergency Price Control Act of 1942, as amended, is amended by inserting the words "or any operator of any service establishment" after the words "seller of goods at retail".

SEC. 10. Section 2 of the Emergency Price Control Act of 1942, as amended, is amended by adding at the end thereof the following new subsections:

"(o) No maximum price shall be applicable to any item served in any restaurant or other eating establishment if such item consists in whole or major part of a commodity to which no maximum price is applicable with respect to sales to restaurants and other eating establishments, unless the maximum price of such item, when sold by such restaurant or other eating establishment, is determined, under the applicable maximum price regulation or order, by the addition of a customary margin to the acquisition cost of such item.

"(p) After July 1, 1946, no maximum price regulation or order shall be issued or continued in effect requiring any seller to limit his sales by any weighted average price limitation based on his previous sales.

"(q) In the case of any retail industry, the principal sales of which consisted during the calendar years 1939 to 1941, inclusive, of sales of a commodity or commodities the production or retail distribution of which has been reduced, for a period of three years beginning on or after March 2, 1942, by 75 per centum or more below such production or retail distribution for the calendar years 1939 to 1941, inclusive, as a result of the operation of any governmental regulation or restriction, the Administrator shall not, in establishing maximum prices under this section, reduce established peacetime retail trade discounts or mark-ups or dealer handling charges for any such commodity before the retail unit sales of such commodity for a period of six months shall have reached the average annual retail unit sales thereof for the calendar years 1939 to 1941, inclusive.

"(r) In the case of any wholesale industry, the principal sales of which consisted during the calendar years 1939 to 1941, inclusive, of sales of a commodity or commodities, the production or wholesale distribution of which has been reduced for a period of three years beginning on or after March 2, 1942, by 75 per centum or more below such production or wholesale distribution for the calendar years 1939 to

56 Stat. 27.
50 U. S. C., Supp. V,
app. § 902 (i).

Sea food.
56 Stat. 765.
50 U. S. C., Supp. V,
app. §§ 961-964, 965-
971.

Ante, p. 664; *post*, p.
677.

56 Stat. 766.
50 U. S. C., Supp. V,
app. § 963.

Post, p. 677.

Fixing of quantity,
etc., for sale to buyer.
57 Stat. 566.
50 U. S. C., Supp. V,
app. § 902 (j).

Highest price line
limitation.

58 Stat. 636.
50 U. S. C., Supp. V,
app. § 902 (k).

56 Stat. 24.
50 U. S. C., Supp. V,
app. § 902.

Ante, pp. 57, 214, 670,
671; *supra*.
Restaurants, maxi-
mum prices.

Issuance of desig-
nated regulations, re-
striction.

Certain retail indus-
tries.

Reduction of peace-
time discounts, etc.,
restriction.

Certain wholesale
industries.

Reduction of estab-
lished discounts, etc.,
restriction.

1941, inclusive, as the result of the operation of any governmental regulation or restriction, the Administrator shall not in establishing maximum prices under this section reduce established wholesale trade discounts or normal wholesale mark-ups for any such commodity prevailing on March 2, 1942, before the wholesale unit sales of such commodity for a period of six months shall have reached the average annual wholesale unit sales thereof for the calendar years 1939 to 1941, inclusive.

Manufactured, etc.,
commodities.
Reduction of peace-
time discounts, etc.,
restriction.

“(s) No maximum price regulation or order shall require the reduction of the established peacetime discounts or mark-ups for the sale of any manufactured or processed commodity (treating as a single commodity for the purposes of this paragraph all commodities in a line of related commodities which, for the purpose of establishing manufacturers’ and processors’ maximum prices, have been placed by the Office of Price Administration under a single regulation) if the retail, wholesale, or other distributive trade selling such commodity shows that the commodity constituted approximately one-half or more of the gross sales income of a majority of the persons engaged in such trade in 1945 and that, in the first quarter of 1946, the deliveries of such commodity to such distributive trade were less than 100 per centum of the deliveries thereof in the corresponding quarter of 1945.

Wholesale or retail
distributors.

“(t) In establishing maximum prices applicable to wholesale or retail distributors, the Administrator shall allow the average current cost of acquisition of any commodity, plus such average percentage discount or mark-up as was in effect on March 31, 1946.

New commodities
used to reduce cost of
production, etc.

“(u) After the date upon which this subsection takes effect, no maximum price shall be established or maintained, under this Act or under any other provision of law, with respect to any new commodity when the Administrator upon application finds that its use, in the production, manufacturing, or processing of any commodity or commodities, without increasing the cost to the ultimate user, either increases the life or reduces the cost of production, manufacture, or processing of the commodity or commodities produced, manufactured or processed. As used in this subsection the term ‘new commodity’ means a commodity which was not commercially or industrially available prior to January 30, 1942.

Definition

Softwood logs and
lumber.

“(v) In the case of softwood logs and lumber, the maximum prices shall be established at a level which will permit producers of at least 90 per centum of the production of softwood logs and lumber to recover their current costs of production.

Cotton fabrics.

“(w) In establishing maximum prices for sales of finished woven or knitted fabrics made primarily of cotton fiber or for the sales of apparel made therefrom it shall be unlawful for the Administrator to establish or maintain differentials in the method of determining the basic grey-goods cost or the finished-woven-fabrics or finished-knitted-fabrics cost to which a mark-up is to be applied based on the degree of integration of the seller.

Removal of maxi-
mum purchase prices
from essential im-
ports, etc.

“(x) Whenever the world price of a commodity essential to the economy of the United States (average price at which such commodity could be purchased when landed duty paid at any United States port of entry) exceeds the maximum purchase price established by the Administrator, and results in—

“(1) an actual reduction of the importation of such commodity into the United States in an amount substantial in relation to the total consumption of the commodity in the United States; or

“(2) the substantial curtailment or restriction of the domestic trade in such commodity or products processed directly therefrom,

the Administrator shall, in order to maintain and increase domestic

production and employment and to make possible the balancing of supply and demand, promptly remove maximum purchase prices from imports of such commodity and maximum prices from products processed directly therefrom, or increase the maximum prices of imports of such commodity and of products processed directly therefrom to the extent necessary to prevent such reduction in importation or curtailment of domestic trade."

SEC. 11. The Emergency Price Control Act of 1942, as amended, is amended by inserting after section 5 thereof the following new section:

"SEC. 6. (a) For the purposes of this section the base period shall be the calendar year 1940, or in the case of an industry customarily keeping its accounts on a fiscal year basis, the industry's fiscal year 1940.

"(b) In order that adequate general price levels shall be established for all commodities to bring about maximum production and employment, no maximum prices shall be established or maintained for any product of a producing, manufacturing, or processing industry (including any industry furnishing service or transportation the charges for which are subject to the Administrator's control) which do not return on the average to the industry not less than the average dollar price of such product during the base period, plus the average increase in cost of producing, manufacturing, or processing the same accruing since the base period, but the maximum prices for a product shall be deemed in compliance with this standard if such prices on the average are equal to the average current total cost of the product plus the industry's average over-all profit margin on sales in the base period.

"(c) For the purpose of determining costs under this section, currently or for the base period, the Administrator shall ascertain the costs of a reasonable number of typical producers, manufacturers, or processors and shall follow accepted methods of accounting and such fair and reasonable methods of calculation as he shall establish by regulation, including adjustments for temporary cost abnormalities which may be reasonably anticipated to be eliminated within the three months following the Administrator's determination, and adjustments for increases in the volume of production which may be reasonably anticipated to be experienced within such three-month period.

"(d) Maximum prices established hereunder shall not be held invalid on account of their failure to return his costs to any particular member of any group involved.

"(e) Nothing herein shall nullify the power of the Administrator to make reasonable adjustments and exceptions in individual cases under the provisions of section 2 (c) of this Act.

"(f) If the maximum prices of a product on the average equal its average current total cost plus a reasonable profit, nothing herein shall require any further adjustment of such maximum prices for any period with respect to which it appears that a substantial expansion in the production or use of the product would not be practicable or would be practicable only by reducing the production of at least equally needed products.

"(g) As used in this section, 'product' shall mean any major item, or any article different in character from other products of the industry; but all the styles, models, or other varieties of any such item or article shall be considered as one product.

"(h) The provisions of this section shall not apply with respect to any maximum price applicable to manufacturers or processors in the case of products made in whole or major part from cotton or cotton yarn or wool or wool yarn.

56 Stat. 28.
50 U. S. C., Supp. V,
app. § 905.

Base period.

Establishment of
adequate price levels.

Maximum prices
deemed in compliance
with standard.

Determination of
costs.

Maximum prices
not held invalid.

Individual adjust-
ments and exceptions.
56 Stat. 28.
50 U. S. C., Supp.
V, app. § 902 (c).
Nonadjustment for
designated period.

"Product."

Manufacturers of
cotton or wool prod-
ucts.

Adjustments in maximum prices.

Application by industry advisory committee.

56 Stat. 31.
50 U. S. C., Supp. V, app. § 924.

56 Stat. 34.
50 U. S. C., Supp. V, app. § 925 (e).
Liability of seller.

Amount if violation not willful, etc.

56 Stat. 34.
50 U. S. C., Supp. V, app. § 925 (e).
Supra.

Withdrawal, etc., of action on behalf of U. S.

“(i) Nothing in this section shall be construed to require any adjustment in maximum prices except pursuant to an application filed under this paragraph, or be construed to invalidate any maximum price unless there is a failure to make adjustments, in accordance with the procedure prescribed in this paragraph, to such extent as may be required to comply with the standards set forth in this section. Any industry advisory committee may apply to the Administrator for the adjustment of the maximum prices applicable to any product in accordance with the standards set forth in this section, and shall present with the application comprehensive evidence with respect to costs and prices. The Administrator shall consider the evidence so presented and all evidence otherwise available to him and, within sixty days after the receipt of such application, he shall make the adjustments in maximum prices required by this section, or, if he finds that no such adjustments are required, he shall deny the application. If the Administrator neither makes the adjustments in the maximum prices for any product required by this section, nor denies the application for such adjustments, within the sixty-day period prescribed in this paragraph, the industry advisory committee concerned may petition the Emergency Court of Appeals, created pursuant to section 204, for relief; and such court shall have jurisdiction by appropriate order to require the Administrator to make such adjustments or deny such application within such time, not to exceed thirty days, as may be fixed by the court. If the Administrator fails to make such adjustments or deny such application within the time so fixed, no maximum price shall thereafter be applicable with respect to any sale of such product by any seller.”

Sec. 12. (a) The second sentence of section 205 (e) of the Emergency Price Control Act of 1942, as amended, is amended to read as follows: “In any action under this subsection, the seller shall be liable for reasonable attorney’s fees and costs as determined by the court, plus whichever of the following sums is greater: (1) Such amount not more than three times the amount of the overcharge, or the overcharges, upon which the action is based as the court in its discretion may determine, or (2) an amount not less than \$25 nor more than \$50, as the court in its discretion may determine: *Provided, however,* That such amount shall be the amount of the overcharge or overcharges if the defendant proves that the violation of the regulation, order, or price schedule in question was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation.”

(b) Section 205 (e) of the Emergency Price Control Act of 1942, as amended, is amended by adding at the end thereof the following new paragraphs:

“The Administrator may not institute any action under this subsection on behalf of the United States, or, if such action has been instituted, the Administrator shall withdraw the same—

“(1) if the violation arose because the person selling the commodity acted upon and in accordance with the written advice and instructions of the Administrator or any regional administrator or district director of the Office of Price Administration; or

“(2) if the violation arose out of the sale of a commodity to any agency of the Government, or to any public housing authority whose operations are supervised or financed in whole or in part by any agency of the Government, and such sale was made pur-

suant to the lowest bid made in response to an invitation for competitive bids.

"The Administrator shall not institute or maintain any enforcement action under this subsection against any manufacturer of apparel items where the Administrator shall determine (1) that the transactions on which such proceeding is based consisted of the manufacturer's selling such an item at his published March 1942 price list prices instead of his March 1942 delivered prices, and (2) that the seller's customary pricing patterns for related apparel items would be distorted by a requirement that his ceilings be the March 1942 delivered prices. The Administrator's determinations under this paragraph shall be subject to review by the Emergency Court of Appeals in accordance with sections 203 and 204."

SEC. 13. The third sentence of paragraph (2) of section 205 (f) of the Emergency Price Control Act of 1942, as amended, is amended to read as follows: "If any such court finds that such person has violated any of the provisions of such license, regulation, order, price schedule, or requirement after the receipt of the warning notice, such court shall issue an order suspending the license to the extent that it authorizes such person to sell the commodity or commodities in connection with which the violation has occurred, or to the extent that it authorizes such person to sell any commodity or commodities with respect to which a regulation or order issued under section 2, or a price schedule effective in accordance with the provisions of section 206, is applicable; but no suspension shall be for a period of more than twelve months, and if the defendant proves that the violation in question was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation, then in that event no suspension shall be ordered or directed."

SEC. 14. Section 3 of the Stabilization Act of 1942, as amended, is amended by adding at the end thereof the following new paragraph:

"On and after the date of the enactment of this paragraph, it shall be unlawful to establish, or maintain, any maximum price applicable to manufacturers or processors, for any major item in the case of products made in whole or major part from cotton or cotton yarn or wool or wool yarn, unless the maximum price for such major item is fixed and maintained at not less than the sum of the following:

"(1) The cotton or wool cost (which must be computed at not less than the parity price or the current cost, whichever is greater, of the grade and staple of cotton or wool used in such item, delivered at the mill);

"(2) A weighted average of mill conversion costs; and

"(3) A reasonable profit (which shall not be less than a weighted average profit for each unit of such item equal to the weighted average of the profit earned on an equivalent unit of such item during the period 1939 to 1941, both inclusive)."

SEC. 15. The Secretary of Agriculture, through the Commodity Credit Corporation or otherwise, is hereby authorized to allocate feed which he controls to feeders of livestock and poultry in domestic areas which he may determine to be in an emergency shortage condition with respect to animal and poultry feed.

SEC. 16. (a) In the event producers of wheat are required by an order issued pursuant to the Second War Powers Act, 1942, as amended, to sell all or any part of wheat delivered to an elevator prior to April 1, 1947, the Commodity Credit Corporation shall offer to purchase the wheat so required to be sold at a price determined as follows: The purchase price paid for the wheat shall be the market price at the

Enforcement action
against manufacturer
of apparel.

56 Stat. 31.
50 U. S. C., Supp.
V, app. §§ 923, 924.

56 Stat. 35.
50 U. S. C., Supp.
V, app. § 925 (f) (2).
Suspension of li-
cense.

56 Stat. 24.
50 U. S. C., Supp.
V, app. § 902.
Ante, pp. 57, 214,
670, 671, 673.
56 Stat. 35.
50 U. S. C., Supp.
V, app. § 926.

56 Stat. 766.
50 U. S. C., Supp.
V, app. § 963.

Maximum prices on
cotton or wool prod-
ucts, restriction.

Allocation of feed.

Purchase of wheat
by CCC.
56 Stat. 176.
50 U. S. C., Supp.
V, app. §§ 631-645a.
Ante, pp. 345, 346;
post, p. 658.
Election of date by
producer.

point of delivery as of any date the producer may elect between the date of delivery and March 31, 1947, inclusive: *Provided, however*, That only one election may be made for each lot of wheat: *And provided further*, That the producer may not elect a date prior to the date on which he mails a written notice to Commodity Credit Corporation of his election. In the event the producer does not notify Commodity Credit Corporation in writing by March 31, 1947, of his election of a date for determining the market price, such date shall be deemed to be March 31, 1947.

Wheat previously sold.

(b) Any producer of wheat who, prior to the date of enactment of this Act, has sold any wheat pursuant to the requirements of paragraph (ee) (1) of War Food Order Numbered 144, may, at any time within thirty days after the date of enactment of this Act, pay to the Commodity Credit Corporation a sum equal to the amount for which he sold such wheat. Any producer paying any such sum to the Commodity Credit Corporation shall be deemed to have sold and delivered to the Commodity Credit Corporation as of the date he pays such sum a quantity of wheat equal in grade and quality to the quantity sold by him pursuant to such requirements and the purchase price to be paid to him for such wheat shall be determined in the same manner as in the case of a sale of wheat to the Commodity Credit Corporation pursuant to the provisions of subsection (a) of this section.

Short title.

SEC. 17. This Act may be cited as the "Price Control Extension Act of 1946."

Effective date, etc.

SEC. 18. (1) The provisions of this Act shall take effect as of June 30, 1946, and (2) all regulations, orders, price schedules, and requirements under the Emergency Price Control Act of 1942, as amended (except regulations or requirements under section 2 (e) thereof relating to meat, flour, or coffee), and the Stabilization Act of 1942, as amended, which were in effect on June 30, 1946, shall be in effect in the same manner and to the same extent as if this Act had been enacted on June 30, 1946, and (3) any proceeding, petition, application, or protest which was pending under the Emergency Price Control Act of 1942, as amended, or the Stabilization Act of 1942, as amended, on June 30, 1946, shall be proceeded with and shall be effective in the same manner and to the same extent as if this Act had been enacted on June 30, 1946: *Provided*, That in any case in which the Emergency Price Control Act of 1942, as amended (except sections 204 and 205), or the Stabilization Act of 1942, as amended (except sections 8 and 9), or any regulation, order, or requirement under either of such Acts, prescribes any period of time within which any act is required or permitted to be done, and such period had commenced but had not expired on June 30, 1946, such period is hereby extended for a number of days equal to the number of days from July 1, 1946, to the date of enactment of this Act, both inclusive: *Provided further*, That no act or transaction, or omission or failure to act, occurring subsequent to June 30, 1946, and prior to the date of enactment of this Act shall be deemed to be a violation of the Emergency Price Control Act of 1942, as amended, or the Stabilization Act of 1942, as amended, or of any regulation, order, price schedule, or requirement under either of such Acts: *Provided further*, That insofar as the provisions of this Act require the Administrator to make any change in any maximum price, such provisions shall not be deemed to require such change to be made before the thirtieth day following the date of enactment of this Act.

Extension of period.

56 Stat. 31, 33.
50 U. S. C., Supp. V, app. §§ 924, 925.
Ante, pp. 676, 677.
56 Stat. 767, 768.
50 U. S. C., Supp. V, app. §§ 968, 969.

Nonviolations.

Supra.

Time restriction on change in maximum price.

Approved July 25, 1946.

[CHAPTER 672]

AN ACT

Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1947, namely:

TITLE I—DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

Salaries: For personal services in the District of Columbia, \$900,000.

Salaries and expenses, Office of the Solicitor: For personal services in the District of Columbia and elsewhere, and for other necessary expenses in the field, including contract stenographic reporting services, \$953,000.

Contingent expenses: For expenses of the offices and bureaus of the Department, for which appropriations for expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloths, file cases, towels, ice, brooms, soap, sponges, laundry, not exceeding \$2,500 for streetcar fares; purchase, maintenance, and repair of motorcycles and motortrucks; maintenance, operation, and repair of twelve motor-propelled passenger-carrying vehicles; examination of estimates for appropriations in the field; freight and express charges; commercial and labor-reporting services; postage to foreign countries, telegraph and telephone service; purchase and exchange of lawbooks, books of reference, newspapers, and periodicals and, when authorized by the Secretary of Labor, dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding \$15,000; contract stenographic services and teletype service and tolls (not to exceed \$2,000); \$711,316.

Traveling expenses: For traveling expenses under the Department of Labor, \$3,154,007: *Provided*, That all funds transferred to the Department of Labor from any other department or agency under section 601 of the Act of June 30, 1932, as amended (31 U. S. C. 686), and available for travel, and all funds appropriated for traveling expenses under this title, shall be available to reimburse employees at not to exceed 3 cents per mile for expenses of travel performed by them in privately owned automobiles within the limits of their official stations in the field.

Printing and binding: For printing and binding for the Department of Labor, \$653,596.

PENALTY MAIL COSTS, DEPARTMENT OF LABOR

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of Labor as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$560,000.

Salaries and expenses, Division of Labor Standards: For salaries and other expenses, including purchase and distribution of reports, and of material for informational exhibits, in connection with the promotion of health, safety, employment stabilization, and amicable industrial relations for labor and industry, \$215,000.

July 26, 1946
[H. R. 6739]
[Public Law 549]

Labor-Federal Security Appropriation Act, 1947.

Department of Labor Appropriation Act, 1947.
Ante, p. 91; *post*, pp. 913, 914, 916.

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

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

Attendance at conferences.

The appropriation under this title for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Division of Labor Standards when called by the Division with the written approval of the Secretary of Labor, and shall be available also in an amount not to exceed \$2,000 for expenses of attendance at meetings related to the work of the Division of Labor Standards when incurred on the written authority of the Secretary of Labor.

37 Stat. 738.
5 U. S. C. § 619.

Commissioners of Conciliation: For expenses necessary to enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (5 U. S. C. 611), including newspapers, books of reference, and periodicals; not to exceed \$120,000 for the temporary employment of arbitrators and mediators on labor relations without regard to the classification laws; and not to exceed \$190,000 for personal services in the District of Columbia, \$2,300,000.

Attendance at meetings.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed \$2,000 for expenses of attendance at meetings, conferences, or conventions concerned with labor and industrial relations when incurred on the written authority of the Secretary of Labor.

APPRENTICE TRAINING SERVICE

50 Stat. 664.

Apprentice Training Service: For expenses necessary to enable the Secretary of Labor to conduct a program of encouraging apprentice training, as authorized by the Act of August 16, 1937 (29 U. S. C. 50), including personal services in the District of Columbia and elsewhere, \$1,800,000.

BUREAU OF LABOR STATISTICS

Post, p. 916.

Salaries and expenses: For personal services including temporary assistants for field service; not to exceed \$5,000 for purchase of newspaper clipping services; purchase of periodicals, documents, envelopes, price quotations, and reports and materials for reports and bulletins of said Bureau; reimbursement to State, Federal, and local agencies and their employees for services rendered; and not to exceed \$15,000 for the temporary employment of experts without regard to the civil-service and classification laws; \$4,907,793, of which amount not to exceed \$3,081,827 may be expended for personal services in the District of Columbia: *Provided*, That not to exceed \$840,000 shall be used for a cost-of-living study and report.

Temporary employment of experts.

Cost-of-living study and report.

Attendance at meetings.

The appropriation in this title for traveling expenses shall be available, in an amount not to exceed \$2,000, for expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor.

Study of labor conditions in Hawaii: For all expenses necessary to enable the Commissioner of Labor Statistics to conduct a study of labor conditions in Hawaii in accord with the Act of April 8, 1904 (29 U. S. C. 7), including personal services in the District of Columbia, travel, printing and binding, and other items otherwise chargeable to the appropriation "Contingent expenses, Department of Labor", \$15,000.

33 Stat. 164.
29 U. S. C., Supp.
V, § 7.

CHILDREN'S BUREAU

Salaries and expenses: For expenses of investigating and reporting upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality; personal services, including experts and temporary assistants; purchase of

reports and material for the publications of the Children's Bureau and for reprints from State, city, and private publications for distribution when said reprints can be procured more cheaply than they can be printed by the Government, and other necessary expenses; \$447,500, of which amount not to exceed \$400,000 may be expended for personal services in the District of Columbia.

Salaries and expenses, child labor provisions, Fair Labor Standards Act: For all authorized and necessary expenses of the Children's Bureau in performing the duties imposed upon it by the Fair Labor Standards Act of 1938, including personal services in the District of Columbia and elsewhere; supplies; services; equipment; newspapers, books of reference, and periodicals; and reimbursement to State and local agencies and their employees for services rendered, as authorized by section 11 of said Act; \$256,309.

Salaries and expenses, maternal and child welfare: For all necessary expenses of the Children's Bureau in performing the duties imposed upon it by title V of the Social Security Act, approved August 14, 1935, as amended, and by the emergency maternity and infant care program, including personal services, in the District of Columbia and elsewhere; supplies; services; equipment; newspapers, books of reference, and periodicals; \$477,535: *Provided*, That no part of any appropriation contained in this title shall be used to promulgate or carry out any instruction, order, or regulation relating to the care of obstetrical cases which discriminates between persons licensed under State law to practice obstetrics: *Provided further*, That the foregoing proviso shall not be so construed as to prevent any patient from having the services of any practitioner of her own choice, paid for out of this fund, so long as State laws are complied with: *Provided further*, That any State plan which provides standards for professional obstetrical services in accordance with the laws of the State shall be approved by the Chief of the Children's Bureau.

Grants to States for emergency maternity and infant care (national defense): For grants to States, including Alaska, Hawaii, Puerto Rico, and the District of Columbia, to provide, in addition to similar services otherwise available, medical, nursing, and hospital maternity and infant care for wives and infants of enlisted men of the fourth, fifth, sixth, and seventh grades in the armed forces of the United States and of Army aviation cadets, under allotments by the Secretary of Labor and plans developed and administered by State health agencies and approved by the Chief of the Children's Bureau, \$16,664,000, of which not more than \$649,000 may be allotted to the States for administrative expenses from the date of this Act on the basis of need as determined by the Chief of the Children's Bureau.

Grants to States for maternal and child-health services: For grants to States for the purpose of enabling each State to extend and improve services for promoting the health of mothers and children, as authorized in title V, part 1, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 701), as amended, \$5,820,000: *Provided*, That any allotment to a State pursuant to section 502 (b) shall not be included in computing for the purposes of subsections (a) and (b) of section 504 an amount expended or estimated to be expended by the State.

Grants to States for services for crippled children: For the purpose of enabling each State to extend and improve services for crippled children, as authorized in title V, part 2, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 711), as amended, \$3,870,000.

Grants to States for child-welfare services: For grants to States for the purpose of enabling the United States, through the Children's

52 Stat. 1060.
29 U. S. C. §§ 201-
219; Supp. V, § 202
et seq.

Post, p. 914.

49 Stat. 629.
42 U. S. C. §§ 701-
731.
Post, p. 986.

Care of obstetrical
cases.

Post, p. 918.

49 Stat. 629.
Post, p. 986.
49 Stat. 629, 630.
42 U. S. C. §§ 702,
704.
Post, p. 986.

Post, p. 913.

49 Stat. 631.
Post, p. 986.
Post, p. 914.

Bureau, to cooperate with State public-welfare agencies in establishing, extending, and strengthening public-welfare services for the care of homeless or neglected children, or children in danger of becoming delinquent, as authorized in title V, part 3, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 721), as amended, \$1,510,000.

49 Stat. 633.
Post, p. 986.

Payments with respect to State plans.

49 Stat. 629.
42 U. S. C. §§ 701-721.
Post, p. 986.

In the administration of title V of the Social Security Act, as amended, for the fiscal year 1947, payments to the States for any quarter of the fiscal year 1947 under parts 1, 2, and 3 may be made with respect to any State plan approved under such respective parts by the Chief of the Children's Bureau prior to or during such quarter, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan is submitted to the Chief of the Children's Bureau for approval.

Attendance at conferences.

52 Stat. 1060.
29 U. S. C. §§ 201-219; Supp. V, § 202 et seq.
49 Stat. 629.
42 U. S. C. §§ 701-721.
Post, p. 986.

The appropriation in this title for traveling expenses shall be available, in an amount not to exceed \$11,000, for expenses of attendance of cooperating officials and consultants at conferences concerned with the administration of work of the Children's Bureau under the Fair Labor Standards Act and under title V, parts 1, 2, and 3, of the Social Security Act, as amended, when called by the Children's Bureau with the written approval of the Secretary of Labor, and shall be available also, in an amount not to exceed \$6,000, for expenses of attendance at meetings related to the work of the Children's Bureau when incurred on the written authority of the Secretary of Labor.

NATIONAL WAGE STABILIZATION BOARD

Salaries and expenses: For necessary expenses of the National Wage Stabilization Board, including salaries at not to exceed \$10,000 per annum each for not more than four public members of the Board; other personal services in the District of Columbia and elsewhere; not to exceed \$300 for the purchase of newspapers in the field; fees and mileage of witnesses at rates not in excess of those for witnesses attending in United States courts; contract stenographic reporting services, \$4,191,900: *Provided*, That the appropriation in this title for traveling expenses shall be available for expenses of attendance at meetings concerned with the work of the National Wage Stabilization Board and for actual transportation and other necessary expenses and not to exceed \$35 per diem in lieu of subsistence, whether or not in a travel status, of members of the Board (other than public members) while serving as such without other compensation from the United States: *Provided further*, That the provisions of section 201 (d) of the Independent Offices Appropriation Act, 1947, shall apply to working funds established from this appropriation and to public, labor, or industry members of the regional boards, committees, or commissions of the National Wage Stabilization Board, whether employed intermittently or indefinitely: *Provided further*, That none of the persons receiving compensation from this appropriation on a per diem when-actually-employed basis shall be entitled to any of the benefits of the sick and annual leave acts of March 14, 1936 (5 U. S. C. 30): *Provided further*, That the Chairman of the Board may delegate to any subordinate authority to make appointments of personnel and other determinations necessary for the administrative management of the Board: *Provided further*, That any employee of the Board is authorized when designated for the purpose by the Chairman thereof to administer or to take from any person an oath, affirmation, or affidavit when required in connection with the performance of functions or activities of the agency.

Attendance at meetings.

Ante, p. 78.

49 Stat. 1162, 1161.
5 U. S. C. §§ 29a, 30b-30e, 30f, 31a; Supp. V, § 29a et seq.

Administration of oaths, etc.

RETRAINING AND REEMPLOYMENT ADMINISTRATION

Salaries: For personal services in the Retraining and Reemployment Administration in the District of Columbia and elsewhere necessary for carrying out the provisions of title III of the War Mobilization and Reconversion Act of 1944 (50 U. S. C., App. 1661), \$338,000.

58 Stat. 788.
50 U. S. C., Supp.
V, app. §§ 1661-1663.
Ante, p. 209.

UNITED STATES EMPLOYMENT SERVICE

General administration: For expenses necessary for the general administration of the United States Employment Service, including one Director at not to exceed \$10,000 per annum and other personal services in the District of Columbia and elsewhere and contract stenographic reporting services, \$6,394,600, of which \$2,650,600 shall be for use in carrying into effect the provisions of title IV (except section 602) of the Servicemen's Readjustment Act of 1944: *Provided*, That the appropriation in this title for traveling expenses shall be available, in an amount not to exceed \$2,000, for expenses of attendance at meetings of organizations concerned with the work of the United States Employment Service when incurred on the written authority of the Secretary of Labor.

58 Stat. 293.
38 U. S. C., Supp.
V, §§ 695-695f.
Attendance at meetings.

Employment office facilities and services: For necessary expenses in connection with the operation and maintenance of the United States Employment Service, and for carrying into effect section 602 of the Servicemen's Readjustment Act of 1944; including contract janitorial services, at not to exceed \$300 for any individual; not to exceed \$500 for newspapers; reimbursement, at not to exceed 3 cents per mile, for official travel performed by employees in privately owned automobiles within the limits of their official station; printing and binding (not to exceed \$46,875); travel expenses (not to exceed \$671,415); and rent in the District of Columbia; \$25,693,875, and, without limitation upon the availability of other funds for the same purposes, \$11,000,000 for the liquidation of unrecorded and contingent obligations, including the payment of accrued annual leave, arising in connection with the transfer of employment office facilities and services to State operation; in all, \$36,693,875: *Provided*, That payment of salaries may be made to employees while taking annual and sick leave based upon unused leave accrued under State regulations found by the Social Security Board to conform to the requirements of title III of the Social Security Act, as amended, and on the basis of State employment which had been financed in whole or in part from grants under title III of said Act, including payment for accrued leave to be substituted for leave without pay taken between January 1 and June 30, 1942, which payment shall not exceed in any case the amount payable for such purposes under Federal laws with respect to the maximum accumulation of such leave: *Provided further*, That the Secretary of Labor may transfer funds from this appropriation to the Social Security Board for "Grants to States for unemployment compensation administration" as authorized in title III of the Social Security Act, as amended, to meet costs incurred by States in making available to the United States Employment Service premises, equipment, supplies, facilities, and services, needed by said Service in the operation and maintenance of employment office facilities and services, any sum so transferred and not expended in accordance with this proviso to be retransferred to this appropriation: *Provided further*, That pending the return to State control of the Employment Service facilities, property, and personnel loaned by the States to the United States Employment Service, no portion of the sum herein appropriated shall

58 Stat. 294.
38 U. S. C., Supp.
V, § 695b.

Payment of accrued
annual leave.

49 Stat. 626.
42 U. S. C. §§ 501-
503.

Transfer of funds.

Supra.

Salary restriction.

be expended by any Federal agency for any salary, to any individual engaged in employment service duties in any position within any local or field or State office, which substantially exceeds the salary which would apply to such position and individual if the relevant State merit system applied and if State operation of such office had continued without interruption: *Provided further*, That no portion of the sum herein appropriated shall be expended by any Federal agency for the salary of any person who is engaged for more than half of the time, as determined by the State director of unemployment compensation, including claims taking but excluding registration for work: *Provided further*, That the sum herein appropriated shall not be subject to the apportionment requirements of section 3679 of the Revised Statutes, as amended (U. S. C., title 31, sec. 665).

GRANTS TO STATES FOR PUBLIC EMPLOYMENT OFFICES

For grants to the several States (including Alaska and Hawaii), beginning November 16, 1946, in accordance with the provisions of the Act of June 6, 1933, as amended (29 U. S. C. 49-49i), and for carrying into effect section 602 of the Servicemen's Readjustment Act of 1944, including, upon the request of any State, the payment of rental for space made available to such State in lieu of grants for such purpose, \$42,823,125, of which \$360,625 shall be available to the United States Employment Service for all necessary expenses, including personal services, in connection with the operation of employment office facilities and services in the District of Columbia: *Provided*, That no State shall be required to make any appropriation as provided in section 5 (a) of said Act of June 6, 1933, as amended, prior to July 1, 1948: *Provided further*, That notwithstanding the provisions of section 5 (a) and section 6 of the Act of June 6, 1933, as amended, the Secretary of Labor shall from time to time certify to the Secretary of the Treasury for payment to each State found to be in compliance with the requirements of the Act of June 6, 1933, as amended, such amounts as he determines to be necessary for the proper and efficient administration of its public employment offices.

On November 15, 1946, the Secretary of Labor shall transfer, to the State agency in each State designated under section 4 of the Act of Congress approved June 6, 1933, as amended, as the agency to administer the State-wide system of public employment offices in cooperation with the United States Employment Service under said Act, the operation of State and local public employment office facilities and properties which were transferred by such State to the Federal Government in 1942 to promote the national war effort. The Secretary of Labor shall, on request of the State agency, also provide for the transfer and assignment to such State, without reimbursement therefor, of any other public employment office facilities and properties within such State, including records, files, and office equipment: *Provided*, That as a condition to such transfer and assignment of Federal properties, the Secretary may require the recipient State to waive any claim which may then exist or thereafter arise out of the use made by the Federal Government of, or for the loss of or damage to, property and facilities transferred to the Federal Government as hereinabove described.

The Secretary of Labor may withhold or deny certifications of funds for a State system of public employment offices unless he finds that the State—

(1) (a) has made provision for the transfer to and retention in the State-wide system of public employment offices of employees of the Federal Government who (on the effective date of this Act) were employed in State or local employment service functions in

Restriction on use of funds.

48 Stat. 113.

58 Stat. 294.

38 U. S. C., Supp. V, § 695b.

48 Stat. 114, 115.

29 U. S. C. §§ 49d, 49e.

Transfer of operation and facilities to States.

48 Stat. 114.

29 U. S. C. § 49c.

Condition.

Certifications of funds.

Retention, etc., of Federal employees.

such State, in the positions occupied by them under the Federal service or in reasonably comparable positions, except that individuals so transferred may be separated or terminated for good cause as determined in individual cases under the applicable State merit system, or separated or terminated under the applicable State merit system by reason of reductions in force found necessary in the interests of efficient operations, and may be separated (A) if they have failed to acquire eligibility to be certified for appointment superior to that of any war veteran competing for the same appointment in the State-wide system of public employment offices under the State merit system in the positions occupied by them under the Federal service or in reasonably comparable positions, after having been given a reasonable opportunity to acquire such eligibility, or (B) if the Secretary has determined that it is impossible for them to be given an opportunity to acquire such eligibility because of State constitutional or statutory provisions in force on the effective date of this Act; and (b) has made provision for the extension to employees of the Federal Government who left employment-service positions in such State in order to perform training and service in the land or naval forces of the United States or service in the merchant marine as defined in Public Law Numbered 87, Seventy-eighth Congress, of the same employment rights and privileges as those provided for Federal employees transferring to State employment in accordance with the provisions of this paragraph; or

(2) has requested the detail of such employees to the State agency under the following provisions: So much of the funds appropriated for State-wide systems of public employment offices as may be necessary shall be available to the Secretary of Labor, in lieu of any portion of the grant to the State, for the payment of compensation (under the salary scales applicable to such employees prior to the effective date of this Act) to employees of the United States Employment Service in the Department of Labor, who, upon the request of the State, and for the purpose of permitting continuity in their employment pending an opportunity to acquire eligibility for State employment in accordance with clause (1) (a) of this paragraph, may be detailed by the Secretary of Labor to the State agency for service in the State-wide system of public employment offices.

Notwithstanding any other provisions of the Civil Service Retirement Act approved May 29, 1930, as amended, any person who was appointed to a position in the Social Security Board under Executive Order 8990 of December 23, 1941, and who shall have returned to employment with the State at any time prior to the end of one year after the return to State operation of the employment offices in such State, shall, if he so elects, be paid a refund of the total amount of his deductions and deposits under said Act, together with interest to the date of termination of his service with the Federal Government; and such person shall not receive any annuity benefits under said Act based on the service covered by the refund unless he is subsequently reinstated, retransferred, or reappointed to a position coming within the purview of said Act and redeposits all moneys, except voluntary contributions, so refunded to him, together with interest at 4 per centum compounded on December 31 of each year, except that interest shall not be required covering any period of separation from the service.

In carrying out the provisions under this heading, the Secretary shall assure that each State agency operates under such methods of administration relating to the establishment and maintenance of personnel standards on a merit basis, as are found by the Secretary to be

57 Stat. 162.
50 U. S. C., Supp. V,
app. §§ 1471-1475.
Post, pp. 905, 945.

Detail of Federal
employees to State
agency.

Refund of deduc-
tions, etc.
46 Stat. 468.
5 U. S. C. § 691 *et*
seq.; Supp. V, § 691
et seq.
Ante, pp. 339, 658,
659; *post*, pp. 705, 706,
850, 939.
3 CFR, Cum. Supp.,
p. 1051.

Annuity benefits.

Methods of adminis-
tration.

necessary to carry out the purposes of this heading, and such methods shall not deviate from, and shall be consistent with, the methods required pursuant to section 303 (a) (1) of the Social Security Act, as amended.

49 Stat. 626.
42 U. S. C. § 503 (a)
(1).

Joint budget.

49 Stat. 626.
42 U. S. C. §§ 501-
503.

Certification of
amounts.

49 Stat. 626.
42 U. S. C. § 502 (a).

49 Stat. 626.
42 U. S. C. §§ 501-
503.

Whenever funds are paid to the same State agency under this heading and title III of the Social Security Act, as amended, (1) such State agency may, if it so elects, submit to the Secretary and the Social Security Board a joint budget covering both the functions for which grants are made under this heading and the functions for which grants are made under such title III; in such a case, the Secretary of Labor shall, if the State agency so elects, certify to the Social Security Board the amounts to be paid to the State under this heading and upon receipt of such certification, the Social Security Board shall certify such amounts to the Secretary of the Treasury, in addition to the amount, if any, payable by said Board under the provisions of section 302 (a) of the Social Security Act, as amended. Any additional amounts so certified by the Social Security Board shall be paid to the State by the Secretary of the Treasury out of the appropriation herein made available; and (2) the State agency may commingle such funds and account therefor by such accounting, statistical, sampling, or other methods as may be found by the Secretary of Labor and the Social Security Board, respectively, to afford reasonable assurance that the funds paid to the State agency under this heading and the funds paid to the State agency under title III of the Social Security Act, as amended, are expended for the respective purposes of this heading and of such title III.

WOMEN'S BUREAU

Salaries and expenses: For carrying out the provisions of the Act entitled "An Act to establish in the Department of Labor a bureau to be known as the Women's Bureau", approved June 5, 1920 (29 U. S. C. 11-16), including personal services in the District of Columbia; purchase of material for reports and educational exhibits; \$234,000.

41 Stat. 987.

Attendance at meet-
ings.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed \$2,500 for expenses of attendance at meetings concerned with the work of the Women's Bureau when incurred on the written authority of the Secretary of Labor.

WAGE AND HOUR DIVISION

Salaries: For personal services for the Wage and Hour Division necessary in performing the duties imposed by the Fair Labor Standards Act of 1938 and by the Act to provide conditions for the purchase of supplies and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), including reimbursement to State, Federal, and local agencies and their employees for services rendered, \$4,203,700, of which amount not to exceed \$754,000 may be expended for departmental salaries.

52 Stat. 1060.
29 U. S. C. §§ 201-
219; Supp. V. § 202
et seq.

49 Stat. 2036.
41 U. S. C. §§ 35-45;
Supp. V. §§ 35, 40.

Miscellaneous expenses (other than salaries): For necessary expenses, other than salaries, of the Wage and Hour Division in performing the duties imposed by the Fair Labor Standards Act of 1938 and by the Act to provide conditions for the purchase of supplies and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), including stenographic reporting services by contract or otherwise, and maintenance, repair, and operation outside the District of Columbia, of one passenger automobile, lawbooks, books of reference, periodicals, manuscripts and special reports, newspapers, and reimbursement to State, Federal, and local agencies and their employees for services rendered, \$362,187.

Supra.

Supra.

The Secretary of Labor may allot or transfer, with the approval of the Bureau of the Budget, funds from the foregoing appropriations for the Wage and Hour Division to any other bureau or office of the Department of Labor to enable such bureau or office to perform services for the Wage and Hour Division.

Allotment or transfer of funds.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed \$4,750 for expenses of attendance at meetings concerned with the work of the Wage and Hour Division when incurred on the written authority of the Secretary of Labor.

Attendance at meetings.

This title may be cited as the "Department of Labor Appropriation Act, 1947".

Citation of title.

TITLE II—FEDERAL SECURITY AGENCY

Federal Security Agency Appropriation Act, 1947.

AMERICAN PRINTING HOUSE FOR THE BLIND

Anle, p. 263; *post*, pp. 913, 914, 991.

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the Act approved February 8, 1927 (20 U. S. C. 101), \$115,000.

44 Stat. 1060.
20 U. S. C., Supp. V, § 101.

COLUMBIA INSTITUTE FOR THE DEAF

For support of the Columbia Institution for the Deaf, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, \$221,800.

Plans and specifications: For the preparation of plans and specifications for construction, under the supervision of the Public Buildings Administration, of buildings and facilities on the grounds of Columbia Institution for the Deaf, printing, and travel, to remain available until expended, \$7,500.

FOOD AND DRUG ADMINISTRATION

For all necessary expenses of the Food and Drug Administration in carrying out the investigations, including collecting, reporting, and illustrating the results thereof, and performing the functions required to carry into effect the provisions of the Federal Food, Drug, and Cosmetic Act (21 U. S. C. 301-392); the Tea Importation Act (21 U. S. C. 41-50); the Import Milk Act (21 U. S. C. 141-149); the Federal Caustic Poison Act (15 U. S. C. 401-411); and the Filled Milk Act (21 U. S. C. 61-64); as follows:

52 Stat. 1040.
21 U. S. C., Supp. V, § 321c *et seq.*
29 Stat. 604.
44 Stat. 1101.
44 Stat. 1406.
42 Stat. 1486.

Enforcement operations: To enable the Federal Security Administrator to carry into effect the provisions of the above statutes, including personal services in the District of Columbia (not exceeding \$834,650) and elsewhere; purchase (not to exceed sixty), operation, maintenance, and repair of passenger automobiles; purchase of chemicals, apparatus, and scientific equipment; contract stenographic reporting services; books of reference and periodicals; \$3,335,000.

Salaries, sea-food inspectors: For salaries of sea-food inspectors designated in accordance with the provisions of section 702A of the Federal Food, Drug, and Cosmetic Act, \$40,000.

48 Stat. 1204; 57 Stat. 500.
21 U. S. C., Supp. V, § 372a.

Certification services: To enable the Federal Security Administrator to provide for the certification of certain products as required by the Federal Food, Drug, and Cosmetic Act, as amended, including personal services in the District of Columbia and elsewhere; purchase (not to exceed eight), operation, maintenance, and repair of passenger automobiles; purchase of chemicals, apparatus, and scientific equipment and supplies; traveling expenses; printing and

Supra.

binding; contract stenographic reporting services; books of reference; reprints and periodicals; \$292,000: *Provided*, That expenditures hereunder shall not exceed the aggregate of fees covered into the Treasury under said Act.

General administration: For general administration, including personal services in the District of Columbia, \$123,500.

FREEDMEN'S HOSPITAL

Salaries and expenses: For all expenses necessary for the operation and maintenance of Freedmen's Hospital, including repairs to buildings; travel; operation and maintenance of passenger automobiles, including purchase of one ambulance; purchase of cotton or duck suits for the use of interns, and cotton or duck uniforms or aprons for cooks, maids, and attendants, and laundering thereof; for expenses of attendance at meetings of a technical nature, pertaining to hospital administration and medical advancement, when authorized by the Federal Security Administrator; not to exceed \$250 for the purchase of books, periodicals, and newspapers; not to exceed \$2,000 for the special instruction of student nurses; \$921,000, of which \$25,000 shall be transferred to the Federal Works Agency for repairs, alterations, and improvements to the buildings and grounds of the hospital, and \$2,750 shall be transferred to the appropriation "Salaries and miscellaneous expenses, Public Health Service", for the procurement of stationery and supplies: *Provided*, That hereafter the amounts to be charged the District of Columbia and other establishments of the Government for the treatment of patients for which they are responsible shall be calculated on the basis of a per diem rate approved by the President: *Provided further*, That no intern or resident physician receiving compensation from this appropriation on a full-time basis shall receive compensation in the form of wages or salary from any other appropriation in this Act.

Post, p. 692.

Amounts chargeable to D. C., etc.

Salary restriction.

HOWARD UNIVERSITY

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, \$941,700.

Expenses, Howard University: For necessary expenses, including equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, \$258,830.

Construction of buildings: For the construction, under the supervision of the Public Buildings Administration, of an engineering building and women's dormitory units, together with alterations and installations in connection with this construction, including engineering and architectural services, printing, and travel, to remain available until expended, \$1,377,920.

OFFICE OF EDUCATION

Further development of vocational education: For carrying out the provisions of sections 1, 2, and 3 of the Act approved June 8, 1936 (20 U. S. C. 15h-j), \$14,200,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed \$14,483,000 for the fiscal year 1947, as authorized by the Act approved June 8, 1936.

For extending to the Territory of Hawaii the benefits of the Act approved February 23, 1917 (20 U. S. C. 11-18), in accordance with the provisions of the Act approved March 10, 1924 (20 U. S. C. 29), \$30,000.

49 Stat. 1488.
Post, p. 775.

Hawaii.
39 Stat. 929.
20 U. S. C. §§ 11-15,
16-28.
43 Stat. 18.

For extending to Puerto Rico the benefits of the Act approved February 23, 1917 (20 U. S. C. 11-18), in accordance with the provisions of the Act approved March 3, 1931 (20 U. S. C. 11-18, 30; 29 U. S. C. 31-35), \$105,000.

Further endowment of colleges of agriculture and the mechanic arts: For carrying out the provisions of section 22 of the Act approved June 29, 1935 (7 U. S. C. 343d), \$2,480,000.

Salaries and expenses: For all expenses necessary for the work of the Office of Education as provided by law, including surveys, studies, investigations, and reports regarding libraries; fostering coordination of public and school library service; coordination of library service on the national level with other forms of adult education; developing library participation in Federal projects; fostering Nation-wide coordination of research materials among libraries, inter-State library coordination and the development of library service throughout the country; which expenses may include personal services in the District of Columbia; contract stenographic reporting services; purchase of one, and maintenance, repair, and operation of passenger automobiles; purchase of lawbooks, books of reference, and periodicals; purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same, \$1,157,000, of which not to exceed \$403,500 shall be available for the Division of Vocational Education as authorized.

The appropriation in this title for traveling expenses shall be available for actual transportation and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes without other compensation from the United States, in an advisory capacity to the Commissioner of Education, in an amount not exceeding \$35,300.

Food conservation: For all expenses necessary, including personal services in the District of Columbia and elsewhere, travel, and printing and binding, to enable the United States Commissioner of Education to make payments to the States to cover costs of education of the public in food conservation and the salary of one secretary for each State carrying on food-conservation activities, \$1,337,000.

The Commissioner may delegate to any officer in the Office of Education any of his powers or duties hereunder.

OFFICE OF VOCATIONAL REHABILITATION

For payments, for carrying out the provisions of the Vocational Rehabilitation Act, as amended, to States (including Alaska, Hawaii, and Puerto Rico) which have submitted and had approved by the Federal Security Administrator State plans for vocational rehabilitation, as authorized by and in accordance with said Act, including payments, in accordance with regulations of the Administrator, for one-half of necessary expenditures for the acquisition of vending stands or other equipment in accordance with section 3 (a) (3) (C) of said Act for the use of blind persons, such stands or other equipment to be controlled by the State agency, \$11,747,800, of which not to exceed \$132,961 shall be available to the Federal Security Administrator for providing rehabilitation services to disabled residents of the District of Columbia, as authorized by section 6 of said Act, which latter amount shall be available for administrative expenses in connection with such rehabilitation in the District of Columbia, including printing and binding, and travel and subsistence, and reimbursement, at not to exceed 5 cents per mile, for travel performed by employees of

Puerto Rico.
39 Stat. 929.
20 U. S. C. §§ 11-15,
16-28.
46 Stat. 1489.
29 U. S. C. § 45a.

49 Stat. 439.

Persons serving in
an advisory capacity.

Delegation of powers
or duties.

41 Stat. 735.
29 U. S. C., Supp.
V, §§ 31-41.

57 Stat. 376.
29 U. S. C., Supp.
V, § 33 (a) (3) (C).

57 Stat. 378.
29 U. S. C., Supp.
V, § 36.

the Federal Security Agency in privately owned automobiles and within the limits of their official station, when engaged in providing vocational rehabilitation services to disabled residents of the District of Columbia: *Provided*, That not to exceed 15 per centum of the appropriation shall be used for administrative purposes: *And provided further*, That section 3709 of the Revised Statutes shall not apply to any purchase made or service rendered hereunder when the aggregate amount involved does not exceed \$400.

41 U. S. C. § 5.
Post, p. 809.

41 Stat. 735.
29 U. S. C., Supp.
V, §§ 31-41.

41 U. S. C. § 5.
Post, p. 809.

For general administrative expenses in carrying out the provisions of the Vocational Rehabilitation Act, as amended, including personal services in the District of Columbia and elsewhere and not to exceed \$2,000 for temporary employment of specialists in the fields of medicine and surgery, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; purchase of reprints of scientific and technical articles published in periodicals and journals; and purchase and exchange of books of reference and periodicals; and purchase and distribution of educational films (not to exceed \$30,000); \$564,300.

Post, p. 914.

PUBLIC HEALTH SERVICE

For necessary expenses in carrying out the functions of the Public Health Service in accordance with the Act of July 1, 1944 (Public Law 410) (hereinafter referred to as the Act), and other Acts, including (with the exception of the appropriation "Pay, and so forth, commissioned officers, Public Health Service") personal services in the District of Columbia; maintenance, repair, and operation of passenger automobiles; purchase of reports, documents, and other material for publication and of reprints from State, city, and private publications; lawbooks, books of reference, and periodicals, for use at the seat of government and elsewhere; contract stenographic services without regard to section 3709 of the Revised Statutes or the civil-service or classification laws; preparation and display of posters and exhibits by contract or otherwise; packing, unpacking, crating, uncrating, drayage, and transportation of personal effects of commissioned officers and transportation of their dependents on change of station; increased allowances to Reserve officers for foreign service; and transporting in Government-owned automotive equipment, to and from school, children of personnel who have quarters for themselves and their families at isolated stations; as follows:

58 Stat. 682.
42 U. S. C., Supp. V,
§§ 201-286.
Ante, pp. 30, 421 et
seq.; post, p. 1041 et
seq.

41 U. S. C. § 5.
Post, p. 809.

Veneral diseases: To carry out the purposes of sections 314 (a) and 363 of the Act with respect to venereal diseases, including the operation and maintenance of centers for the diagnosis, treatment, support, and clothing of persons afflicted with venereal diseases; transportation and subsistence of such persons and their attendants to and from the place of treatment or allowance in lieu thereof; diagnosis and treatment (including emergency treatment for other illnesses) of such persons through contracts with physicians and hospitals and other appropriate institutions without regard to section 3709 of the Revised Statutes; fees for case finding and referral to such centers of voluntary patients; reasonable expenses of preparing remains or burial of deceased patients; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; recreational supplies and equipment; leasing of facilities and repair and alteration of leased facilities; and for grants of money, services, supplies, equipment, and use of facilities to States, as defined in the Act, and with the approval of the respective State health authorities, to counties, health districts, and other political subdivisions of the States, for the foregoing purposes, in such amounts and

58 Stat. 693, 704.
42 U. S. C., Supp.
V, §§ 246 (a), 266.

41 U. S. C. § 5.
Post, p. 809.

upon such terms and conditions as the Surgeon General may determine; \$16,628,000.

Tuberculosis: To carry out the purposes of section 314 (b) of the Act, \$7,994,000.

Assistance to States, general: To carry out the purposes of section 314 (c) of the Act; to provide consultative services to States pursuant to section 311 of the Act; and to make field investigations and demonstrations in industrial hygiene pursuant to section 301 of the Act, including the purchase of fourteen passenger automobiles; \$15,565,000.

Communicable diseases: To carry out those provisions of sections 311, 361, and 604 of the Act relating to the prevention and suppression of communicable diseases, the interstate transmission and spread thereof, and the enforcement of any applicable quarantine laws, including the purchase of twenty-five passenger automobiles; and hire, maintenance, and operation of aircraft; \$7,372,000.

Hospitals and medical care: For carrying out the purposes of section 301 with respect to mental diseases, and sections 302, 321, 322, 324, 326, 331, 332, 341, 343, 344, 502, 504, and 610 of the Act, and Executive Order 9079, dated February 26, 1942, including minor repairs and maintenance; purchase of eighteen passenger automobiles, including four ambulances; transportation to their homes in the continental United States of recovered indigent leper patients; court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane; expenses of preparing and transporting remains, or reasonable burial expenses, for any patient dying in hospital; firearms and ammunition; travel; reimbursement to the working capital fund for articles or services furnished by the industrial activities; expenses incurred in pursuing, identifying, and returning escaped prisoners, including rewards for their capture; purchase and exchange of farm products and livestock; not to exceed \$500 for newspapers; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; transportation and subsistence allowance, within continental United States, of any narcotic addict voluntarily admitted and discharged as cured; reimbursement to employees for the cost of repair or replacement (where the damage exceeds \$2 and does not exceed \$100) of personal belongings damaged or destroyed by patients while employees were in line of duty; and tobacco for patients; \$20,354,900, of which not to exceed \$115,514 shall be available for the furnishing by the Public Health Service to and at the request of any Federal department or independent establishment, including Government-owned corporations, of coordinating and consultative services with respect to methods and standards for operating emergency health facilities in such department or establishment, including in-service training of such emergency health facility personnel, and for providing employees of such agencies (1) tuberculosis and psychiatric examinations, and (2) health and nutrition instruction through lectures and demonstrations: *Provided*, That this appropriation shall be available for the expenses incurred in furnishing medical and hospital treatment, including dental care, to active-duty personnel of the Navy and Marine Corps in Marine hospitals and out-patient offices.

Foreign quarantine service: For the medical inspection of aliens, the maintenance and ordinary expenses of United States quarantine stations and supplementary activities abroad, and the care and treatment of quarantine detainees in private or other public hospitals when facilities of the Public Health Service are not available, including

58 Stat. 693.
42 U. S. C., Supp.
V, § 246 (b).

58 Stat. 694.
42 U. S. C., Supp.
V, § 246 (c).
Ante, p. 424.
58 Stat. 693, 691.
42 U. S. C., Supp.
V, §§ 243, 241.
Ante, p. 423.

58 Stat. 693, 703, 712.
42 U. S. C., Supp.
V, §§ 243, 264, 201
note.
Post, p. 1049.

58 Stat. 691-714.
42 U. S. C., Supp.
V, §§ 241, 242, 248, 249,
251, 253, 255-257, 259,
260, 220, 222, 249 note;
14 U. S. C., Supp. V,
§ 381 note; 33 U. S. C.,
Supp. V, § 763c.
Ante, p. 423; *post*,
pp. 1041, 1049.
24 U. S. C., Supp.
V, note prec. § 191.

Certain Navy and
Marine Corps person-
nel.
Medical, etc., treat-
ment.

the purchase of not to exceed twelve passenger automobiles, \$1,985,900.

National Institute of Health, operating expenses: For the activities of the National Institute of Health, not otherwise provided for, including research fellowships and grants for research projects pursuant to section 301 of the Act; the regulation and preparation of biologic products; the purchase of three passenger automobiles; the purchase, repair, and cleaning of uniforms for the guard force; and maintenance of buildings, \$5,966,948.

National Cancer Institute, operating expenses: To carry out the purposes of title IV of the Act, \$1,772,000.

Commissioned officers, pay, and so forth: For pay, uniforms and subsistence allowances, increased allowances for foreign service and commutation of quarters for not to exceed one thousand and twenty-one regular active commissioned officers; for retired pay of regular and reserve commissioned officers; and for six months' death gratuity pay and burial payments for regular commissioned officers, \$5,318,400.

Training for nurses: For continuing in training student nurses enrolled prior to October 16, 1945, under the provisions of the Act of June 15, 1943 (Public Law 74, as amended), \$16,300,000, of which not to exceed \$436,777 shall be available for administrative expenses, including printing and binding and travel: *Provided*, That this appropriation is hereby made available for transfer to and consolidation with appropriations of Saint Elizabeths and Freedmen's Hospitals, in such amounts as may be deemed necessary by the Federal Security Administrator, to cover the cost of items furnished to student nurses in training under plans approved for such hospitals in accordance with said Act.

Salaries and miscellaneous expenses: For the divisions and offices of the office of the Surgeon General and for miscellaneous and contingent expenses of the Public Health Service not appropriated for elsewhere, including the supervision of sanitary engineering and dental operations of the Public Health Service; maintenance and operation of the water and sanitary investigations station at Cincinnati, Ohio; surveys and investigations concerned with problems of pollution of the waters of lakes and rivers of the United States; collecting and compiling mortality, morbidity, and vital statistics; preparing information, articles, and publications related to public health; conducting studies and demonstrations in public health methods; nominal compensation of collaborating epidemiologists and others; purchase of fifteen passenger automobiles; and allowances for living quarters, including fuel, heat, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118 (a)); \$1,931,625.

Development of health facilities: To enable the Surgeon General, either independently or in cooperation with public and private agencies, including individuals, to make studies, investigations, and surveys and to furnish advisory assistance and consultative services regarding the need for, kind, location, design, construction, organization, equipment, operation, and administration of health and sanitation facilities, including the purchase of fifteen passenger automobiles, \$259,043.

Office of International Health Relations: To enable the Surgeon General to coordinate and carry out the activities of the Public Health Service in connection with international health work and the Public Health Service mission to Liberia, including the purchase of two passenger automobiles, and not to exceed \$750 for entertainment of officials of other countries when specifically authorized by the Surgeon General, \$290,700.

58 Stat. 691.
42 U. S. C., Supp.
V, § 241.
Ante, p. 423.

58 Stat. 707.
42 U. S. C., Supp.
V, §§ 281-286.
Post, p. 914.

57 Stat. 153.
50 U. S. C., Supp.
V, app. §§ 1451-1462.
Transfer of funds.

Station at Cincinnati, Ohio.

46 Stat. 818.

Mission to Liberia.

SAINT ELIZABETHS HOSPITAL

Salaries and expenses: For support, clothing, and treatment in Saint Elizabeths Hospital of persons who have become insane since their entry into the armed forces of the United States, insane beneficiaries of the Bureau of Indian Affairs, insane beneficiaries of the United States Employees' Compensation Commission, and all other insane persons whose admission to the hospital is authorized by law, including reimbursement to employees for the cost of repair or replacement (where the damage exceeds \$2 and does not exceed \$100) of personal belongings damaged or destroyed by patients while employees were in line of duty; travel expenses; printing and binding; and not exceeding \$3,000 for maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; and not to exceed \$185,000 for repairs and improvements to buildings and grounds; and not to exceed \$15,000 for furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; \$3,729,358, including cooperation with organizations or individuals in scientific research into the nature, causes, prevention, and treatment of mental illness, and including maintenance and operation of necessary facilities for feeding employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding \$1,500 of this sum may be expended in the removal of patients to their friends; for expenses of attendance at meetings of a technical nature, pertaining to hospital administration and medical advancement, when authorized by the Federal Security Administrator; not exceeding \$2,500 for the purchase of such books, periodicals, and newspapers as may be required for the purposes of the hospital and for the medical library, not exceeding \$75,000 for transfer to the Federal Works Agency for expenses incident to a survey of the buildings and grounds of the hospital; and not exceeding \$1,500 for the actual and necessary expenses incurred in the apprehension and return to the hospital of escaped patients: *Provided*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates who are not or who cease to be properly chargeable to Federal maintenance in the institution and in returning them to such places of residence: *Provided further*, That during the fiscal year 1947 the District of Columbia, or any branch of the Government requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the Superintendent upon his written request, either in advance or at the end of each month, such amounts as shall be calculated by the Superintendent to be due for such care on the basis of a per diem rate approved by the President and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments of such bills paid for in advance on the basis of such calculations shall be made monthly or quarterly, as may be agreed upon by the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury Department of the appropriation made for the care and maintenance of the patients at Saint Elizabeths Hospital for the year in which the support, clothing, and treatment is provided, and be subject to requisition upon the approval of the Superintendent of Saint Elizabeths Hospital.

Return of inmates
not Federal charges.

Payments for care of
designated patients.

Accounting.

SOCIAL SECURITY BOARD

Ante, p. 263; *post*, p. 991.

49 Stat. 620, 627, 645.
42 U. S. C. §§ 301-306, 601-606, 1201-1206.
Post, pp. 991-993.

Payments with respect to State plans.

Grants to States for old-age assistance, aid to dependent children, and aid to the blind: For grants to States for assistance to aged needy individuals, needy dependent children, and needy individuals who are blind, as authorized in titles I, IV, and X, respectively, of the Social Security Act approved August 14, 1935, as amended \$484,000,000, of which sum such amount as may be necessary shall be available for grants under such titles I, IV, and X, respectively, for any period in the fiscal year 1946 subsequent to March 31, 1946: *Provided*, That payments to States for the fourth quarter of the fiscal year 1946 and for any quarter in the fiscal year 1947 under such titles I, IV, and X, respectively, may be made with respect to any State plan approved under such titles I, IV, or X, respectively, by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Salaries, Bureau of Public Assistance: For personal services in the Bureau of Public Assistance in the District of Columbia and elsewhere, \$965,000.

Ante, p. 264.

49 Stat. 626.
42 U. S. C. §§ 501-503.
Post, p. 991.

Grants to States for unemployment compensation administration: For grants to States for unemployment compensation administration, as authorized in title III of the Social Security Act, approved August 14, 1935, as amended, \$49,045,000, of which such amounts as may be agreed upon by the Board and the Postmaster General shall be used for the payment, in such manner as said parties may jointly determine, of postage for the transmission of official mail matter in connection with the unemployment compensation administration of States receiving grants herefrom.

Salaries, Bureau of Employment Security: For personal services in the Bureau of Employment Security in the District of Columbia and elsewhere, \$900,000.

Salaries, Bureau of Old-Age and Survivors Insurance: For personal services in the Bureau of Old-Age and Survivors Insurance in the District of Columbia and elsewhere, not more than \$22,987,000 may be expended from the Federal old-age and survivors insurance trust fund.

Salaries, consolidated operations, Social Security Board: For personal services in the District of Columbia and elsewhere of the Social Security Board and its several offices and bureaus, not otherwise appropriated for herein, \$3,448,162.

Miscellaneous expenses, Social Security Board: For all expenses, not otherwise appropriated for, necessary to enable the Social Security Board to carry into effect the provisions of the Social Security Act as amended (42 U. S. C. 301-1305), including periodicals; purchase and exchange of lawbooks and books of reference; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payments for which may be made in advance; alterations and repairs; purchase (not exceeding three), operation, maintenance, and repair of passenger-carrying automobiles; \$2,972,000.

49 Stat. 620.
42 U. S. C. §§ 301-1307; Supp. V, ch. 7.
Post, pp. 732, 979 *et seq.*

Transfer of functions; amounts for personal services.

If during the fiscal year 1946 or 1947 functions are transferred by the Federal Security Administrator from or between any of the said offices or bureaus, the Administrator may transfer from or between the appropriations herein made for salaries for the Social Security Board the amounts necessary for personal services in connection with the functions so transferred.

Transfer of funds.

Not to exceed 5 per centum of any of the foregoing appropriations for salaries for the Social Security Board may, subject to the approval

of the Director of the Bureau of the Budget, be transferred by the Administrator to any other of such appropriations, but no appropriation may be increased more than 5 per centum thereby.

None of the moneys appropriated by this Act to the Social Security Board or to the Children's Bureau of the Department of Labor for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any States which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

Withholding of moneys from State agencies.

OFFICE OF THE ADMINISTRATOR, FEDERAL SECURITY AGENCY

Salaries, Office of the Administrator, including personal services in the District of Columbia, \$195,659, of which \$9,700 is for personal services incident to the liquidation of the Civilian Conservation Corps in accordance with the applicable provisions under the head "Civilian Conservation Corps" in the Federal Security Agency Appropriation Act, 1944, and the National Youth Administration in accordance with the applicable provisions under the head "National Youth Administration" in the Federal Security Agency Appropriation Act, 1945: *Provided*, That of the sum herein appropriated the Administrator may expend not to exceed \$4,075 for temporary employment of persons, by contract or otherwise, for special services determined necessary by the Administrator, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws.

Post, p. 914.

CCC and NYA liquidation expenses.

57 Stat. 498.
16 U. S. C., Supp.
V, § 584 note.

58 Stat. 564.
15 U. S. C., Supp.
V, ch. 16 note.

41 U. S. C. § 5.
Post, p. 809.

SALARIES AND EXPENSES, OFFICE OF COMMUNITY WAR SERVICES, FEDERAL SECURITY AGENCY

Community War Services: For all expenses necessary to enable the Federal Security Administrator to carry out the recreation activities under the provisions of Executive Order 8890, dated September 3, 1941, including personal services in the District of Columbia and elsewhere; acceptance and utilization of voluntary and uncompensated services; printing and binding; maintenance, operation, and repair of passenger automobiles; and travel expenses; \$30,000: *Provided*, That this appropriation shall not be available for purposes other than liquidation after December 31, 1946.

3 CFR, Cum. Supp.,
p. 1003.

Salaries, Division of Personnel Management, including personal services in the District of Columbia, \$126,000.

Salaries, Division of Service Operations, including personal services in the District of Columbia, \$279,617.

Salaries, Office of the General Counsel, including personal services in the District of Columbia, \$615,765.

Post, p. 914.

Miscellaneous expenses, Office of Administrator: For miscellaneous expenses of the Office of the Administrator in the District of Columbia and elsewhere (except printing and binding) including \$500 for the liquidation of the Civilian Conservation Corps in accordance with the applicable provisions under the head "Civilian Conservation Corps" in the Federal Security Agency Appropriation Act, 1944, and the National Youth Administration in accordance with the applicable provisions under the head "National Youth Administration" in the Federal Security Agency Appropriation Act, 1945; examination of estimates for appropriations in the field; purchase and exchange of

57 Stat. 498.
16 U. S. C., Supp.
V, § 584 note.

58 Stat. 564.
15 U. S. C., Supp.
V, ch. 16 note.

Transfer of funds.

lawbooks, other books of reference, and periodicals; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; and purchase (not to exceed two), operation, maintenance, and repair of passenger automobiles; \$70,000: *Provided*, That the Administrator may transfer to this appropriation from appropriations of the constituent organizations of the Federal Security Agency such sums as may be necessary to finance the purchase of duplicating materials required in performance of duplicating work for such constituent organizations, unused portions of which sums may, at any time, be retransferred by the Administrator to the original appropriations.

Traveling expenses, Federal Security Agency: For traveling expenses (not appropriated for elsewhere) for the Federal Security Agency and all bureaus, boards, and constituent organizations thereof, including expenses, when specifically authorized by the Federal Security Administrator, of attendance at meetings concerned with the work of the Federal Security Agency (not to exceed \$1,500 for the Office of the Administrator); and reimbursement, at not to exceed 5 cents per mile, for travel performed by employees of the Federal Security Agency in privately owned automobiles within the limits of their official stations; \$2,555,100: *Provided*, That all receipts from non-Federal agencies representing reimbursement for subsistence and other expenses of travel of employees of the Office of Education performing advisory functions to said agencies shall be deposited in the Treasury of the United States to the credit of this appropriation.

Printing and binding, Federal Security Agency: For printing and binding (not appropriated for elsewhere) for the Federal Security Agency and all bureaus, boards, and constituent organizations thereof, including the purchase of reprints of scientific and technical articles published in periodicals and journals, \$950,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Security Agency as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$400,000.

Civilian war benefits: For all expenses necessary, including personal services in the District of Columbia and elsewhere and travel, to enable the Federal Security Administrator, in order to continue during the fiscal year 1947 the Civilian War Benefits program heretofore financed from the Emergency Fund for the President, to provide medical and hospital care (including prosthetic appliances and medical examinations) by contract without regard to section 3709, Revised Statutes, and money payments, to (a) civilians within the United States who have been injured as a result of enemy attack or of action to meet such attack or the danger thereof, or who have been injured while in the performance of their official duties as civilian defense workers, (b) civilians disabled as a result of illness, injury, or disease which occurred during detention by the enemy, and (c) the dependents within the United States of individuals injured or killed under circumstances described in clause (a) or (b) or reported as missing as a result of enemy action, \$158,000.

Civilian war assistance: For all expenses necessary, including personal services in the District of Columbia and elsewhere, to enable the Federal Security Administrator, in order to continue during the fiscal year 1947 the Civilian War Assistance program heretofore financed from the Emergency Fund for the President, to provide (a) temporary aid (including medical care by contract, transportation, and other goods and services without regard to section 3709, Revised Statutes, and money payments) to citizens of the United States or their children under eighteen years of age who have been

Deposit of reimbursement receipts.

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

41 U. S. C. § 5.
Post, p. 809.

41 U. S. C. § 5.
Post, p. 809.

interned or stranded, and returned to the United States, or who have been evacuated from any area under the direction of the civil or military authorities of the United States, and (b) for temporary aid to and the return of civilians evacuated from the Philippine Islands or Hawaii to the United States under the direction of the civil or military authorities of the United States during the period from December 7, 1941, to September 15, 1945, \$4,750,000, which amount may be expended by advances or grants of funds or otherwise, to such Federal or other agencies as the Administrator may designate.

In order that the Administrator may effectuate reorganization plans submitted and approved pursuant to the Reorganization Act of 1939, he may transfer to the foregoing appropriations under this title from funds available for administrative expenses of the constituent units of the Federal Security Agency such sums as represent a consolidation in the Office of the Administrator of any of the administrative functions of said constituent units: *Provided*, That no such transfer of funds shall be made unless the consolidation of administrative functions will result in a reduction of administrative salary and other expenses and such reduction is accompanied by savings in funds appropriated to the Federal Security Agency, which savings shall not be expended for any other purpose but shall be impounded and returned to the Treasury.

The Secretary of the Treasury is authorized to transfer to the constituent organizations of the Federal Security Agency from appropriations for traveling expenses and printing and binding, Federal Security Agency, such amounts as the Administrator may request; amounts so transferred shall be set up on the books of the Treasury under suitable titles and shall be available for the same purposes and subject to the same limitations as the appropriations from which transferred: *Provided*, That balances of any amounts so transferred, or any part of such balances shall, upon request of the Administrator, be retransferred to the appropriations for traveling expenses and printing and binding, Federal Security Agency.

This title may be cited as the "Federal Security Agency Appropriation Act, 1947".

TITLE III—EMPLOYEES' COMPENSATION COMMISSION

Salaries and expenses: For all necessary administrative expenses of the United States Employees' Compensation Commission, including personal services and rent in the District of Columbia; lawbooks, books of reference, periodicals; fees and mileage of witnesses, including experts; contract stenographic reporting services; maintenance and repair of passenger automobiles; printing and binding, not to exceed \$25,000; and not to exceed \$15,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944; \$1,500,000: *Provided*, That section 3709, Revised Statutes, shall not apply to any purchase or service outside continental United States when the aggregate amount involved does not exceed \$500.

Employees' compensation fund: For the payment of compensation and other benefits and expenses (except administrative expenses authorized by law and accruing during the fiscal year 1947 or in any prior fiscal year), including payments to other Federal agencies for medical and hospital services pursuant to agreement approved by the Commission; the advancement of costs for enforcement of recoveries in third-party cases; rehabilitation expenses, including fees or other payments to other agencies of the United States and public or

Transfer of funds.

53 Stat. 561, 1423; 54 Stat. 1231.
5 U. S. C. §§ 133-133t
note; Supp. V, § 133t.
Post, p. 1040.

Transfer of funds.

Citation of title.

Employees' Compensation Commission Appropriation Act, 1947.

58 Stat. 394.
39 U. S. C., Supp. V, § 321d.
41 U. S. C. § 5.
Post, p. 809.

private agencies, including individuals, for services or facilities rendered or furnished pursuant to agreement approved by the Commission; the furnishing of medical and hospital services and supplies, treatment, and funeral and burial expenses, including transportation and other expenses incidental to such services, treatment, and burial, to such enrollees of the Civilian Conservation Corps as were certified by the Director of such Corps as receiving hospital services and treatment at Government expense on June 30, 1943, and who are not otherwise entitled thereto as civilian employees of the United States, and the limitations and authority of the Act of September 7, 1916, as amended (5 U. S. C. 796), shall apply in providing such services, treatment, and expenses in such cases; \$11,100,000.

This title may be cited as the "Employees' Compensation Commission Appropriation Act, 1947".

39 Stat. 742.
5 U. S. C. §§ 751-791, 793; Supp. V, § 751 et seq.

Citation of title.

National Labor Relations Board Appropriation Act, 1947.

TITLE IV—NATIONAL LABOR RELATIONS BOARD

Salaries: For three Board members of the National Labor Relations Board and other personal services of the Board in the District of Columbia and elsewhere necessary in performing the duties authorized by law, \$2,991,000.

Miscellaneous expenses: For all necessary expenses, other than salaries, of the National Labor Relations Board in performing duties authorized by law, including repairs and alterations; contract stenographic reporting services; reimbursement to employees, at not to exceed 3 cents per mile, for expenses of travel performed by them in privately owned automobiles within the limits of their official stations in the field; lawbooks; books of reference; and periodicals; \$895,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the National Labor Relations Board as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$20,500.

Printing and binding: For printing and binding for the National Labor Relations Board \$163,000.

No part of the funds appropriated in this title shall be used in any way in connection with a complaint case arising over an agreement, or a renewal thereof, between management and labor which has been in existence for three months or longer without complaint being filed by an employee or employees of such plant: *Provided*, That, hereafter, notice of such agreement or a renewal thereof shall have been posted in the plant affected for said period of three months, said notice containing information as to the location at an accessible place of such agreement where said agreement shall be open for inspection by any interested person: *Provided further*, That these limitations shall not apply to agreements with labor organizations formed in violation of section 158, paragraph 2, title 29, United States Code: *Provided further*, That no part of the funds appropriated in this title shall be used by the National Labor Relations Board in any way in connection with the performance of the duties imposed upon it by the War Labor Disputes Act (50 U. S. C. App. 1501-11): *Provided further*, That no part of the funds appropriated in this title shall be available to organize or assist in organizing agricultural laborers, or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2 (3) of the Act of July 5, 1935 (49 Stat. 450) and as defined in section 3 (f) of the Act of June 25, 1938 (52 Stat. 1060).

This title may be cited as the "National Labor Relations Board Appropriation Act, 1947".

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

Unfiled complaint cases.

Notice of agreement.

49 Stat. 452.

57 Stat. 163.
50 U. S. C., Supp. V, app. §§ 1501-1511.

29 U. S. C. § 152 (3).

29 U. S. C. § 203 (f).

Citation of title.

TITLE V—NATIONAL MEDIATION BOARD

Salaries and expenses: For three members of the Board, and for other authorized expenditures of the National Mediation Board in performing the duties imposed by law, including contract stenographic reporting services; supplies and equipment; not to exceed \$200 for books of reference, and periodicals, \$300,000, of which amount not to exceed \$220,000 may be expended for personal services in the District of Columbia.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the National Mediation Board and the National Railroad Adjustment Board as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$700.

Arbitration, emergency, and emergency panel boards: For necessary expenses of arbitration boards established under section 7 of the Railway Labor Act (45 U. S. C. 157), emergency boards appointed by the President pursuant to section 10 of said Act (45 U. S. C. 160), and boards appointed from the National Railway Labor Panel under Executive Order 9172, including compensation of members and employees of such boards in the District of Columbia and elsewhere; personal services in the District of Columbia to enable the Chairman of the Railway Labor Panel to perform his functions under Executive Order 9299; necessary transportation expenses of Board members to and from their homes or regular places of business, and \$6 per diem in lieu of subsistence on such days as they are actually engaged in performance of the duties of said boards; printing and binding of awards and proceedings and testimony relating thereto; contract stenographic reporting services; rent of quarters when suitable quarters cannot be supplied in any Federal building, \$110,000.

Printing and binding: For all printing and binding for the National Mediation Board, \$3,000.

NATIONAL RAILROAD ADJUSTMENT BOARD

Salaries and expenses: For authorized expenditures of the National Railroad Adjustment Board, in performing the duties imposed by law, including contract stenographic reporting services and supplies and equipment, \$280,000, of which \$65,000 shall be available only for compensation, not in excess of \$50 per day, and expenses of referees; and not more than \$150,000 for other personal services.

Printing and binding: For all printing and binding for the National Railroad Adjustment Board, \$17,500.

This title may be cited as the "National Mediation Board Appropriation Act, 1947".

TITLE VI—RAILROAD RETIREMENT BOARD

Salaries: For personal services in the District of Columbia and elsewhere necessary in performing the duties imposed by law, \$2,171,000.

Miscellaneous expenses (other than salaries): For all necessary expenditures, other than salaries and printing and binding, of the Railroad Retirement Board in performing the duties imposed by law, including rent in the District of Columbia and elsewhere; traveling expenses, including not to exceed \$1,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the Board; repairs and alterations; contract stenographic reporting services; supplies and equipment (including photographic equipment); not to exceed \$5,000 for lawbooks, books of reference, periodicals; and for payment in advance when authorized by

National Mediation Board Appropriation Act, 1947.

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

44 Stat. 582, 586.

3 CFR, Cum. Supp., p. 1164.

45 U. S. C., Supp. V, § 156 note.

Citation of title.

Railroad Retirement Board Appropriation Act, 1947.

the Board for library membership in organizations which issue publications to members only or to members at a price lower than to the general public; and operation, maintenance, and repair of motor-propelled passenger-carrying vehicles; \$500,000.

Printing and binding: For printing and binding for the Railroad Retirement Board, \$30,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Railroad Retirement Board as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$61,000.

Railroad retirement account: For an amount sufficient as an annual premium for the payments required under the Railroad Retirement Act, approved August 29, 1935, and the Railroad Retirement Act, approved June 24, 1937, and authorized to be appropriated to the railroad retirement account established under section 15 (a) of the latter Act, \$298,233,000, of which \$67,337,800 shall be immediately available: *Provided*, That such total amount shall be available until expended for making payments required under said retirement Acts, and the amount not required for current payments shall be invested by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937.

This title may be cited as the "Railroad Retirement Board Appropriation Act, 1947."

TITLE VII—GENERAL PROVISIONS

SEC. 701. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 702. This Act may be cited as the "Labor-Federal Security Appropriation Act, 1947".

Approved July 26, 1946.

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

49 Stat. 967; 50
Stat. 307.

45 U. S. C. §§ 215-
228; Supp. V, §§ 215-
228 *et seq.*

Post, p. 722 *et seq.*
50 Stat. 316.
45 U. S. C. § 228o.

Citation of title.

Persons engaging,
etc., in strikes against
or advocating over-
throw of U. S. Govern-
ment.

Affidavit.

Penalty.

Short title.

[CHAPTER 673]

AN ACT

To amend section 12 of the Bonneville Project Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 (b) of the Act entitled "An Act to authorize the completion, maintenance, and operation of Bonneville project for navigation, and for other purposes", approved August 20, 1937, as amended, is amended to read as follows:

"(b) The Administrator may, in the name of the United States, under the supervision of the Attorney General, bring such suits at law or in equity as in his judgment may be necessary to carry out the purposes of this Act; and he shall be represented in the prosecution and defense of all litigation, affecting the status or operation of Bonneville project by the United States attorneys for the districts, respectively, in which such litigation may arise, or by such attorney or attorneys as the Attorney General may designate as authorized by law, in conjunction with the regularly employed attorneys of the Administrator."

Approved July 26, 1946.

July 26, 1946
[S. 1516]
[Public Law 550]

Bonneville Project
Act, amendment.

59 Stat. 548.
16 U. S. C., Supp.
V, § 832k (b).
Suits at law or in
equity.

[CHAPTER 674]

AN ACT

To authorize the city of Anchorage, Alaska, to issue bonds in a sum not to exceed \$5,000,000 for the purpose of constructing, reconstructing, improving, extending, bettering, repairing, equipping, or acquiring public works of a permanent character, and to provide for the payment thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of Anchorage, Alaska, is hereby authorized to issue and sell its bonds in an amount not to exceed \$5,000,000, for the purpose of constructing, reconstructing, improving, extending, bettering, repairing, equipping, or acquiring public works of permanent character for said city.

SEC. 2. Such public works shall include but not be limited to water facilities, sewers and sewage-disposal facilities, heating plants and distribution facilities, electric and steam power and light plants and distribution facilities, telephone plants and distribution facilities, streets and street improvements, corporation or equipment yards, city-hall additions, and school buildings.

SEC. 3. Before said bonds shall be issued, a special election shall be ordered by the common council of the city of Anchorage, Alaska, at which election the question of whether such bonds shall be issued, in an amount not exceeding the amount above specified and for the purposes hereinbefore set forth, shall be submitted to the qualified electors of said city of Anchorage, Alaska, whose names appear on the last assessment roll of said city for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes herein specified up to the amount herein authorized. Not less than twenty days' notice of such election shall be given to the public by posting notices of same in three conspicuous places within the corporate limits of the city of Anchorage, Alaska, one of which shall be on a bulletin board in the public lobby of the United States post office at Anchorage, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued and the purposes for which said bonds are to be issued. The registration of such election, the manner of conducting the same, and the canvass of the returns of such election shall be, as nearly as practicable, in accordance with the

July 26, 1946
[H. R. 5112]
[Public Law 551]

Anchorage, Alaska.
Bonds for public
works.

Special election.

Form of ballot.

Notice of election.

Registration, etc.

Percentage of favorable votes required.

Authorization of bonds by resolution, etc.

Signatures.

Rates of interest.

Nature of obligations.
Pledge of taxing power.

Pledge of revenues, etc.

Covenants with holders.

requirements of law for general and special elections in said municipality; and such bonds shall be issued for the purposes herein authorized only upon the condition that not less than 51 per centum of the votes cast at such election shall be in favor of the issuance of said bonds for such purposes.

SEC. 4. Said bonds shall be authorized by resolution or ordinance of the common council, and may be issued in coupon form, and may be made registrable as to principal alone or as to both principal and interest under such terms and conditions as the common council shall provide. Said bonds shall be dated and shall be in such denomination or denominations, and may mature in such amounts and at such time or times not exceeding twenty years from the date thereof, and may be payable at such place or places as the common council shall determine. The said bonds may be made redeemable, either with or without premium, in the discretion of the common council, and may be sold at public sale. Said bonds shall be signed by the mayor and clerk of the city of Anchorage, Alaska, and shall have impressed thereon the official seal of said municipality, and the coupons annexed to said bonds representing interest to be payable thereon shall be signed with the facsimile signatures of said mayor and clerk. Said bonds shall bear such rate or rates of interest as the common council shall determine, not to exceed 5 per centum per annum, payable annually or semiannually, and shall be sold for not less than the principal amount thereof and accrued interest, and with or without premium. In the event any of the officers whose signatures or counter-signatures appear on said bonds or coupons shall cease to be such officers before delivery of such bonds, said signatures or counter-signatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes the same as if said officers had remained in office until such delivery.

SEC. 5. The bonds herein authorized shall be general obligations of the city of Anchorage, Alaska, and the mayor and common council of the city of Anchorage are hereby authorized and directed, in the resolution or ordinance authorizing the issuance of said bonds, to pledge to the payment of the principal and interest thereof the full faith and credit of the city of Anchorage and to obligate the city, if necessary, to levy taxes upon all the taxable property within said city for the payment of the principal and interest of said bonds as and when the same become due and payable, without limitations as to rate or amount.

SEC. 6. In addition to the pledge of the taxing power contained in section 5 hereof, the mayor and common council are hereby authorized in the resolution or ordinance authorizing said bonds, to pledge to the payment of said bonds and the interest thereon the revenues, income, receipts, and profits derived by the city of Anchorage from the ownership, management, and operation by said city of the electric light, power, water, and telephone properties and all additions and betterments to and extensions thereof remaining after the payment of the expenses of operation and maintenance of said properties and reserve for depreciation and prior pledges of such revenues. In the resolution or ordinance authorizing the issuance of said bonds the common council of the city of Anchorage is authorized to covenant with the holders from time to time of the bonds issued hereunder as follows:

(a) That the city will maintain and operate the public-utility properties of the city hereinbefore mentioned in an efficient and economical manner;

(b) That the city will fix, establish, and collect rates, tolls, rents, and other charges for all commodities, services, or facilities sold, furnished, or supplied by the city through said public-utility properties

adequate to provide revenues, income, receipts, and profits sufficient to pay the expenses of operation and maintenance of said properties and to provide reasonable reserves for depreciation and for the payment of the principal of and interest on all bonds payable from such revenues and all other charges and expenses whatsoever which may be or become a charge on such revenues;

(c) That the city will keep all the revenues, income, receipts, and profits arising from the ownership, management, and operations of the public-utility properties by the city in a fund separate and apart from all other funds of the city to be collected, held, and disbursed in such manner as the city may provide in the resolution or ordinance authorizing the issuance of bonds hereunder;

(d) That the city will not thereafter issue any bonds, notes, or other evidences of indebtedness payable from such revenues, except within such limitations as may be prescribed in such resolution or ordinance;

(e) That the city will not thereafter issue any bonds, notes, or other evidences of indebtedness payable from such revenues which would be a prior lien or charge upon said revenues over the bonds issued pursuant to such resolution or ordinance;

(f) That the city will provide a special fund for renewals and replacements to the public-utility properties into which fund the city shall pay sums from the revenues of said properties in such amounts as may be specified in said resolution or ordinance;

(g) That the city will not sell, lease, or otherwise dispose of any or all of said public-utility properties without then or theretofore making provision for the payment of the bonds authorized by this Act;

(h) That the city will keep books and accounts with respect to the operation of said public-utility properties in such manner as prescribed by the Federal Power Commission governing municipal licenses and provide for the periodic audit of such books by certified public accountants who shall report on such operations;

(i) That the city will provide for periodic examinations of the public-utility properties of the city by an engineer or firm of engineers who shall report thereon at such times as shall be prescribed in said resolution or ordinance; and

(j) That the city will do and perform such other acts and take such other proceedings as may be necessary to more fully secure the payment of the bonds authorized by said resolution or ordinance as shall be deemed advisable by the common council.

SEC. 7. Upon the sale of any bonds authorized by this Act, the city of Anchorage shall provide for the payment of the proceeds thereof into a special fund which shall be used for no other purpose except as specified in this Act, and said bonds may be sold all at once or from time to time, and with such rate of interest not exceeding 5 per centum per annum, as the common council of the city of Anchorage shall direct.

SEC. 8. The city of Anchorage is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof to obtain a grant or loan of money funds to aid in the construction of water facilities, sewers and sewage-disposal facilities, heating plants and distribution facilities, electric and steam power and light plants and distribution facilities, telephone plants and distribution facilities, stadia, gymnasias, auditorias and athletic fields, streets and street improvements, corporation or equipment yards, city-hall additions, and school buildings.

SEC. 9. The provisions of this Act and of any resolution or ordinance authorizing the issuance of bonds hereunder shall constitute a contract with the holders of such bonds from time to time, and the provisions thereof and hereof shall be enforceable by any owner or holder

Special fund.

Sale of bonds.

Maximum rate of interest.

Grant, etc., of money for construction.

Suits at law or in equity.

of said bonds by mandamus or by any other appropriate suit, action, or proceeding at law or in equity in any court of competent jurisdiction.

Authority for issuance of bonds.

SEC. 10. This Act shall be complete authority for the issuance of the bonds herein authorized, and shall be liberally construed to accomplish its purposes. Any restrictions, limitations, or regulations relative to the issuance of bonds by the city of Anchorage, Alaska, contained in any other Act shall not apply to bonds issued under this Act, and any Act inconsistent herewith shall be deemed modified to conform with the provisions of this Act for the purposes of this Act only.

Approved July 26, 1946.

[CHAPTER 675]

AN ACT

To reestablish the status of funds of the midshipmen's store, barber shop, cobbler shop, and tailor shop at the United States Naval Academy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of Public Law 238, Seventy-ninth Congress, approved December 3, 1945; section 1 of Public Law 273, Seventy-ninth Congress, approved December 28, 1945; and section 1 of Public Law 274, Seventy-ninth Congress, approved December 28, 1945, are hereby repealed.

SEC. 2. All funds collected from the operations of the midshipmen's store, including the Naval Academy dairy, barber shop, cobbler shop, and tailor shop at the United States Naval Academy, shall continue to be deposited in the Treasury of the United States as heretofore, and shall be available for such expenditures as the superintendent of the United States Naval Academy shall deem necessary in the interest, health, comfort, and education of midshipmen and for all expenses of the operations of the midshipmen's store, including the Naval Academy dairy, barber shop, cobbler shop, and tailor shop: *Provided*, That the superintendent of the United States Naval Academy shall make an accounting to the Bureau of Supplies and Accounts quarterly for all receipts and expenditures of moneys collected and expended in accordance with this authority: *And provided further*, That nothing contained in the Act approved December 3, 1945 (Public Law 238, Seventy-ninth Congress), shall apply to employees of the Naval Academy dairy.

SEC. 3. This Act shall be effective from December 3, 1945.

Approved July 26, 1946.

[CHAPTER 676]

AN ACT

To authorize an exchange of land in Eagle County, Colorado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, upon recommendation of the Secretary of Agriculture, is hereby authorized to accept on behalf of the United States title to the hereinafter-described lands, to wit: Beginning at corner numbered 3 of tract 45, which is also corner numbered 4 of tract 46D of section 5, township 5 south, range 84 west, sixth principal meridian; thence north eighty-seven degrees forty-one minutes east a distance of two and one one-hundredths chains; thence north one degree forty-eight minutes east a distance of four and sixty-one one-hundredths chains; thence east a distance of one and sixty-six one-hundredths chains;

July 26, 1946

[H. R. 5640]

[Public Law 552]

U. S. Naval Academy.

59 Stat. 590, 660.

34 U. S. C., Supp. V, §§ 1108-1110.

Funds from operations of midshipmen's store, etc.

Accounting.

59 Stat. 590.

34 U. S. C., Supp. V, §§ 1108, 1108a.

July 26, 1946

[H. R. 5840]

[Public Law 553]

Eagle County, Colo. Conveyance.

thence south one degree forty-eight minutes west a distance of twenty-four and thirty-six one-hundredths chains; thence south eighty-seven degrees fifty-one minutes west a distance of three and sixty-seven one-hundredths chains to corner numbered 7 of tract 47 and corner numbered 2 of tract 48, said section 5; thence north one degree forty-eight minutes east nineteen and seventy-five one-hundredths chains to point of beginning, situate in Eagle County, Colorado, and containing approximately eight acres, and to issue to the persons conveying said lands a patent to lands of the United States described as follows: Lots 19, 20, 21, 22, 23, and 24 of section 31, township 3 south, range 84 west, sixth principal meridian, being in Eagle County, Colorado, and containing approximately one hundred and forty-four and forty-two one-hundredths acres.

SEC. 2. That title may be accepted or patent issued subject to reservations or exceptions of minerals, timber, or easements and that the survey of the tract to be conveyed to the United States shall be by and at the expense of the United States.

SEC. 3. That upon acceptance of title thereto the lands conveyed to the United States shall be used and administered by the Secretary of Agriculture in connection with the protection and management of the White River National Forest and shall be subject to the rules and regulations applicable to said national forest.

Approved July 26, 1946.

Reservations of minerals, etc.
Survey.

Use, etc., of lands.

[CHAPTER 677]

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 358 of the Agricultural Adjustment Act of 1938, as amended (U. S. C., 1940 edition, Supp. IV, title 7, section 1358), is amended (a) by striking out, in the proviso in subsection (a) and in the first proviso in subsection (c), the language "95 per centum of", and (b) by inserting before the colon at the end of the first proviso in subsection (c) the following: "and any additional acreage so required shall be in addition to the national allotment and the production from such acreage shall be in addition to the national marketing quota".

Approved July 26, 1946.

July 26, 1946
[H. R. 5958]
[Public Law 554]

Marketing quota for peanuts.
55 Stat. 88.
Ante, p. 663.

[CHAPTER 682]

AN ACT

To amend further the Civil Service Retirement Act, approved May 29, 1930, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Civil Service Retirement Act, approved May 29, 1930, as amended, is further amended by changing the final period to a semicolon and adding thereto the following: "nor shall there be any withholding or recovery of any moneys mentioned in this Act on account of any certification or payment made by any former officer or employee of the United States in the discharge of his official duties unless the head of the department or agency on behalf of which the certification or payment was made certifies to the Civil Service Commission that such certification or payment involved fraud on the part of such officer or employee".

Approved July 27, 1946.

July 27, 1946
[H. R. 3492]
[Public Law 556]

46 Stat. 478.
5 U. S. C. §§ 709, 728,
730.
Withholding or recovery of moneys.

[CHAPTER 683]

AN ACT

For the relief of Decatur County in the State of Indiana.

July 27, 1946
[H. R. 3988]

[Public Law 556]

Decatur County, Ind.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$7,696.82 to the county treasurer, or other proper officer of the county of Decatur, in the State of Indiana, in full settlement of all claims against the United States arising out of the construction of emergency pipe lines within and across said Decatur County, in the State of Indiana, during the winter and early spring in the year 1943, and the resulting damage to public highways in said county by reason thereof: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 27, 1946.

[CHAPTER 684]

AN ACT

To amend section 6 of the Civil Service Retirement Act of May 29, 1930, as amended.

July 27, 1946
[H. R. 6673]

[Public Law 557]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth paragraph of section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, be, and it is hereby, amended as follows:

46 Stat. 474.
5 U. S. C. § 714;
Supp. V, § 714.

Annuity and compensation for injury.

39 Stat. 742.
5 U. S. C. §§ 751-
791, 793; Supp. V, § 751
et seq.

“No person shall be entitled to receive an annuity under the provisions of this Act, and compensation for injury or disability to himself under the provisions of the Act of September 7, 1916, entitled ‘An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes’, covering the same period of time; but this provision shall not be so construed as to bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time, nor shall this provision nor any provision in such Act of September 7, 1916, be construed so as to deny to any person an annuity accruing to such person under this Act on account of service rendered by him, or to deny any concurrent benefit to such person under such Act of September 7, 1916, on account of the death of any other person.”

This amendment shall become effective as of July 1, 1941.

Approved July 27, 1946.

[CHAPTER 685]

AN ACT

To extend, for an additional year, the provisions of the Sugar Act of 1937, as amended, and the taxes with respect to sugar.

July 27, 1946
[H. R. 6689]

[Public Law 558]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 513 of the Sugar Act of 1937, as amended (relating to termination of powers of the Secretary of Agriculture under the Sugar Act), is amended to read as follows:

“SEC. 513. The powers vested in the Secretary under this Act shall terminate on December 31, 1947, except that the Secretary shall have

Sugar Act of 1937,
amendment.
50 Stat. 916.
7 U. S. C., Supp.
V, § 1183.

Termination
of powers.

power to make payments under title III under programs applicable to the crop year 1947 and previous crop years.”

SEC. 2. Section 3508 of the Internal Revenue Code (relating to termination of taxes with respect to sugar) is amended to read as follows:

“SEC. 3508. TERMINATION OF TAXES.

“No tax shall be imposed under this chapter on the manufacture, use, or importation of sugar after June 30, 1948.”

Approved July 27, 1946.

[CHAPTER 686]

JOINT RESOLUTION

To authorize the making of settlement on account of certain currency destroyed at Fort Mills, Philippine Islands, and for other purposes.

50 Stat. 909.
7 U. S. C. §§ 1131-
1137; Supp. V, §§ 1131,
1134, 1137.
53 Stat. 429.
26 U. S. C., Supp.
V, § 3508.

July 27, 1946
[H. J. Res. 321]
[Public Law 559]

Whereas during the emergency in the Philippine Islands at the time of the Japanese invasion, agents of the United States High Commissioner, acting under a delegation of authority from the President of the United States and the specific instructions of the Secretary of the Treasury, accepted sums of United States paper currency from banks, individuals, and the Government of the Commonwealth of the Philippine Islands, and destroyed this currency by incineration to preclude its seizure by the enemy; and

Destruction of certain currency in Philippine Islands.

Whereas the face value of the currency so destroyed was reported to be \$2,563,981 and due to the difficult circumstances under which the program was undertaken, including lack of facilities, exposure to incessant enemy attack, and lack of personnel familiar with the technical details imposed by law with respect to the separate accounting for various kinds of currency, it was not possible to record in full detail the description of the currency which was burned; and

Whereas the United States Treasury is assured that the aggregate amount of currency destroyed is correct as reported by the High Commissioner and his staff with respect to the procedures followed in accepting deposits and in verifying the count in each such deposit and that the distribution by denomination and depositor is accurate; and

Whereas \$603,158 of the total currency destroyed cannot be identified from the information available to the Treasury Department as to kind of currency and, in the case of Federal Reserve notes, as to bank of issue; and

Whereas the currency has been destroyed and it appears that no further information will become available: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provisions of law to the contrary, the Treasurer of the United States or the Comptroller of the Currency, as the case may be, is authorized and directed, on the basis of evidence of evidence of destruction acceptable to the Secretary of the Treasury, to record the destruction of the United States currency and Federal Reserve notes delivered to the High Commissioner to the Philippine Islands at the time of the Japanese invasion to preclude its seizure by the enemy, in the aggregate amount of \$603,158, as follows: Silver certificates, \$202,502 of \$1 denomination, \$51,200 of \$5 denomination, and \$300 of \$10 denomination, aggregating \$254,002; United States notes, \$8,796 of \$2 denomination and \$25,590 of \$5 denomination, aggregating \$34,386; and Federal Reserve notes, \$1,170 of \$5 denomination, \$126,360 of \$10 denomination, \$185,840 of \$20 denomination, \$400 of \$50 denomination, and \$1,000 of \$100 denomination, aggregating \$314,770, which shall be

Authorization to record amounts.

apportioned as to denominations among the several Federal Reserve banks as determined by the Secretary of the Treasury within the limitations as provided in section 2 hereof, as to the aggregate amount to be apportioned to each Federal Reserve bank.

Payments author-
ized.

Sec. 2. The Treasurer of the United States is authorized to pay to the Secretary of the Treasury for account of the owners of the United States currency referred to in this joint resolution as silver certificates and United States notes the value thereof from the appropriate Treasury funds and to pay to the Secretary of the Treasury for account of the owners of the currency described as Federal Reserve notes the amount thereof from the Federal Reserve note redemption fund. The several Federal Reserve banks shall respectively reimburse the Federal Reserve redemption fund for the amounts paid by the Treasurer of the United States from said fund pursuant to this section, in the following amounts: Federal Reserve Bank of Boston, \$205; Federal Reserve Bank of New York, \$4,555; Federal Reserve Bank of Philadelphia, \$150; Federal Reserve Bank of Cleveland, \$195; Federal Reserve Bank of Richmond, \$480; Federal Reserve Bank of Atlanta, \$250; Federal Reserve Bank of Chicago, \$290; Federal Reserve Bank of St. Louis, \$55; Federal Reserve Bank of Minneapolis, \$120; Federal Reserve Bank of Kansas City, \$270; Federal Reserve Bank of Dallas, \$300; and Federal Reserve Bank of San Francisco, \$307,900.

Reimbursement.

Approved July 27, 1946.

[CHAPTER 692]

JOINT RESOLUTION

Authorizing the erection on public grounds in Springerville, Arizona, of a memorial to Gustav Becker.

July 29, 1946

[S. J. Res. 4]

[Public Law 560]

Gustav Becker.
Memorial.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Public Buildings is authorized and directed to select a suitable site on the grounds of the Federal Building in Springerville, Arizona, and to grant permission to any association or committee organized for that purpose to erect upon such site at any time within two years after the date of approval of this joint resolution, as a gift to the people of the United States, a memorial to the late Gustav Becker: *Provided,* That the design of such memorial shall be approved by the Commissioner of Public Buildings, and that the United States shall be put to no expense in or by the erection of such memorial.

Approved July 29, 1946.

[CHAPTER 693]

AN ACT

To provide for two heads of departments of military science and tactics in the public schools of the District of Columbia

July 29, 1946

[S. 2142]

[Public Law 581]

Public schools,
D. C.
Military science and
tactics.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Education is hereby authorized to establish in the public schools of the District of Columbia two positions, each with a title "head of department of military science and tactics". Persons shall be appointed or promoted to such positions in accordance with the provisions of the District of Columbia Teachers' Salary Act of 1945, as amended, and shall be entitled to receive salaries at the same rate as heads of departments assigned to salary class 17 of the salary schedules set forth in title I of said Act.

59 Stat. 488, 490.

D. C. Code, Supp.

V, § 31-638 *et seq.*

Post, p. 717.

SEC. 2. That the Act entitled "An Act to provide for the payment of a military instructor for the high-school cadets of Washington, District of Columbia", approved June 4, 1935, is hereby repealed.

49 Stat. 320.
D. C. Code § 31-622.

Approved July 29, 1946.

[CHAPTER 694]

AN ACT

To amend and supplement the Federal-Aid Road Act of July 11, 1916, as amended and supplemented, to provide for the design and construction of dams so that they will serve as foundations for highway bridges, to provide for the design and construction of highway bridges upon and across such dams, to authorize the granting of easements and rights-of-way in connection therewith, and for other purposes.

July 29, 1946
[H. R. 6324]
[Public Law 562]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter each executive department, independent establishment, office, board, bureau, commission, authority, administration, corporation wholly owned or controlled by the United States, or other agency of the Government of the United States, hereinafter collectively and individually referred to as "agency", now or hereafter having jurisdiction over and custody of any dam constructed or to be constructed and owned by or for the United States, shall be, and is hereby, authorized, with any funds available to it, to design and construct any such dam in such manner that it will constitute and serve as a suitable and adequate foundation to support a public highway bridge upon and across such dam, and to design and construct upon the foundation thus provided a public highway bridge upon and across such dam: *Provided*, That the highway department of the State in which such dam shall be located jointly with the United States Commissioner of Public Roads shall first determine and certify to such agency that such bridge is economically desirable and needed as a link in the State or Federal-aid highway systems, and shall request such agency to design and construct such dam so that it will serve as a suitable and adequate foundation for a public highway bridge and to design and construct such public highway bridge upon and across such dam, and shall agree to reimburse such agency pursuant to section 4 hereof for any additional costs which it may be required to incur because of the design and construction of such dam so that it will serve as a foundation for a public highway bridge and for any expenditures which it may find it necessary to make in designing and constructing such public highway bridge upon and across such dam: *Provided further*, That in no case shall the design and construction of a bridge upon and across any such dam be undertaken hereunder except by the agency having jurisdiction over and custody of the dam, acting directly or through contractors employed by it, and after such agency shall determine that it will be structurally feasible and will not interfere with the proper functioning and operation of the dam.

Construction of
dams for highway
bridges.

Certification to
agency, etc.

Construction by
agency having custody
of dam.

Agreement with
State.

SEC. 2. Construction of any bridge upon and across any dam pursuant to this Act shall not be commenced unless and until the State in which such bridge is to be located, or the appropriate subdivision of such State, shall enter into an agreement with such agency and with the Commissioner of Public Roads to construct, or cause to be constructed, with or without the aid of Federal funds, the approach roads necessary to connect such bridge with existing public highways and to maintain, or cause to be maintained, such approach roads from and after their completion. Such agreement may also provide for the design and construction of such bridge upon and across the dam by such agency of the United States and for reimbursing such agency the costs incurred by it in the design and construction of the bridge

as provided in section 4 hereof. Any such agency is hereby authorized to convey to the State, or to the appropriate subdivision thereof, without cost, such easements and rights-of-way in its custody or over lands of the United States in its custody and control as may be necessary, convenient, or proper for the location, construction, and maintenance of the approach roads referred to in this section, including such roadside parks or recreational areas of limited size as may be deemed necessary for the accommodation of the traveling public. Any bridge constructed pursuant to this Act upon and across a dam in the custody and jurisdiction of any agency of the United States, including such portion thereof, if any, as may extend beyond the physical limits of the dam, shall constitute and remain a part of said dam and be maintained by the agency: *Provided, however,* That any such agency may enter into any such contracts and agreements with the State or its subdivisions respecting public use of any bridge so located and constructed as may be deemed appropriate, but no such bridge shall be closed to public use by the agency except in cases of emergency or when deemed necessary in the interest of national security.

SEC. 3. All costs and expenses incurred and expenditures made by any agency in the exercise of the powers and authority conferred by this Act (but not including any costs, expenses, or expenditures which would have been required in any event to satisfy a legal road or bridge relocation obligation or to meet operating or other agency needs) shall be recorded and kept separate and apart from the other costs, expenses, and expenditures of such agency, and no portion thereof shall be charged or allocated to flood control, navigation, irrigation, fertilizer production, the national defense, the development of power, or other program, purpose, or function of such agency.

SEC. 4. Not to exceed \$10,000,000 of any money heretofore or hereafter appropriated for expenditure in accordance with the provisions of the Federal Highway Act (42 Stat. 212), as amended and supplemented, shall be available for expenditure by the Commissioner of Public Roads in accordance with the provisions of this Act, as an emergency fund, to reimburse any agency for any additional costs or expenditures which it may be required to incur because of the design and construction of any such dam so that it will constitute and serve as a foundation for a public highway bridge upon and across such dam and to reimburse any such agency for any costs, expenses, or expenditures which it may be required to make in designing and constructing any such bridge upon and across a dam in accordance with the provisions of this Act, except such costs, expenses, or expenditures as would have been required of such agency in any event to satisfy a legal obligation to relocate a highway or bridge or to meet operating or other agency needs, and there is hereby authorized to be appropriated any sum or sums necessary to reimburse the funds so expended by the Commissioner of Public Roads from time to time under the authority of this section. Of each bridge constructed upon and across a dam under the provisions of this Act, there may be financed wholly with Federal funds that portion thereof which is located within the physical limits of the masonry structure, or structures, of the dam, and the Commissioner of Public Roads shall in his sole discretion determine what additional portion of the bridge, if any, may be so financed, such determination to be final and conclusive. The remainder of the bridge, and any necessary related approach roads, shall be financed by the State or its appropriate subdivision, with or without the aid of Federal funds; but said portion of the bridge so financed by the State or its subdivisions, including such portion thereof, if any, as may extend beyond the

Conveyances.

Maintenance, etc., of bridge.

Public use.

Recording of expenses, etc.

Restriction.

Reimbursement for additional costs, etc.

23 U. S. C. § 1 note; Supp. V, § 2 *et seq.* Post, p. 866.

Appropriation authorized.

Portion of bridge financed with Federal funds.

Portion financed by State.

physical limits of the dam, shall nevertheless be designed and constructed solely by the agency having custody and jurisdiction of the dam as provided in section 1 hereof.

SEC. 5. In making, reviewing, or approving the design of any bridge or approach structure to be constructed under this Act the agency shall, in matters relating to roadway design, loadings, clearances and widths, and traffic safeguards, give full consideration to and be guided by the standards and advice of the Public Roads Administration.

SEC. 6. The authority conferred by this Act shall be in addition to and not in limitation of authority conferred upon any agency by any other law, and nothing in this Act contained shall affect or be deemed to relate to any bridge, approach structure, or highway constructed or to be constructed by any such agency in furtherance of its lawful purposes and requirements or to satisfy a legal obligation incurred independently of this Act.

Approved July 29, 1946.

[CHAPTER 698]

AN ACT

To authorize the Secretary of Agriculture to continue administration of and ultimately liquidate Federal rural rehabilitation projects, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of Agriculture, in order to assure the maximum preferential disposition for a period not to exceed three years from the date of this Act to veterans of the present war and present project occupants to whom previous commitments to purchase have been made, is hereby authorized and directed to dispose of lands hereinafter described as expeditiously as possible and within such three-year period such of the lands (improved and unimproved) comprising or incident to those resettlement projects and rural rehabilitation projects for resettlement purposes, and other like enterprises heretofore initiated for similar purposes and financed, in whole or in part, with funds made available to the Secretary, War Food Administrator, Farm Security Administration, Resettlement Administration, or Federal Emergency Relief Administration, as he determines are suitable for ultimate disposition in economic farm units. Nothing contained herein shall be deemed to authorize retardation of the expeditious liquidation of such lands and all other lands or property comprising such projects insofar as is deemed practicable by the Secretary consistent with the purpose of this Act.

SEC. 2. The Secretary, during the period specified in section 1 of this Act, shall sell or cause to be sold, units not to exceed six hundred and forty acres in any one sale, those of such lands as are suitable for disposition in economic farm units at the earning capacity value as determined by him and otherwise on such terms as he may deem advisable, to veterans, as defined in the Surplus Property Act of 1944 (Public Law 457, Seventy-eighth Congress), and present project occupants to whom previous commitments to purchase have been made or who have existing contracts to purchase and who meet the requirements of eligibility specified in title I of the Bankhead-Jones Farm Tenant Act (7 U. S. C. 1000-1006), as amended.

SEC. 3. There is hereby authorized to be appropriated such amounts as may be necessary to carry out the purposes of this Act, including and making betterments and improvements deemed necessary to

Consideration by agency of designated standards.

Authority.

July 30, 1946

[S. 704]

[Public Law 563]

Liquidation of resettlement and rural rehabilitation projects.
Post, p. 1067.

Sale to veterans and present project occupants.

58 Stat. 765.
50 U. S. C., Supp. V, §§ 1611-1646.
Ante, pp. 168, 169, 599; *post*, pp. 754, 886.

50 Stat. 522.
Post, p. 1072.
Appropriation authorized.

Expenditures for improvements.

accomplish the purposes of this Act: *Provided*, That no expenditures shall be made for improvements on any farm unit in excess of one-third of the earning capacity value.

Conveyance.

SEC. 4. Any conveyance by the Government of title to land under this Act shall convey all of the right, title, and interest of the Government in and to such land, including all mineral rights.

Approved July 30, 1946.

[CHAPTER 699]

AN ACT

July 30, 1946
[H. R. 4486]
[Public Law 564]

To abolish the Santa Rosa Island National Monument and to provide for the conveyance to Escambia County, State of Florida, of that portion of Santa Rosa Island which is under the jurisdiction of the Department of the Interior.

Santa Rosa Island National Monument, Fla.
Abolishment; conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Santa Rosa Island National Monument, Florida, is hereby abolished, and the Secretary of the Interior is authorized and directed to donate and convey to Escambia County, State of Florida, all the right, title, and interest of the United States in and to that portion of Santa Rosa Island, Florida, which is under the jurisdiction of the Department of the Interior, to be retained by the said Escambia County and to be used by it for such purposes as it shall deem to be in the public interest or to be leased by it from time to time in whole or in part or parts to such persons and for such purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always to be subject to regulation by said county whether leased or not leased but never to be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying said property back to the Federal Government or to the State of Florida or any agency thereof.

Approved July 30, 1946.

[CHAPTER 700]

JOINT RESOLUTION

July 30, 1946
[H. J. Res. 305]
[Public Law 565]

Providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor.

UNESCO.
Acceptance of membership for U. S.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the United Nations Educational, Scientific, and Cultural Organization (hereinafter referred to as the "Organization"), the constitution of which was approved in London on November 16, 1945, by the United Nations Conference for the establishment of an Educational, Scientific, and Cultural Organization, and deposited in the Archives of the Government of the United Kingdom.

Designation of representatives, etc.

SEC. 2. The President by and with the consent of the Senate shall designate from time to time to attend a specified session or specified sessions of the General Conference of the Organization not to exceed five representatives of the United States and such number of alternates not to exceed five as he may determine consistent with the rules of procedure of the General Conference: *Provided, however*, That each such representative and each such alternate must be an American citizen. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to receive compensation at such rates, not to exceed \$12,000 per annum, as the President may determine, for such periods as the President may specify, except that no Member of the Senate or House

Citizenship.

Compensation.

of Representatives or officer of the United States who is designated under this section as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Conference shall be entitled to receive such compensation. Whenever a representative of the United States is elected by the General Conference to serve on the Executive Board, or is elected President of the General Conference and thus becomes an ex officio adviser to the Executive Board, under provision of article V of the constitution of the Organization, the President may extend the above provisions for compensation to such representative during periods of service in connection with the Executive Board.

SEC. 3. In fulfillment of article VII of the constitution of the Organization, the Secretary of State shall cause to be organized a National Commission on Educational, Scientific, and Cultural Corporation of not to exceed one hundred members. Such Commission shall be appointed by the Secretary of State and shall consist of (a) not more than sixty representatives of principal national, voluntary organizations interested in educational, scientific, and cultural matters; and (b) not more than forty outstanding persons selected by the Secretary of State, including not more than ten persons holding office under or employed by the Government of the United States, not more than fifteen representatives of the educational, scientific, and cultural interests of State and local governments, and not more than fifteen persons chosen at large. The Secretary of State is authorized to name in the first instance fifty of the principal national voluntary organizations, each of which shall be invited to designate one representative for appointment to the National Commission. Thereafter, the National Commission shall periodically review and, if deemed advisable, revise the list of such organizations designating representatives in order to achieve a desirable rotation among organizations represented. To constitute the initial Commission, one-third of the members shall be appointed to serve for a term of one year, one-third for a term of two years, and one-third or the remainder thereof for a term of three years; from thence on following, all members shall be appointed for a term of three years each, but no member shall serve more than two consecutive terms. The National Commission shall meet at least once annually. The National Commission shall designate from among its members an executive committee, and may designate such other committees as may prove necessary, to consult with the Department of State and to perform such other functions as the National Commission shall delegate to them. No member of the National Commission shall be allowed any salary or other compensation for services: *Provided, however,* That he may be paid his actual transportation expenses, and not to exceed \$10 per diem in lieu of subsistence and other expenses, while away from his home in attendance upon authorized meetings or in consultation on request with the Department of State. The Department of State is authorized to provide the necessary secretariat for the Commission.

SEC. 4. That each such member of the National Commission must be an American citizen.

SEC. 5. The National Commission shall call general conferences for the discussion of matters relating to the activities of the Organization, to which conferences organized bodies actively interested in such matters shall be invited to send representatives: *Provided, however,* That the travel and maintenance of such representation shall be without expense to the Government. Such general conferences shall be held annually or biennially, as the National Commission may determine, and in such places as it may designate. They shall be attended so far as possible by the members of the National Commission and by the delegates of the United States to the General Conference of the

National Commission.

Appointment; representatives.

National voluntary organizations.

Review, etc., of list

Terms of members.

Executive committee.

Compensation.

Expenses.

Secretariat.

Citizenship.

General conferences.

Travel and maintenance of representation.

Special conferences.

Organization. The National Commission is further authorized to call special conferences of experts for the consideration of specific matters relating to the Organization by persons of specialized competences. Under such regulations as the Secretary of State may prescribe, the actual transportation expenses of experts attending such conferences shall be borne by the Department of State, and they shall be allowed a per diem of \$10 in lieu of subsistence and other expenses, for the period of actual attendance and of necessary travel.

Expenses of experts.

Appropriation authorized.

SEC. 6. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the Organization as apportioned by the General Conference of the Organization in accordance with article IX of the constitution of the Organization, and such additional sums as may be necessary to pay the expenses of participation by the United States in the activities of the Organization, including: (a) salaries of the representatives provided for in section 2 hereof, of their appropriate staffs, and of members of the secretariat of the National Commission provided for in section 3 hereof, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; (b) travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Subsistence Expense Act of 1926, as amended, and section 10 of the Act of March 3, 1933 (U. S. C., title 5, sec. 73b), and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; (c) allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a); (d) cost of living allowances under such rules and regulations as the Secretary of State may prescribe, including allowances to persons temporarily stationed abroad; (e) communication services; (f) stenographic reporting, translating, and other services, by contract, if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); (g) local transportation; (h) equipment; (i) transportation of things; (j) rent of offices; (k) printing and binding without regard to section 11 of the Act of March 1, 1919 (U. S. C., title 44, sec. 111), and section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); (l) official entertainment; (m) stationery; (n) purchase of newspapers, periodicals, books, and documents; and (o) such other expenses as may be authorized by the Secretary of State.

New obligations, restriction.

SEC. 7. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States approve any amendment under article XIII of the constitution of the Organization involving any new obligation for the United States.

Disclosure of information.

SEC. 8. In adopting this joint resolution, it is the understanding of the Congress that the constitution of the Organization does not require, nor does this resolution authorize, the disclosure of any information or knowledge in any case in which such disclosure is prohibited by any law of the United States.

Approved July 30, 1946.

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 et seq.

Ante, pp. 216, 219.
44 Stat. 688.
5 U. S. C. §§ 821-823, 824-833; Supp. V, § 823.

47 Stat. 1516.
Post, p. 808.

46 Stat. 818.

Post, p. 809.

40 Stat. 1270.

Supra.

[CHAPTER 701]

AN ACT

Conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana, or any tribe or band thereof, may have against the United States, and for other purposes.

July 30, 1946
[H. R. 6983]
[Public Law 566]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims, subject to review by the Supreme Court of the United States on writ of certiorari as in other cases, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims of whatsoever nature which the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation of Montana, or any tribe or band thereof, may have against the United States.

Confederated Salish
and Kootenai Tribes
of Indians.
Claims.

SEC. 2. That suit or suits under this Act may be instituted by the Confederated Salish and Kootenai Tribes of Indians, or any tribe or band thereof, either separately or jointly, as party or parties plaintiff, against the United States as party defendant, by filing within five years after the approval of this Act a petition or petitions in the Court of Claims and serving with respect to each suit a copy thereof on the Attorney General of the United States, who, either in person or by some attorney from the Department of Justice to be designated by him, shall appear and defend the interests of the United States. Such petition or petitions shall set forth the facts upon which the claim or claims for recovery is or are based and shall be verified by the attorney or attorneys employed by said Indians, under contract approved in accordance with existing law, to prosecute said claims, which may be made upon information and belief, and no other verification shall be necessary. The petition or petitions shall be subject to amendment at any time prior to final submission of the case to the Court of Claims. Such petition or petitions may, in addition to alleging specific claims, demand a general accounting of all funds and property expended or used by the United States for the account of said Indians, in which event the General Accounting Office shall within a reasonable time from date of filing said petition or petitions make a complete audit of said accounts, and, in addition to the usual copies furnished the Attorney General, shall furnish a copy thereof to the attorney or attorneys for said Indians; and the court, after full hearing, shall state the account and render judgment in accordance therewith.

Presentation of
claims.

Time limitation for
filing petition.

Amendments to pe-
tition.

Audit of accounts.

SEC. 3. That at the trial of any suit instituted hereunder the court shall settle and determine the rights therein, both legal and equitable, of said Indians against the United States, notwithstanding lapse of time or statutes of limitation. In the determination of the validity of any claim asserted or defense interposed hereunder, the court shall have the full power and authority of a court of equity.

Settlement, etc., of
rights of Indians.

SEC. 4. That the court shall have authority, by proper orders and process, to make parties to any suit or suits instituted hereunder any other tribe, band, or group of Indians deemed by it necessary or proper to a final determination of the matters in controversy.

Joining of other
Indians to suit.

SEC. 5. That in any suit instituted hereunder any letter, paper, document, map, or record in the possession of any officer or department of the United States (or certified copies thereof) may be used in evidence, and the departments of the Government of the United States shall give full and free access to the attorney or attorneys for said Indians to such letters, papers, documents, maps, or records as may be useful to said attorney or attorneys in the preparation for trial or trials of such suit or suits.

Use of documents,
etc., as evidence.

Set-offs, etc.

SEC. 6. That no payment or payments which have been made by the United States upon any claim or claims asserted in any suit brought hereunder, or expended for any of the said Indians, shall operate as an estoppel against any suit brought hereunder, but there shall be set off against any recovery obtained by said Indians hereunder any payment made by the United States on any claim asserted by said Indians, together with such gratuity expenditures as are directed to be set off by the Act of Congress, approved August 12, 1935 (49 Stat. 596): *Provided*, That no moneys expended for the benefit of said Indians under the Wheeler-Howard Act, approved June 18, 1934 (48 Stat. 984), shall be applicable as set-offs.

25 U. S. C. § 475a.

25 U. S. C. §§ 461-479.

Attorneys' fees.

SEC. 7. That upon the final determination of any suit or suits instituted hereunder, the Court of Claims, in the event of judgment for said Indians shall determine such fees or compensation to be paid the attorney or attorneys as said court shall find reasonable or equitable, and in addition thereto such actual and necessary expenses as shall have been incurred by the attorney or attorneys in the prosecution of said claims. In no case shall the fees or compensation decreed by said Court of Claims be in excess of the amount stipulated in the contract or contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and in no event to exceed 10 per centum of the amount of the recovery, and shall be paid out of any money appropriated by Congress for the benefit of said Indians pursuant to any judgment hereunder.

SEC. 8. That the amount of any judgment recovered for said Indians, less attorneys' fees and expenses, shall be placed to the credit of said Indians in the Treasury of the United States and shall draw interest at the rate of 4 per centum per annum from date of judgment and shall thereafter be subject to appropriation by Congress and used for the benefit of said Indians, including, but without limitations, the purchase of lands, livestock, farming implements, erection of buildings and improvements, and for productive enterprises, with the approval of the Secretary of the Interior and the consent of said Indians.

Approved July 30, 1946.

[CHAPTER 704]

AN ACT

To fix the salaries of certain judges of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following salaries shall be paid to the several judges hereinafter mentioned in lieu of the salaries now provided by law, namely:

To the Chief Justice of the United States at the rate of \$25,500 per year.

To each of the Associate Justices of the Supreme Court of the United States at the rate of \$25,000 per year.

To each of the judges of the several circuit courts of appeals, including the chief justice and the associate justices of the United States Court of Appeals for the District of Columbia, at the rate of \$17,500 per year.

To the presiding judge of the United States Court of Customs and Patent Appeals, and to each of the associate judges thereof, at the rate of \$17,500 per year.

To the chief justice of the Court of Claims, and to each of the judges thereof, at the rate of \$17,500 per year.

To each of the judges of the several district courts, including the associate justices of the District Court of the United States for the District of Columbia and the judges in Puerto Rico, Hawaii, the

Deposit of amounts recovered to credit of Indians.

July 31, 1946

[S. 920]

[Public Law 507]

U. S. courts.
Salaries of certain judges.

Virgin Islands, and Alaska exercising Federal Jurisdiction, at the rate of \$15,000 per year.

To the chief justice of the District Court of the United States for the District of Columbia at the rate of \$15,500 per year.

To each of the judges of the United States Customs Court at the rate of \$15,000 per year.

To each of the Judges of The Tax Court of the United States at the rate of \$15,000 per year.

That all of said salaries shall be paid in monthly installments.

SEC. 2. It is authorized that there be appropriated annually such sums as are necessary to carry out the provisions of this Act.

Appropriation authorized.

Approved July 31, 1946.

[CHAPTER 705]

AN ACT

To authorize increases in the salary rates of teachers, school officers, and other employees of the Board of Education of the District of Columbia whose pay is fixed and regulated by the District of Columbia Teachers' Salary Act of 1945, as amended.

July 31, 1946
[S. 2352]
[Public Law 568]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the fiscal year commencing July 1, 1946, all employees of the Board of Education whose salaries are fixed and regulated by the District of Columbia Teachers' Salary Act of 1945, as amended, except the Superintendent of Schools, shall receive, in addition to the compensation already provided for under such Act, as amended, additional compensation at the rate of \$450 per annum.

Board of Education employees, D. C. Additional compensation.

59 Stat. 488.
D. C. Code, Supp. V, §§ 31-638 to 31-658.

SEC. 2. There is authorized to be appropriated, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act, and any appropriations for the public schools of the District of Columbia for personal services are hereby made available for the payment of the increased salaries authorized by this Act.

Appropriation authorized.

SEC. 3. The Board of Education is hereby directed to make a study of the pay scales and classifications of the employees of the said Board whose salaries are fixed and determined by the District of Columbia Teachers' Salary Act of 1945, as amended, for the purpose of determining what salary and classification adjustments, if any, may be necessary or desirable, and to make a report, including its findings and recommendations, to the respective chairmen of the Senate and House District Committees not later than February 1, 1947.

Study of pay scales and classifications.

Supra.

Report to Congress.

SEC. 4. This Act shall take effect as of July 1, 1946.

Effective date.

Approved July 31, 1946.

[CHAPTER 706]

AN ACT

To authorize the Secretary of the Interior to construct the Lewiston Orchards project, Idaho, in accordance with the Federal reclamation laws.

July 31, 1946
[S. 2372]
[Public Law 569]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of irrigating lands and for purposes incidental thereto, there is hereby authorized to be constructed, operated, and maintained the Lewiston Orchards project, Idaho, substantially in accordance with the recommendations of the regional director of the Bureau of Reclamation, region numbered I, in his report dated December 3, 1945,

Lewiston Orchards project, Idaho.

Reimbursable costs.

as concurred in by the Commissioner of Reclamation and the Secretary of the Interior: *Provided*, That, notwithstanding any recommendations to the contrary contained in said report, all costs of said project allocated to irrigation and all costs of said project allocated to municipal water supply shall be reimbursable under the Federal reclamation laws but within repayment periods to be fixed by the Secretary of the Interior and not to exceed fifty years.

Appropriation authorized.

SEC. 2. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, such sums as may be required for the purposes of this Act.

Approved July 31, 1946.

[CHAPTER 707]

AN ACT

To define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes.

July 31, 1946

[S. 2405]

[Public Law 570]

U. S. Capitol Grounds. Definition of area.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Capitol Grounds shall comprise all squares, reservations, streets, roadways, walks, and other areas as defined on a map entitled "Map showing areas comprising United States Capitol Grounds", dated June 25, 1946, approved by the Architect of the Capitol and recorded in the Office of the Surveyor of the District of Columbia in book 127, page 8, and the jurisdiction and control over the United States Capitol Grounds, heretofore vested by law in the Architect of the Capitol, is hereby extended to the entire area of the United States Capitol Grounds as defined on the aforementioned map, and the Architect of the Capitol shall be responsible for the maintenance and improvement thereof: *Provided*, That those streets and roadways in said United States Capitol Grounds shown on said map as being under the jurisdiction and control of the Commissioners of the District of Columbia shall continue under such jurisdiction and control, and said Commissioners shall be responsible for the maintenance and improvement thereof: *Provided further*, That the Commissioners of the District of Columbia shall be permitted to enter any part of said United States Capitol Grounds for the purpose of repairing or maintaining or, subject to the approval of the Architect of the Capitol, for the purpose of constructing or altering, any utility service of the District of Columbia government.

Jurisdiction and control.

Repair, etc., of utility services.

Restriction on public use.

Use of roads.

Sale of articles, etc.

Injury, etc., of structures or plants.

Discharge of firearms, etc.

SEC. 2. Public travel in and occupancy of said United States Capitol Grounds shall be restricted to the roads, walks, and places prepared for that purpose by flagging, paving, or otherwise.

SEC. 3. It is forbidden to occupy the roads in said United States Capitol Grounds in such manner as to obstruct or hinder their proper use, or to use the roads in the area of said United States Capitol Grounds, south of Constitution Avenue and B Street and north of Independence Avenue and B Street, for the conveyance of goods or merchandise, except to or from the Capitol on Government service.

SEC. 4. It is forbidden to offer or expose any article for sale in said United States Capitol Grounds; to display any sign, placard, or other form of advertisement therein; to solicit fares, alms, subscriptions, or contributions therein.

SEC. 5. It is forbidden to step or climb upon, remove, or in any way injure any statue, seat, wall, fountain, or other erection or architectural feature, or any tree, shrub, plant, or turf in said United States Capitol Grounds.

SEC. 6. It is forbidden to discharge any firearm, firework or explosive, set fire to any combustible, make any harangue or oration, or

utter loud, threatening, or abusive language in said United States Capitol Grounds.

SEC. 7. It is forbidden to parade, stand, or move in processions or assemblages in said United States Capitol Grounds, or to display therein any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement, except as hereinafter provided in sections 11 and 12 of this Act.

SEC. 8. Offenses against sections 2 to 7, both inclusive, of this Act shall be punishable by a fine not exceeding \$100, or imprisonment not exceeding sixty days, or by both such fine and imprisonment, prosecution for such offenses to be had in The Municipal Court for the District of Columbia, upon information by the United States Attorney or any of his assistants: *Provided*, That in cases where public property is damaged in an amount exceeding \$100, the offense shall be punishable by imprisonment for not more than five years.

SEC. 9. The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of this Act and regulations promulgated under section 14 thereof, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States or of any State, or any regulation promulgated pursuant thereto: *Provided*, That the Metropolitan Police force of the District of Columbia are hereby authorized to make arrests within the United States Capitol Buildings and Grounds for any violations of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds, with the exception of the streets and roadways shown on the map referred to in section 1 of this Act as being under the jurisdiction and control of the Commissioners of the District of Columbia. For the purpose of this section, the word "grounds" shall include the House Office Building parking area.

SEC. 10. It shall be the duty of all persons employed in the service of the Government in the Capitol or in the United States Capitol Grounds to prevent, as far as may be in their power, offenses against this Act, and to aid the police, by information or otherwise, in securing the arrest and conviction of offenders.

SEC. 11. In order to admit of the due observance within the United States Capitol Grounds of occasions of national interest becoming the cognizance and entertainment of Congress, the President of the Senate and the Speaker of the House of Representatives, acting concurrently, are hereby authorized to suspend for such proper occasions so much of the prohibitions contained in sections 2 to 7, both inclusive, of this Act as would prevent the use of the roads and walks of the said grounds by processions or assemblages, and the use upon them of suitable decorations, music, addresses, and ceremonies: *Provided*, That responsible officers shall have been appointed, and arrangements determined which are adequate, in the judgment of said President of the Senate and Speaker of the House of Representatives, for the maintenance of suitable order and decorum in the proceedings, and for guarding the Capitol and its grounds from injury.

SEC. 12. In the absence from Washington of either of the officers designated in section 11, the authority therein given to suspend certain prohibitions of this Act shall devolve upon the other, and in the absence from Washington of both it shall devolve upon the Capitol Police

Processions or assemblages.

Penalties.

Capitol Police.

Metropolitan Police.

"Grounds."

Prevention of offenses.

Suspension of prohibitions.

Use of Louisiana Avenue.

Board: *Provided*, That notwithstanding the provisions of sections 7 and 11 of this Act, the Capitol Police Board is hereby authorized to grant the Commissioners of the District of Columbia authority to permit the use of Louisiana Avenue for any of the purposes prohibited by said section 7.

Concerts.

SEC. 13. Nothing in the foregoing sections shall be construed to prohibit the giving of concerts in the United States Capitol Grounds, at such times as will not interfere with the Congress, by any band in the service of the United States, when and as authorized by the Architect of the Capitol.

Authority of Capitol Police Board.

SEC. 14. (a) The Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, shall have exclusive charge and control of the regulation and movement of all vehicular and other traffic, including the parking and impounding of vehicles and limiting the speed thereof, within the United States Capitol Grounds, except on those streets and roadways shown on the map referred to in section 1 of this Act as being under the jurisdiction and control of the Commissioners of the District of Columbia; and said Board is hereby authorized and empowered to make and enforce all necessary regulations therefor and to prescribe penalties for violation of such regulations, such penalties not to exceed a fine of \$300 or imprisonment for not more than ninety days. Notwithstanding the foregoing provisions of this section those provisions of the District of Columbia Traffic Act of 1925, as amended, for the violation of which specific penalties are provided in said Act, as amended, shall be applicable to the United States Capitol Grounds. Prosecutions for violation of such regulations shall be in The Municipal Court for the District of Columbia, upon information by the Corporation Counsel of the District of Columbia or any of his assistants.

Regulations.

43 Stat. 1119.
D.C. Code § 40-601
et seq.; Supp. V, § 40-601 et seq.

Promulgation of regulations.

(b) Regulations authorized to be promulgated under this section shall be promulgated by the Capitol Police Board within six months after approval of this Act: *Provided*, That until such regulations are promulgated and become effective, the traffic regulations of the District of Columbia shall be applicable to the United States Capitol Grounds.

(c) All regulations promulgated under the authority of this section shall, when adopted by the Capitol Police Board, be printed in one or more of the daily newspapers published in the District of Columbia, and shall not become effective until the expiration of ten days after the date of such publication.

Cooperation with Board.

(d) It shall be the duty of the Commissioners of the District of Columbia, or any officer or employee of the government of the District of Columbia designated by said Commissioners, upon request of the Capitol Police Board, to cooperate with the Board in the preparation of the regulations authorized to be promulgated under this section, and any future amendments thereof.

Repeals.

40 U. S. C. §§ 194-204; Supp. V, §§ 194-204 note.

SEC. 15. The Act entitled "An Act to regulate the use of the Capitol Grounds", approved July 1, 1882 (22 Stat. 126), the second sentence of the first paragraph under the heading "Capitol Police", contained in section 1 of an Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, and for other purposes", approved May 28, 1896 (29 Stat. 143; U. S. C., title 40, sec. 213), the proviso in the paragraph "Lighting the Capitol and Grounds", contained in an Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes", approved June 6, 1900 (31 Stat. 613; U. S. C., title 40, sec. 205), and sections 881 to 890, both inclusive, of the Act entitled, "An Act to establish a code of law for the District of Columbia",

approved March 3, 1901 (31 Stat. 1333, 1334), are hereby repealed: *Provided, however*, That any violation of any of the provisions of said Acts hereby repealed, occurring before the date of this repeal, may be prosecuted to the same extent as if this Act had not been enacted.

SEC. 16. (a) The provisions of the foregoing sections of this Act, except section 9, shall not be construed to extend inside the Capitol Buildings; and the words "Capitol Buildings" as used in this Act, shall be construed to include the United States Capitol, Senate Office Building, House Office Buildings, Capitol Power Plant, and Legislative Garage.

(b) Nothing in this Act shall be construed to repeal, amend, alter, or supersede (1) section 1820 of the Revised Statutes (U. S. C., title 40, sec. 193); (2) an Act entitled "An Act to protect the public property, turf, and grass of the Capitol Grounds from injury", approved April 29, 1876 (19 Stat. 41; U. S. C., title 40, sec. 214); (3) except as provided in section 9 of this Act, section 15 of an Act entitled "An Act for the preservation of the public peace and the protection of property within the District of Columbia", approved July 29, 1892 (27 Stat. 325; U. S. C., title 40, sec. 101); (4) the second proviso in the item "Capitol garages" under the caption "Capitol Buildings and Grounds" contained in an Act entitled "An Act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes", approved June 30, 1932 (47 Stat. 382, 391; U. S. C., title 40, sec. 185a); or (5) an Act entitled "An Act to authorize the use of part of the United States Capitol Grounds east of the Union Station for the parking of motor vehicles", approved July 8, 1943 (57 Stat. 390).

Approved July 31, 1946.

40 U. S. C. §§ 194-204; Supp. V, §§ 194-204 note.
Violations prior to repeal.

Nonapplicability within Capitol Buildings.

40 U. S. C., Supp. V, § 101 note.

[CHAPTER 708]

AN ACT

To amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601).

July 31, 1946
[H. R. 388]
[Public Law 571]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601) is hereby amended by adding the following subsection to be known as subsection (i):

Nationality Act of 1940, amendment.

"(i) A person born outside the United States and its outlying possessions of parents one of whom is a citizen of the United States who has served or shall serve honorably in the armed forces of the United States after December 7, 1941, and before the date of the termination of hostilities in the present war as proclaimed by the President or determined by a joint resolution by the Congress and who, prior to the birth of such person, has had ten years' residence in the United States or one of its outlying possessions, at least five of which were after attaining the age of twelve years, the other being an alien: *Provided*, That in order to retain such citizenship, the child must reside in the United States or its outlying possessions for a period or periods totaling five years between the ages of thirteen and twenty-one years: *Provided further*, That, if the child has not taken up a residence in the United States or its outlying possessions by the time he reaches the age of sixteen years, or if he resides abroad for such a time that it becomes impossible for him to complete the five years' residence in the United States or its outlying possessions before reaching the age of twenty-one years, his American citizenship shall thereupon cease."

Child born outside U. S.

Residence of child in U. S.

Loss of American citizenship.

Approved July 31, 1946.

[CHAPTER 709]

AN ACT

To amend the Railroad Retirement Acts, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code; and for other purposes.

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

DIVISION I

SECTION 1. Section 1 (c) of the Railroad Retirement Act of 1937, section 1 (e) of the Railroad Unemployment Insurance Act, and section 1532 (d) of the Internal Revenue Code are each amended as follows: After the word "if" where it first appears therein insert "(i)" and for the phrase "which services he renders for compensation" substitute the following: "or he is rendering professional or technical services and is integrated into the staff of the employer, or he is rendering, on the property used in the employer's operations, other personal services the rendition of which is integrated into the employer's operations, and (ii) he renders such service for compensation", and for the purpose of continuing the amendment of the Railroad Retirement Act of 1937, only, add after the word "compensation" the following: ", or a method of computing the monthly compensation for such service is provided in section 3 (c)". Said subsections are further amended by inserting at the end of the first proviso the following: ", and if the application of such mileage formula, or such other formula as the Board may prescribe, would result in the compensation of the individual being less than 10 per centum of his remuneration for such service no part of such remuneration shall be regarded as compensation".

SEC. 2. Section 1 (h) of the Railroad Retirement Act of 1937 is amended by substituting for the words "earned by" the words "paid to", and section 1 (i) of the Railroad Unemployment Insurance Act is amended by substituting for the word "payable" the word "paid"; and by inserting at the end of said section 1 (h) of the Railroad Retirement Act of 1937 and at the end of said section 1 (i) of the Railroad Unemployment Insurance Act, the following: "A payment made by an employer to an individual through the employer's pay roll shall be presumed, in the absence of evidence to the contrary, to be compensation for service rendered by such individual as an employee of the employer in the period with respect to which the payment is made. An employee shall be deemed to be paid, 'for time lost' the amount he is paid by an employer with respect to an identifiable period of absence from the active service of the employer, including absence on account of personal injury, and the amount he is paid by the employer for loss of earnings resulting from his displacement to a less remunerative position or occupation. If a payment is made by an employer with respect to a personal injury and includes pay for time lost, the total payment shall be deemed to be paid for time lost unless, at the time of payment, a part of such payment is specifically apportioned to factors other than time lost, in which event only such part of the payment as is not so apportioned shall be deemed to be paid for time lost. Compensation earned in any calendar month before 1947 shall be deemed paid in such month regardless of whether or when payment will have been in fact made, and compensation earned in any calendar year after 1946 but paid after the end of such calendar year shall be deemed to be compensation paid in the calendar year in which it will have been earned if it is so reported by the employer before February 1 of the next succeeding calendar year or, if the employee

Railroad retirement and unemployment insurance.

50 Stat. 308; 52 Stat. 1095; 53 Stat. 182.

45 U. S. C. §§ 228a (c), 351 (e); Supp. V, §§ 228a (c), 351 (e).
26 U. S. C. § 1532 (d); Supp. V, § 1532 (d).

Post, p. 728.

50 Stat. 309; 52 Stat. 1095.

45 U. S. C. §§ 228a (h), 351 (i).

Compensation for service rendered.

Payment for time lost.

Compensation earned prior to 1947.

establishes, subject to the provisions of section 8, the period during which such compensation will have been earned.”; and in said section 1 (h), immediately after the word “earned” at the end of this insertion, insert the following additional language: “In determining the monthly compensation, the average monthly remuneration, and quarters of coverage of any employee, there shall be attributable as compensation paid to him in each calendar month in which he is in military service creditable under section 4 the amount of \$160 in addition to the compensation, if any, paid to him with respect to such month.”

SEC. 3. (a) Section 1500 of the Internal Revenue Code is amended to read as follows:

“SEC. 1500. RATE OF TAX.

“In addition to other taxes, there shall be levied, collected, and paid upon the income of every employee a tax equal to the following percentages of so much of the compensation, paid to such employee after December 31, 1946, for services rendered by him after such date, as is not in excess of \$300 for any calendar month:

“1. With respect to compensation paid during the calendar years 1947 and 1948, the rate shall be 5¾ per centum;

“2. With respect to compensation paid during the calendar years 1949, 1950, and 1951, the rate shall be 6 per centum;

“3. With respect to compensation paid after December 31, 1951, the rate shall be 6¼ per centum.”

(b) The second sentence of section 1501 (a) of the Internal Revenue Code is amended to read as follows: “If an employee is paid compensation after December 31, 1946, by more than one employer for services rendered during any calendar month after 1946 and the aggregate of such compensation is in excess of \$300, the tax to be deducted by each employer other than a subordinate unit of a national railway-labor-organization employer from the compensation paid by him to the employee with respect to such month shall be that proportion of the tax with respect to such compensation paid by all such employers which the compensation paid by him after December 31, 1946, to the employee for services rendered during such month bears to the total compensation paid by all such employers after December 31, 1946, to such employee for services rendered during such month; and in the event that the compensation so paid by such employers to the employee for services rendered during such month is less than \$300, each subordinate unit of a national railway-labor-organization employer shall deduct such proportion of any additional tax as the compensation paid by such employer after December 31, 1946, to such employee for services rendered during such month bears to the total compensation paid by all such employers after December 31, 1946, to such employee for services rendered during such month.”

(c) Section 1510 of the Internal Revenue Code is amended to read as follows:

“SEC. 1510. RATE OF TAX.

“In addition to other taxes, there shall be levied, collected, and paid upon the income of each employee representative a tax equal to the following percentages of so much of the compensation, paid to such employee representative after December 31, 1946, for services rendered by him after such date, as is not in excess of \$300 for any calendar month:

“1. With respect to compensation paid during the calendar years 1947 and 1948, the rate shall be 11½ per centum;

“2. With respect to compensation paid during the calendar years 1949, 1950, and 1951, the rate shall be 12 per centum;

52 Stat. 1102.
46 U. S. C. § 358.
Post, p. 739.

Military service.

52 Stat. 1097.
45 U. S. C. § 354.
Post, pp. 737, 738.
53 Stat. 179.
26 U. S. C. § 1500.

Income not in excess
of \$300 a month.

53 Stat. 179.
26 U. S. C. § 1501 (a)
Employee paid by
more than one em-
ployer.

53 Stat. 180.
26 U. S. C. § 1510.

Employee repre-
sentative.

"3. With respect to compensation paid after December 31, 1951, the rate shall be 12½ per centum."

53 Stat. 180.
26 U. S. C. § 1520.

(d) Section 1520 of the Internal Revenue Code is amended to read as follows:

"SEC. 1520. RATE OF TAX.

Excise tax paid by employer.

"In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of so much of the compensation, paid by such employer after December 31, 1946, for services rendered to him after December 31, 1936, as is, with respect to any employee for any calendar month, not in excess of \$300: *Provided, however,* That if an employee is paid compensation after December 31, 1946, by more than one employer for services rendered during any calendar month after 1936, the tax imposed by this section shall apply to not more than \$300 of the aggregate compensation paid to such employee by all such employers after December 31, 1946, for services rendered during such month, and each employer other than a subordinate unit of a national railway-labor-organization employer shall be liable for that proportion of the tax with respect to such compensation paid by all such employers which the compensation paid by him after December 31, 1946, to the employee for services rendered during such month bears to the total compensation paid by all such employers after December 31, 1946, to such employee for services rendered during such month; and in the event that the compensation so paid by such employers to the employee for services rendered during such month is less than \$300, each subordinate unit of a national railway-labor-organization employer shall be liable for such proportion of any additional tax as the compensation paid by such employer after December 31, 1946, to such employee for services rendered during such month bears to the total compensation paid by all such employers after December 31, 1946, to such employee for services rendered during such month:

"1. With respect to compensation paid during the calendar years 1947 and 1948, the rate shall be 5¾ per centum;

"2. With respect to compensation paid during the calendar years 1949, 1950, and 1951, the rate shall be 6 per centum;

"3. With respect to compensation paid after December 31, 1951, the rate shall be 6¼ per centum."

53 Stat. 182.
26 U. S. C. § 1532 (b).

(e) Section 1532 (b) of the Internal Revenue Code is amended to read as follows:

"Employee."

"(b) **EMPLOYEE.**—The term 'employee' means any individual in the service of one or more employers for compensation: *Provided, however,* That the term 'employee' shall include an employee of a local lodge or division defined as an employer in subsection (a) only if he was in the service of or in the employment relation to a carrier on or after August 29, 1935. An individual shall be deemed to have been in the employment relation to a carrier on August 29, 1935, if (i) he was on that date on leave of absence from his employment, expressly granted to him by the carrier by whom he was employed, or by a duly authorized representative of such carrier, and the grant of such leave of absence will have been established to the satisfaction of the Railroad Retirement Board before July 1947; or (ii) he was in the service of a carrier after August 29, 1935, and before January 1946 in each of six calendar months, whether or not consecutive; or (iii) before August 29, 1935, he did not retire and was not retired or discharged from the service of the last carrier by whom he was employed or its corporate or operating successor, but (A) solely by reason of his physical or mental disability he ceased before August 29, 1935, to be in the service of such carrier and thereafter remained continuously disabled until he attained age sixty-five or until August 1945, or (B) solely for such

Individual in employment relation.

last stated reason a carrier by whom he was employed before August 29, 1935, or a carrier who is its successor did not on or after August 29, 1935, and before August 1945 call him to return to service, or (C) if he was so called he was solely for such reason unable to render service in six calendar months as provided in clause (ii); or (iv) he was on August 29, 1935, absent from the service of a carrier by reason of a discharge which, within one year after the effective date thereof, was protested, to an appropriate labor representative or to the carrier, as wrongful, and which was followed within ten years of the effective date thereof by his reinstatement in good faith to his former service with all his seniority rights: *Provided*, That an individual shall not be deemed to have been on August 29, 1935, in the employment relation to a carrier if before that date he was granted a pension or gratuity on the basis of which a pension was awarded to him pursuant to section 6 of the Railroad Retirement Act of 1937, or if during the last pay-roll period before August 29, 1935, in which he rendered service to a carrier he was not in the service of an employer, in accordance with subsection (d), with respect to any service in such pay-roll period, or if he could have been in the employment relation to an employer only by reason of his having been, either before or after August 29, 1935, in the service of a local lodge or division defined as an employer in subsection (a).

Restrictions.

50 Stat. 312.
45 U. S. C. § 228f.*Ante*, p. 722.

“The term ‘employee’ includes an officer of an employer.

“The term ‘employee’ shall not include any individual while such individual is engaged in the physical operations consisting of the mining of coal, the preparation of coal, the handling (other than movement by rail with standard railroad locomotives) of coal not beyond the mine tippie, or the loading of coal at the tippie.”

Individual engaged
in mining, etc., of coal.

(f) Section 1532 (e) of the Internal Revenue Code is amended by adding at the end thereof the following new paragraph:

53 Stat. 182.
26 U. S. C. § 1532 (e).

“A payment made by an employer to an individual through the employer’s pay roll shall be presumed, in the absence of evidence to the contrary, to be compensation for service rendered by such individual as an employee of the employer in the period with respect to which the payment is made. An employee shall be deemed to be paid, ‘for time lost’ the amount he is paid by an employer with respect to an identifiable period of absence from the active service of the employer, including absence on account of personal injury, and the amount he is paid by the employer for loss of earnings resulting from his displacement to a less remunerative position or occupation. If a payment is made by an employer with respect to a personal injury and includes pay for time lost, the total payment shall be deemed to be paid for time lost unless, at the time of payment, a part of such payment is specifically apportioned to factors other than time lost, in which event only such part of the payment as is not so apportioned shall be deemed to be paid for time lost.”

Compensation for
service rendered.Payment for time
lost.

(g) Subchapter B of Chapter 9 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

53 Stat. 179.
26 U. S. C. §§ 1500-
1537; Supp. V, s 1532
et seq.
Ante, p. 722 et seq.

“SEC. 1538. TITLE OF SUBCHAPTER.

“This subchapter may be cited as the ‘Railroad Retirement Tax Act’.”

DIVISION II

SEC. 201. Section 1 (d) of the Railroad Retirement Act of 1937 is amended to read as follows:

50 Stat. 306.
45 U. S. C. § 228a (d).

“(d) An individual shall be deemed to have been in the employment relation to an employer on the enactment date if (i) he was on that date on leave of absence from his employment, expressly granted to him by the employer by whom he was employed, or by a

Individual in
employment relation.

duly authorized representative of such employer, and the grant of such leave of absence will have been established to the satisfaction of the Board before July 1947; or (ii) he was in the service of an employer after the enactment date and before January 1946 in each of six calendar months, whether or not consecutive; or (iii) before the enactment date he did not retire and was not retired or discharged from the service of the last employer by whom he was employed or its corporate or operating successor, but (A) solely by reason of his physical or mental disability he ceased before the enactment date to be in the service of such employer and thereafter remained continuously disabled until he attained age sixty-five or until August 1945 or (B) solely for such last stated reason an employer by whom he was employed before the enactment date or an employer who is its successor did not on or after the enactment date and before August 1945 call him to return to service, or (C) if he was so called he was solely for such reason unable to render service in six calendar months as provided in clause (ii); or (iv) he was on the enactment date absent from the service of an employer by reason of a discharge which, within one year after the effective date thereof, was protested, to an appropriate labor representative or to the employer, as wrongful, and which was followed within ten years of the effective date thereof by his reinstatement in good faith to his former service with all his seniority rights: *Provided*, That an individual shall not be deemed to have been on the enactment date in the employment relation to an employer if before that date he was granted a pension or gratuity on the basis of which a pension was awarded to him pursuant to section 6, or if during the last pay-roll period before the enactment date in which he rendered service to an employer he was not in the service of an employer, in accordance with subsection (c), with respect to any service in such pay-roll period, or if he could have been in the employment relation to an employer only by reason of his having been, either before or after the enactment date in the service of a local lodge or division defined as an employer in section 1 (a).

Restrictions.

50 Stat. 312.
45 U. S. C. § 228f.

Ante, p. 722.

50 Stat. 307.
45 U. S. C. § 228a (a).
50 Stat. 308.
45 U. S. C. § 228a (f).
Service included.

SEC. 202. Section 1 (f) is amended by changing the period at the end of the proviso to a semicolon and adding "it may also be included as to service rendered to a person not an employer in the performance of operations involving the use of standard railroad equipment if such operations were performed by an employer on the enactment date." Section 1 (f) is further amended by substituting for the word "An" in the next to the last sentence the following: "Ultimate fractions shall be taken at their actual value, except that if the individual will have had not less than fifty-four months of service, an" and by striking out the last sentence.

SEC. 203. A new subsection is added to section 1 as follows:

"(o) An individual shall be deemed to have 'a current connection with the railroad industry' at the time an annuity begins to accrue to him and at death if, in any thirty consecutive calendar months before the month in which an annuity under section 2 begins to accrue to him (or the month in which he dies if that first occurs), he will have been in service as an employee in not less than twelve calendar months and, if such thirty calendar months do not immediately precede such month, he will not have been engaged in any regular employment other than employment for an employer in the period before such month and after the end of such thirty months. For the purposes of section 5 only, an individual shall be deemed also to have a 'current connection with the railroad industry' if he is in all other respects completely insured but would not be fully insured under the

"Current connection with the railroad industry."

50 Stat. 309.
45 U. S. C. § 228b.
Post, pp. 727, 728.

50 Stat. 312.
45 U. S. C. § 228e;
Supp. V, § 228e.
Post, p. 729.

Social Security Act, or if he is in all other respects partially insured but would be neither fully nor currently insured under the Social Security Act, or if he has no wage quarters of coverage."

SEC. 204. A new subsection is added to section 1 as follows:

"(p) The terms 'quarter' and 'calendar quarter' shall mean a period of three calendar months ending on March 31, June 30, September 30, or December 31."

SEC. 205. Section 2 (a) is amended by substituting for all that portion of the subsection after the first numbered paragraph the following:

"2. Women who will have attained the age of sixty and will have completed thirty years of service.

"3. Individuals who will have attained the age of sixty and will have completed thirty years of service, but the annuity of such an individual shall be reduced by one one-hundred-and-eightieth for each calendar month that he is under age sixty-five when his annuity begins to accrue.

"4. Individuals having a current connection with the railroad industry, and whose permanent physical or mental condition is such as to be disabling for work in their regular occupation, and who (i) will have completed twenty years of service or (ii) will have attained the age of sixty. The Board, with the cooperation of employers and employees, shall secure the establishment of standards determining the physical and mental conditions which permanently disqualify employees for work in the several occupations in the railroad industry, and the Board, employers, and employees shall cooperate in the promotion of the greatest practicable degree of uniformity in the standards applied by the several employers. An individual's condition shall be deemed to be disabling for work in his regular occupation if he will have been disqualified by his employer because of disability for service in his regular occupation in accordance with the applicable standards so established; if the employee will not have been so disqualified by his employer, the Board shall determine whether his condition is disabling for work in his regular occupation in accordance with the standards generally established; and, if the employee's regular occupation is not one with respect to which standards will have been established, the standards relating to a reasonably comparable occupation shall be used. If there is no such comparable occupation, the Board shall determine whether the employee's condition is disabling for work in his regular occupation by determining whether under the practices generally prevailing in industries in which such occupation exists such condition is a permanent disqualification for work in such occupation. For the purposes of this section, an employee's 'regular occupation' shall be deemed to be the occupation in which he will have been engaged in more calendar months than the calendar months in which he will have been engaged in any other occupation during the last preceding five calendar years, whether or not consecutive, in each of which years he will have earned wages or salary, except that, if an employee establishes that during the last fifteen consecutive calendar years he will have been engaged in another occupation in one-half or more of all the months in which he will have earned wages or salary, he may claim such other occupation as his regular occupation; or

"5. Individuals whose permanent physical or mental condition is such that they are unable to engage in any regular employment and who (i) have completed ten years of service, or (ii) have attained the age of sixty.

"Such satisfactory proof shall be made from time to time as prescribed by the Board, of the disability provided for in paragraph 4

49 Stat. 620.
42 U. S. C. § 1305;
Supp. V, § 401 *et seq.*
Post, pp. 732, 979
et seq.
Ante, pp. 722, 725,
726.
"Quarter" and
"calendar quarter."

Eligibility for an-
nuities.
50 Stat. 309.
45 U. S. C. § 228b (a).

Women, etc., attain-
ing age 60.

Disabled individuals.

Establishment of
standards.

"Regular occupa-
tion."

Proof of disability.

or 5 and of the continuance of such disability (according to the standards applied in the establishment of such disability) until the employee attains the age of sixty-five. If the individual fails to comply with the requirements prescribed by the Board as to proof of the continuance of the disability until he attains the age of sixty-five years, his right to an annuity by reason of such disability shall, except for good cause shown to the Board, cease, but without prejudice to his rights to any subsequent annuity to which he may be entitled. If before attaining the age of sixty-five an employee in receipt of an annuity under paragraph 4 or 5 is found by the Board to be no longer disabled as provided in said paragraphs his annuity shall cease upon the last day of the month in which he ceases to be so disabled. An employee, in receipt of such annuity, who earns more than \$75 in service for hire, or in self-employment, in each of any six consecutive calendar months, shall be deemed to cease to be so disabled in the last of such six months; and such employee shall report to the Board immediately all such service for hire, or such self-employment. If after cessation of his disability annuity the employee will have acquired additional years of service, such additional years of service may be credited to him with the same effect as if no annuity had previously been awarded to him."

Employee found no longer disabled.

Crediting of additional service.

50 Stat. 310.
45 U. S. C. § 228b (b).

50 Stat. 311.
45 U. S. C. § 228c (4).

50 Stat. 311.
45 U. S. C. § 228c (c).
Infra.

Certain station employees.

Monthly compensation.

SEC. 206. Section 2 (b) is amended by substituting for "2 (b)" and "3" the numbers "4" and "5", respectively.

SEC. 207. Section 3 (b) (4) is amended by substituting for the portion of the sentence following "June 30, 1937" the following: "and after the end of the calendar year in which the individual attains the age of sixty-five".

SEC. 208. Section 3 (c) is amended by substituting the phrase "paid to an employee with respect to" for the phrase "earned by an employee in".

SEC. 209. Section 3 (c) is further amended by substituting for that portion of the subsection following the phrase "and (2)" the following: "the amount of compensation paid or attributable as paid to him with respect to each month of service before September 1941 as a station employee whose duties consisted of or included the carrying of passengers' hand baggage and otherwise assisting passengers at passenger stations and whose remuneration for service to the employer was, in whole or in substantial part, in the forms of tips, shall be the monthly average of the compensation paid to him as a station employee in his months of service in the period September 1940–August 1941: *Provided, however,* That where service in the period 1924–1931 in the one case, or in the period September 1940–August 1941 in the other case, is, in the judgment of the Board, insufficient to constitute a fair and equitable basis for determining the amount of compensation paid or attributable as paid to him in each month of service before 1937, or September 1941, respectively, the Board shall determine the amount of such compensation for each such month in such manner as in its judgment shall be fair and equitable. In computing the monthly compensation, no part of any month's compensation in excess of \$300 shall be recognized."

SEC. 210. Section 3 (e) is amended to read as follows:

"(e) In the case of an individual having a current connection with the railroad industry and not less than five years of service, the minimum annuity payable shall, before any reduction pursuant to subsection 2 (a) (3), be whichever of the following is the least: (1) \$3 multiplied by the number of his years of service; or (2) \$50; or (3) his monthly compensation."

50 Stat. 311.
45 U. S. C. § 228c (e).
Minimum annuity.

Ante, p. 727.

SEC. 211. Section 3 (f) is amended to read as follows:

"Annuity payments which will have become due an individual but will not yet have been paid at death shall be paid to the same individual or individuals who, in the event that a lump sum will have become payable pursuant to section 5 hereof upon such death, would be entitled to receive such lump sum, in the same manner as, and subject to the same limitations under which, such lump sum would be paid, except that, as determined by the Board, first, brothers and sisters of the deceased, and if there are none such, then grandchildren of the deceased, if living on the date of the determination, shall be entitled to receive payment prior to any payment being made for reimbursement of burial expenses. If there be no individual to whom payment can thus be made, such annuity payments shall escheat to the credit of the Railroad Retirement Account."

SEC. 212. Section 4 is repealed, section 3A is renumbered as section 4, subsections (h) and (m) of said section are repealed, and all references to section "3A" are changed to "4".

SEC. 213. The heading preceding section 5, and section 5 are amended to read as follows:

"ANNUITIES AND LUMP SUMS FOR SURVIVORS

"SEC. 5. (a) WIDOW'S INSURANCE ANNUITY.—A widow of a completely insured employee, who will have attained the age of sixty-five, shall be entitled during the remainder of her life or, if she remarries, then until remarriage to an annuity for each month equal to three-fourths of such employee's basic amount.

"(b) WIDOW'S CURRENT INSURANCE ANNUITY.—A widow of a completely or partially insured employee, who is not entitled to an annuity under subsection (a) and who at the time of filing an application for an annuity under this subsection will have in her care a child of such employee entitled to receive an annuity under subsection (c) shall be entitled to an annuity for each month equal to three-fourths of the employee's basic amount. Such annuity shall cease upon her death, upon her remarriage, when she becomes entitled to an annuity under subsection (a), or when no child of the deceased employee is entitled to receive an annuity under subsection (c), whichever occurs first.

"(c) CHILD'S INSURANCE ANNUITY.—Every child of an employee who will have died completely or partially insured shall be entitled, for so long as such child lives and meets the qualifications set forth in paragraph (1) of subsection (1), to an annuity for each month equal to one-half of the employee's basic amount.

"(d) PARENT'S INSURANCE ANNUITY.—Each parent, sixty-five years of age or over, of a completely insured employee, who will have died leaving no widow and no child, shall be entitled, for life, or, if such parent remarries after the employee's death, then until such remarriage, to an annuity for each month equal to one-half of the employee's basic amount.

"(e) When there is more than one employee with respect to whose death a parent or child is entitled to an annuity for a month, such annuity shall be one-half of whichever employee's basic amount is greatest.

"(f) LUMP-SUM PAYMENT.—Upon the death, on or after January 1, 1947, of a completely or partially insured employee who will have died leaving no widow, child, or parent who would on proper application therefor be entitled to receive an annuity under this section for the month in which such death occurred, there shall be paid a lump sum of eight times the employee's basic amount to the following person (or if more than one there shall be distributed among them) whose relationship to the deceased employee will have

50 Stat. 311.
45 U. S. C. § 228c (f).
Payment to survivors.

50 Stat. 312.
45 U. S. C. § 228c;
Supp. V, § 228 (e).
Infra.

50 Stat. 311; 54 Stat.
1014.
45 U. S. C. §§ 228d,
228c-1; Supp. V,
§ 228c-1.
50 Stat. 312.
45 U. S. C. § 228c;
Supp. V, § 228e.

Post, p. 733.

When more than
one employee.

been determined by the Board, and who will have been living on the date of such determination: to the widow or widower of the deceased; or, if no such widow or widower be then living, to any child or children of the deceased and to any other person or persons who, under the intestacy law of the State where the deceased will have been domiciled, will have been entitled to share as distributees with such children of the deceased, in such proportions as is provided by such law; or, if no widow or widower and no such child and no such other person be then living, to the parent or parents of the deceased, in equal shares. A person who is entitled to share as distributee with an above-named relative of the deceased shall not be precluded from receiving a payment under this subsection by reason of the fact that no such named relative will have survived the deceased or of the fact that no such named relative of the deceased will have been living on the date of such determination. If none of the persons described in this subsection be living on the date of such determination, such amount shall be paid to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid the expenses of burial of the deceased. If a lump sum would be payable to a widow, child, or parent under this subsection except for the fact that a survivor will have been entitled to receive an annuity for the month in which the employee will have died, but within one year after the employee's death there will not have accrued to survivors of the employee, by reason of his death annuities which, after all deductions pursuant to paragraph (1) of subsection (i) will have been made, are equal to such lump sum, a payment to any then surviving widow, children, or parents shall nevertheless be made under this subsection equal to the amount by which such lump sum exceeds such annuities so accrued after such deductions. No payment shall be made to any person under this subsection, unless application therefor shall have been filed, by or on behalf of any such person (whether or not legally competent), prior to the expiration of two years after the date of death of the deceased employee, except that if the deceased employee is a person to whom section 2 of the Act of March 7, 1942 (56 Stat. 143, 144), is applicable such two years shall run from the date on which the deceased employee, pursuant to said Act, is determined to be dead, and for all other purposes of this section such employee, so long as it does not appear that he is in fact alive, shall be deemed to have died on the date determined pursuant to said Act to be the date or presumptive date of death.

“(g) CORRELATION OF PAYMENTS.—(1) An individual, entitled on applying therefor to receive for a month before January 1, 1947, an insurance benefit under the Social Security Act on the basis of an employee's wages, which benefit is greater in amount than would be an annuity for such individual under this section with respect to the death of such employee, shall not be entitled to such annuity. An individual, entitled on applying therefor to any annuity or lump sum under this section with respect to the death of an employee, shall not be entitled to a lump-sum death payment or, for a month beginning on or after January 1, 1947, to any insurance benefits under the Social Security Act on the basis of the wages of the same employee.

“(2) A widow or child, otherwise entitled to an annuity under this section, shall be entitled only to that part of such annuity for a month which exceeds the total of any retirement annuity, and insurance benefit under the Social Security Act to which such widow or child would be entitled for such month on proper application

Person entitled to share as distributee.

Post, p. 731.

Filing of application.

50 U. S. C., Supp. V, app. § 1002.

49 Stat. 620.
42 U. S. C. § 1305;
Supp. V, § 401 *et seq.*
Post, pp. 732, 979 *et seq.*

Widow or child.

Supra.

therefor. A parent, otherwise entitled to an annuity under this section, shall be entitled only to that part of such annuity for a month which exceeds the total of any other annuity under this section, retirement annuity, and insurance benefit under the Social Security Act to which such parent would be entitled for such month on proper application therefor.

Parent.

“(h) **MAXIMUM AND MINIMUM ANNUITY TOTALS.**—Whenever according to the provisions of this section as to annuities, payable for a month with respect to the death of an employee, the total of annuities is more than \$20 and exceeds either (a) \$120, or (b) an amount equal to twice such employee’s basic amount, or with respect to employees other than those who will have been completely insured solely by virtue of subsection (1) (7) (iii), such total exceeds (c) an amount equal to 80 per centum of his average monthly remuneration, whichever of such amounts is least, such total of annuities shall, prior to any deductions under subsection (i), be reduced to such least amount or to \$20, whichever is greater. Whenever such total of annuities is less than \$10, such total shall, prior to any deductions under subsection (i), be increased to \$10.

Post, p. 734.

“(i) **DEDUCTIONS FROM ANNUITIES.**—(1) Deductions shall be made from any payments under this section to which an individual is entitled, until the total of such deductions equals such individual’s annuity or annuities under this section for any month in which such individual—

“(i) will have rendered compensated service within or without the United States to an employer;

“(ii) will have rendered service for wages of not less than \$25;

“(iii) if a child under eighteen and over sixteen years of age, will have failed to attend school regularly and the Board finds that attendance will have been feasible; or

“(iv) if a widow otherwise entitled to an annuity under subsection (b) will not have had in her care a child of the deceased employee entitled to receive an annuity under subsection (c);

“(2) The total of deductions for all events described in paragraph (1) occurring in the same month shall be limited to the amount of such individual’s annuity or annuities for that month. Such individual (or anyone in receipt of an annuity in his behalf) shall report to the Board the occurrence of any event described in paragraph (1).

“(3) Deductions shall also be made from any payments under this section with respect to the death of an employee until such deductions total—

Payments with respect to death of employee.

“(i) any death benefit, paid with respect to the death of such employee, under sections 5 of the Retirement Acts (other than a survivor annuity pursuant to an election);

“(ii) any lump sum paid, with respect to the death of such employee, under title II of the Social Security Act, or under section 203 of the Social Security Act in force prior to the date of the Social Security Act Amendments of 1939;

“(iii) any lump sum paid to such employee under section 204 of the Social Security Act in force prior to the date of the enactment of the Social Security Act Amendments of 1939, provided such lump sum will not previously have been deducted from any insurance benefit paid under the Social Security Act; and

“(iv) an amount equal to 1 per centum of any wages paid to such employee for services performed in 1939, and subsequent to his attaining age sixty-five, with respect to which the taxes imposed by section 1400 of the Internal Revenue Code will not have been deducted by his employer from his wages or paid by such employer, provided such amount will not previously have

Ante, p. 729.

49 Stat. 622, 623.
42 U. S. C. §§ 401-410a, 403; Supp. V, § 401 et seq.
Post, pp. 732, 979 et seq.
53 Stat. 1360.
42 U. S. C. § 302 et seq.; Supp. V, § 401 et seq.
Post, pp. 732, 979 et seq.
49 Stat. 624.
42 U. S. C. § 404.
Supra.
49 Stat. 620.
42 U. S. C. § 1305; Supp. V, § 401 et seq.
Post, pp. 732, 979 et seq.
53 Stat. 175.
26 U. S. C. § 1400; Supp. V, § 1400.
Post, p. 973.

49 Stat. 620.
42 U. S. C. § 1305;
Supp. V, § 401 *et seq.*
Infra; *post*, p. 979
et seq.

been deducted from any insurance benefit paid under the Social Security Act.

“(4) The deductions provided in this subsection shall be made in such amounts and at such time or times as the Board shall determine. Decreases or increases in the total of annuities payable for a month with respect to the death of an employee shall be equally apportioned among all annuities in such total. An annuity under this section which is not in excess of \$5 may, in the discretion of the Board, be paid in a lump sum equal to its commuted value as the Board shall determine.

“(j) WHEN ANNUITIES BEGIN AND END.—No individual shall be entitled to receive an annuity under this section for any month before January 1, 1947. An application for any payment under this section shall be made and filed in such manner and form as the Board prescribes. An annuity under this section for an individual otherwise entitled thereto shall begin with the month in which such individual filed an application for such annuity: *Provided*, That such individual's annuity shall begin with the first month for which he will otherwise have been entitled to receive such annuity if he files such application prior to the end of the third month immediately succeeding such month. No application for an annuity under this section filed prior to three months before the first month for which the applicant becomes otherwise entitled to receive such annuity shall be accepted. No annuity shall be payable for the month in which the recipient thereof ceases to be qualified therefor.

“(k) PROVISIONS FOR CREDITING RAILROAD INDUSTRY SERVICE UNDER THE SOCIAL SECURITY ACT IN CERTAIN CASES.—(1) For the purpose of determining insurance benefits under title II of the Social Security Act which would begin to accrue on or after January 1, 1947, to a widow, parent, or surviving child, and with respect to lump-sum death payments under such title payable in relation to a death occurring on or after such date, section 15 of the Railroad Retirement Act of 1935, section 209 (b) (9) of the Social Security Act, and section 17 of this Act shall not operate to exclude from ‘employment’, under title II of the Social Security Act, service which would otherwise be included in such ‘employment’ but for such sections. For such purpose, compensation paid in a calendar year shall, in the absence of evidence to the contrary, be presumed to have been paid in equal proportions with respect to all months in the year in which the employee will have been in services as an employee.

“(2) Not later than January 1, 1950, the Board and the Federal Security Administrator shall make a special joint report to the President to be submitted to Congress setting forth the experience of the Board in crediting wages toward awards, and the experience of the Social Security Board in crediting compensation toward awards, and their recommendations for such legislative changes as are deemed advisable for equitable distribution of the financial burden of such awards between the retirement account and the Federal Old Age and Survivors Insurance Trust Fund.

“(3) The Board and the Federal Security Administrator shall, upon request, supply each other with certified reports of records of compensation or wages and periods of service and of other records in their possession or which they may secure, pertinent to the administration of this section or title II of the Social Security Act as affected by paragraph (1). Such certified reports shall be conclusive in adjudication as to the matters covered therein: *Provided*, That if the Board or the Federal Security Administrator receives

Filing, etc., of application.

49 Stat. 622.
42 U. S. C. §§ 401-410a; Supp. V, § 401 *et seq.*
Post, p. 979 *et seq.*

49 Stat. 974; 53 Stat. 1374; 50 Stat. 317.
45 U. S. C. §§ 215-228 note, 228q; 42 U. S. C. § 409 (b) (9).

Joint report.

Certified reports of records.

Supra.

Recertification of report.

evidence inconsistent with a certified report and the application involved is still in course of adjudication or otherwise open for such evidence, such recertification of such report shall be made as, in the judgment of the Board or the Federal Security Administrator, whichever made the original certification, the evidence warrants. Such recertification and any subsequent recertification shall be treated in the same manner and be subject to the same conditions as an original certification.

“(1) DEFINITIONS.—For the purposes of this section the term ‘employee’ includes an individual who will have been an ‘employee’, and—

“Employee.”

“(1) The qualifications for ‘widow’, ‘child’, and ‘parent’ shall be, except for the purposes of subsection (f), those set forth in section 209 (j) and (k), and section 202 (f) (3) of the Social Security Act, respectively; and in addition—

“Widow,” “child,” “parent.”
Ante, p. 729; 53 Stat. 1377, 1366.
 42 U. S. C. §§ 409 (j), (k), 402 (f) (3).
Post, p. 988.

“(i) a ‘widow’ shall have been living with her husband employee at the time of his death;

“(ii) a ‘child’ shall have been dependent upon its parent employee at the time of his death; shall not be adopted after such death; shall be unmarried; and less than eighteen years of age; and

“(iii) a ‘parent’ shall have been wholly dependent upon and supported at the time of his death by the employee to whom the relationship of ‘parent’ is claimed; and shall have filed proof of such dependency and support within two years after such date of death, or within six months after January 1, 1947.

A ‘widow’ or a ‘child’ shall be deemed to have been so living with a husband or so dependent upon a parent if the conditions set forth in section 209 (n) or section 202 (c) (3) or (4) of the Social Security Act, respectively, are fulfilled. In determining whether an applicant is the wife, widow, child, or parent of an employee as claimed, the rules set forth in section 209 (m) of the Social Security Act shall be applied;

53 Stat. 1378, 1364, 1365.
 42 U. S. C. §§ 409 (n), 402 (c) (3), (4).

53 Stat. 1378.
 42 U. S. C. § 409 (m).

“(2) The term ‘retirement annuity’ shall mean an annuity under section 2 awarded before or after its amendment but not including an annuity to a survivor pursuant to an election of a joint and survivor annuity; and the term ‘pension’ shall mean a pension under section 6;

“Retirement annuity”; “pension.”
Ante, pp. 727, 728.

“(3) The term ‘quarter of coverage’ shall mean a compensation quarter of coverage or a wage quarter of coverage, and the term ‘quarters of coverage’ shall mean compensation quarters of coverage, or wage quarters of coverage, or both: *Provided*, That there shall be for a single employee no more than four quarters of coverage for a single calendar year;

50 Stat. 312.
 45 U. S. C. § 228f.
 “Quarter of coverage.”

“(4) The term ‘compensation quarter of coverage’ shall mean any quarter of coverage computed with respect to compensation paid to an employee after 1936 in accordance with the following table :

“Compensation quarter of coverage.”

Months of service in a calendar year	Total compensation paid in the calendar year				
	Less than \$50	\$50 but less than \$100	\$100 but less than \$150	\$150 but less than \$200	\$200 or more
1-3.....	0	1	1	1	1
4-6.....	0	1	2	2	2
7-9.....	0	1	2	3	3
10-12.....	0	1	2	3	4

"Wage quarter of coverage."
 49 Stat. 622.
 42 U. S. C. §§ 401-410a; Supp. V, § 401 *et seq.*
Ante, p. 732; *post*, p. 979 *et seq.*
 53 Stat. 1373.
 42 U. S. C. § 409 (a).
Post, p. 990.
 "Completely insured."

"(5) The term 'wage quarter of coverage' shall mean any quarter of coverage determined in accordance with the provisions of title II of the Social Security Act;

"(6) The term 'wages' shall mean wages as defined in section 209 (a) of the Social Security Act;

"(7) An employee will have been 'completely insured' if it appears to the satisfaction of the Board that at the time of his death, whether before or after the enactment of this section, he will have had the qualifications set forth in any one of the following paragraphs:

"(i) a current connection with the railroad industry; and a number of quarters of coverage, not less than six, and at least equal to one-half of the number of quarters, elapsing in the period after 1936, or after the quarter in which he will have attained the age of twenty-one, whichever is later, and up to but excluding the quarter in which he will have attained the age of sixty-five years or died, whichever will first have occurred (excluding from the elapsed quarters any quarter during any part of which a retirement annuity will have been payable to him); and if the number of such elapsed quarters is an odd number such number shall be reduced by one; or

"(ii) a current connection with the railroad industry; and forty or more quarters of coverage; or

"(iii) a pension will have been payable to him; or a retirement annuity based on service of not less than ten years (as computed in awarding the annuity) will have begun to accrue to him before 1948;

"Partially insured."

"(8) An employee will have been 'partially insured' if it appears to the satisfaction of the Board that at the time of his death, whether before or after the enactment of this section, he will have had (i) a current connection with the railroad industry; and (ii) six or more quarters of coverage in the period beginning with the third calendar year next preceding the year in which he will have died and ending with the quarter next preceding the quarter in which he will have died;

"Average monthly remuneration."

"(9) An employee's 'average monthly remuneration' shall mean the quotient obtained by dividing (A) the sum of the compensation and wages paid to him after 1936 and before the quarter in which he will have died, eliminating for any single calendar year, from compensation, any excess over \$300 for any calendar month in such year, and from the sum of wages and compensation any excess over \$3,000, by (B) three times the number of quarters elapsing after 1936 and before the quarter in which he will have died: *Provided*, That for the period prior to and including the calendar year in which he will have attained the age of twenty-two there shall be included in the divisor not more than three times the number of quarters of coverage in such period: *Provided further*, That there shall be excluded from the divisor any calendar quarter during any part of which a retirement annuity will have been payable to him.

"Compensation."

"With respect to an employee who will have been awarded a retirement annuity, the term 'compensation' shall, for the purposes of this paragraph, mean the compensation on which such annuity will have been based;

"Basic amount."

"(10) The term 'basic amount' shall mean—

"(i) for an employee who will have been partially insured, or completely insured solely by virtue of paragraph (7) (i) or (7) (ii) or both: the sum of (A) 40 per centum of his average monthly remuneration, up to and including \$75; plus (B) 10 per centum of such average monthly remuneration exceeding \$75

and up to and including \$250, plus (C) 1 per centum of the sum of (A) plus (B) multiplied by the number of years after 1936 in each of which the compensation, wages, or both, paid to him will have been equal to \$200 or more; if the basic amount, thus computed, is less than \$10 it shall be increased to \$10;

“(ii) for an employee who will have been completely insured solely by virtue of paragraph (7) (iii): the sum of 40 per centum of his monthly compensation if an annuity will have been payable to him, or, if a pension will have been payable to him, 40 per centum of the average monthly earnings on which such pension was computed, up to and including \$75, plus 10 per centum of such compensation or earnings exceeding \$75 and up to and including \$250. If the average monthly earnings on which a pension payable to him was computed are not ascertainable from the records in the possession of the Board, the amount computed under this subdivision shall be \$33.33, except that if the pension payable to him was less than \$25, such amount shall be four-thirds of the amount of the pension or \$13.33, whichever is greater. The term ‘monthly compensation’ shall, for the purposes of this subdivision, mean the monthly compensation used in computing the annuity;

“Monthly compensation.”

“(iii) for an employee who will have been completely insured under paragraph (7) (iii) and either (7) (i) or (7) (ii): the higher of the two amounts computed in accordance with subdivisions (i) and (ii).”

SEC. 214. Section 8 is amended by striking out the word “monthly” each time it appears; by substituting for the phrase “Any such return” the phrase “The Board’s record of the compensation so returned”; by substituting for the phrases “earned by” and “be earned by” the phrases “paid to” and “will have been paid to”, respectively; by inserting after the phrase “the fact that” the phrase “the Board’s records show that”; and by substituting for the terms “month” and “calendar month” the word “period”.

50 Stat. 313.
45 U. S. C. § 228h;
Supp. V, § 228h note.

SEC. 215. Section 11 is amended to read as follows:

“Decisions of the Board determining the rights or liabilities of any person under this Act shall be subject to judicial review in the same manner, subject to the same limitations, and all provisions of law shall apply in the same manner as though the decision were a determination of corresponding rights or liabilities under the Railroad Unemployment Insurance Act except that the time within which proceedings for the review of a decision with respect to an annuity, pension, or lump-sum benefit may be commenced shall be one year after the decision will have been entered upon the records of the Board and communicated to the claimant.”

50 Stat. 315.
45 U. S. C. § 228k.
Decisions subject to
judicial review.

DIVISION III

The Railroad Unemployment Insurance Act is amended as follows:

SEC. 301. (a) Subsection 1 (h) is amended by inserting after the phrase “last preceding registration period” the phrase “which began with a day for which he registered at an employment office”.

(b) Subsection 1 (h) is further amended by adding the following sentence:

“The term ‘registration period’ means also, with respect to any employee, the period which begins with the first day with respect to which a statement of sickness is filed in his behalf in accordance with such regulations as the Board may prescribe, or the first such day after the end of a registration period which will have begun with a day with respect to which a statement of sickness was filed in his behalf, and ends with the thirteenth day thereafter.”

52 Stat. 1094.
45 U. S. C. §§ 351-
367; Supp. V, § 351
et seq.
Ante, p. 722; *infra*.

54 Stat. 1094.
45 U. S. C. § 351 (h).
Infra.

“Registration period.”

52 Stat. 1095.
45 U. S. C. § 351
(j).

SEC. 302. Subsection 1 (j) is amended by substituting for the period at the end thereof a comma and adding "maternity insurance, or sickness insurance".

52 Stat. 1095.
45 U. S. C. § 351
(k).

"Day of sickness."

SEC. 303. The first paragraph of subsection 1 (k) is amended by inserting "(1)" after the phrase "section 4 of this Act," and by substituting for the colon before the phrase "Provided, however," the following: "; and (2) a 'day of sickness', with respect to any employee, means a calendar day on which because of any physical, mental, psychological, or nervous injury, illness, sickness, or disease he is not able to work or which is included in a maternity period, and with respect to which (i) no remuneration is payable or accrues to him, and (ii) in accordance with such regulations as the Board may prescribe, a statement of sickness is filed within such reasonable period, not in excess of ten days, as the Board may prescribe:".

52 Stat. 1096.
45 U. S. C. § 351
(l).

"Benefits."

SEC. 304. Subsection 1 (l) is amended by substituting therefor the following:

"(1) The term 'benefits' (except in phrases clearly designating other payments) means the money payments payable to an employee as provided in this Act, with respect to his unemployment or sickness.

"Statement of sickness."
"Statement of maternity sickness."

"(1) (1) The term 'statement of sickness' means a statement with respect to days of sickness of an employee, and the term 'statement of maternity sickness' means a statement with respect to a maternity period of a female employee, in each case executed in such manner and form by an individual duly authorized pursuant to section 12 (i) to execute such statements, and filed as the Board may prescribe by regulations.

52 Stat. 1109.
45 U. S. C. § 362 (l).
Post, p. 739.

"Maternity period."

"(1) (2) The term 'maternity period' means the period beginning fifty-seven days prior to the date stated by the doctor of a female employee to be the expected date of the birth of the employee's child and ending with the one hundred and fifteenth day after it begins or with the thirty-first day after the day of the birth of the child, whichever is later."

52 Stat. 1096.
45 U. S. C. § 352 (a).
Days for which benefits payable.

SEC. 305 (a) The first sentence of subsection 2 (a) is amended to read as follows: "Benefits shall be payable to any qualified employee (i) for each day of unemployment in excess of seven during the first registration period, within a benefit year, in which he will have had seven or more days of unemployment, and for each day of unemployment in excess of four during any subsequent registration period in the same benefit year, and (ii) for each day of sickness (other than a day of sickness in a maternity period) in excess of seven during the first registration period, within a benefit year, in which he will have had seven or more such days of sickness, and for each such day of sickness in excess of four during any subsequent registration period in the same benefit year, and (iii) for each day of sickness in a maternity period."

(b) Subsection 2 (a) is further amended by inserting after the word "unemployment" in the second sentence the words "or sickness", by changing the phrase "the total amount of compensation payable to him with respect to employment" to "his total compensation with respect to employment", by substituting the following lines for the last line of the table:

"\$1,600 to \$1,999.99.....	\$4.00
"\$2,000 to \$2,499.99.....	4.50
"\$2,500 and over.....	5.00"

and by adding to the subsection, after the table, the following paragraphs:

Maternity period.

"The amount of benefits payable for the first fourteen days in each maternity period, and for the first fourteen days in a maternity period after the birth of the child, shall be one and one-half times the amount

otherwise payable under this subsection. Benefits shall not be paid for more than eighty-four days of sickness in a maternity period prior to the birth of the child. Qualification for and rate of benefits for days of sickness in a maternity period shall not be affected by the expiration of the benefit year in which the maternity period will have begun unless in such benefit year the employee will not have been a qualified employee.

"In computing benefits to be paid, days of unemployment shall not be combined with days of sickness in the same registration period."

SEC. 306. Subsection 2 (c) is amended by substituting for "one hundred" at the end thereof the following: "one hundred and thirty, and the maximum number of days of sickness, other than days of sickness in a maternity period, within a benefit year for which benefits may be paid to an employee shall be one hundred and thirty".

SEC. 307. Subsection 2 (f) is amended by inserting after the word "unemployment" each time it appears the words "or sickness".

SEC. 308. Section 3 is amended by changing the phrase "there was payable to him compensation of" to "his compensation will have been".

SEC. 309. (a) Section 4 (a) is amended by redesignating it section 4 (a-1), by including therein only paragraphs (iv) to (vii), inclusive, by redesignating said paragraphs as (i) through (iv), by inserting after the phrase "day of unemployment," in the first clause thereof the phrase "or as a day of sickness," and by changing the semicolon at the end thereof to a period.

(b) Section 4 (a-1) is further amended by changing paragraph (ii) thereof to read as follows:

"(ii) any day in any period with respect to which the Board finds that he is receiving or will have received annuity payments or pensions under the Railroad Retirement Act of 1935 or the Railroad Retirement Act of 1937, or insurance benefits under title II of the Social Security Act, or unemployment, maternity, or sickness benefits under an unemployment, maternity, or sickness compensation law of any State or of the United States other than this Act, or any other social-insurance payments under a law of any State or of the United States: *Provided*, That if an employee receives or is held entitled to receive any such payments, other than unemployment, maternity, or sickness payments, with respect to any period which include days of unemployment or sickness in a registration period, after benefits under this Act for such registration period will have been paid, the amount by which such benefits under this Act will have been increased by including such days as days of unemployment or as days of sickness shall be recoverable by the Board: *Provided further*, That, if that part of any such payment or payments, other than unemployment, maternity, or sickness payments, which is apportionable to such days of unemployment or days of sickness is less in amount than the benefits under this Act which, but for this paragraph, would be payable and not recoverable with respect to such days of unemployment or days of sickness, the preceding provisions of this paragraph shall not apply but such benefits under this Act for such days of unemployment or days of sickness shall be diminished or recoverable in the amount of such part of such other payment or payments;"

(c) Section 4 is further amended by inserting after subsection (a-1) a subsection to be designated (a-2), in the following language: "There shall not be considered as a day of unemployment, with respect to any employee—", by including in subsection (a-2) paragraphs (i), (ii), (iii), and (viii) of subsection 4 (a) as it existed prior to its amendment by this Act, and by redesignating said paragraph (viii) as paragraph (iv).

54 Stat. 1096.
45 U. S. C. § 352 (c).

54 Stat. 1096.
45 U. S. C. § 352 (f).

52 Stat. 1097.
45 U. S. C. § 353.

52 Stat. 1097.
45 U. S. C. § 354 (a).
Infra.

Receiving annuity payments.

49 Stat. 967; 50 Stat. 307; 49 Stat. 622.
45 U. S. C. §§ 215-228; Supp. V, § 215 *et seq.*; 42 U. S. C. §§ 401-410a; Supp. V, § 401 *et seq.*
Ante, p. 722 *et seq.*; *post*, p. 979 *et seq.*

Supra.

52 Stat. 1098, 1099.
45 U. S. C. § 354 (b),
(c), (d), (e).

SEC. 310. Subsections 4 (b) through 4 (e) are amended by substituting for the references to "4 (a) (i)", "4 (a) (ii)", and "4 (a) (iii)", references to "4 (a-2) (i)", "4 (a-2) (ii)", and "4 (a-2) (iii)", respectively.

52 Stat. 1100.
45 U. S. C. § 355 (c).

SEC. 311. (a) The first paragraph of subsection 5 (c) is amended by striking out the phrase "district board" at the end of the first sentence thereof and substituting "referee or such other reviewing body as the Board may establish or assign thereto", and by striking out the balance thereof.

54 Stat. 1099.
45 U. S. C. § 355 (c).

(b) The third paragraph of subsection 5 (c) is amended by deleting the phrase "does not comply with the provisions of this Act and", and by inserting between the second and third sentences thereof the following:

Contributions.

"The Board may also designate one of its officers or employees to receive evidence and report to the Board whether or not any person or company is entitled to a refund of contributions or should be required to pay contributions under this Act, regardless of whether or not any claims for benefits will have been filed upon the basis of service in the employ of such person or company, and shall follow such procedure if contributions are assessed and payment is refused or payment is made and a refund claimed upon the basis that such person or company is or will not have been liable for such contributions."

Supra.

Subsection 5 (c) is further amended by adding the following paragraph:

"Any issue determinable pursuant to this subsection and subsection (f) of this section shall not be determined in any manner other than pursuant to this subsection and subsection (f)."

Infra.

52 Stat. 1100.
45 U. S. C. § 355 (d).

SEC. 312. Subsection 5 (d) is amended by substituting for the phrase "district boards" the words "reviewing bodies", and by striking out the phrase "a district board or of" each time it appears.

45 U. S. C. § 355 (e).

SEC. 313. Subsection 5 (e) is amended by deleting the phrases "upon a claim for benefits," and "allowing or denying benefits", and by changing the word "claimant" to "parties".

52 Stat. 1100.
45 U. S. C. § 355 (f).

SEC. 314. The first sentence of subsection 5 (f) is amended to read as follows:

Petition for review.

45 U. S. C. §§ 151-
163, 181-188; Supp. V,
§ 151 *et seq.*

"Any claimant, or any railway labor organization organized in accordance with the provisions of the Railway Labor Act, of which claimant is a member, or any other party aggrieved by a final decision under subsection (c) of this section, may, only after all administrative remedies within the Board will have been availed of and exhausted, obtain a review of any final decision of the Board by filing a petition for review within ninety days after the mailing of notice of such decision to the claimant or other party, or within such further time as the Board may allow, in the United States circuit court of appeals for the circuit in which the claimant or other party resides or will have had his principal place of business or principal executive office, or in the United States Circuit Court of Appeals for the Seventh Circuit or in the Court of Appeals for the District of Columbia."

52 Stat. 1101.
45 U. S. C. § 355 (g).

SEC. 315. Subsection 5 (g) is amended by substituting for the phrase "benefits or refund and" the words "benefits or refund, the determination of any other matter pursuant to subsection (c) of this section, and".

Supra.

45 U. S. C. § 355 (i).

SEC. 316. Subsection 5 (i) is amended by inserting after the word "claimant" each time it appears the words "or other properly interested person", and by inserting after the phrase "counsel or agent" the words "for a claimant".

SEC. 317. Section 6 is amended by substituting for the phrase "earned by", each time it appears, and for the phrase "be earned by", the phrases "paid to" and "have been paid to", respectively.

SEC. 318. (a) Section 8 (a) is amended by changing the word "payable" to "paid" wherever it appears; and by substituting for the portion of the subsection beginning with the words "and each such employer" and continuing to the end of the subsection, the following: "and each employer other than a subordinate unit of a national railway-labor-organization employer shall be liable for that proportion of the contribution with respect to such compensation paid by all such employers which the compensation paid by him after December 31, 1946, to the employee for services during any calendar month after 1946 bears to the total compensation paid by all such employers after December 31, 1946, to such employee for services rendered during such month; and in the event that the compensation so paid by such employers to the employee for services rendered during such month is less than \$300, each subordinate unit of a national railway-labor-organization employer shall be liable for such proportion of any additional contribution as the compensation paid by such employer after December 31, 1946, to such employee for services rendered during such month bears to the total compensation paid by all such employers after December 31, 1946, to such employee for services rendered during such month."

(b) Subsection (h) of section 8 of the Railroad Unemployment Insurance Act, as amended, is amended to read as follows:

"(h) All provisions of law, including penalties, applicable with respect to any tax imposed by section 1800 or 2700 of the Internal Revenue Code, and the provisions of section 3661 of such code, insofar as applicable and not inconsistent with the provisions of this Act, shall be applicable with respect to the contributions required by this Act: *Provided*, That all authority and functions conferred by or pursuant to such provisions upon any officer or employee of the United States, except the authority to institute and prosecute, and the function of instituting and prosecuting, criminal proceedings, shall, with respect to such contributions, be vested in and exercised by the Board or such officers and employees of the Board as it may designate therefor."

SEC. 319. Subsection 12 (b) is amended by inserting after the phrase "being carried on in the District of Columbia," the phrase "or the District Court of the United States for the Northern District of Illinois, if the investigation or proceeding is being carried on in the Northern District of Illinois,"; and by inserting before the phrase "in such proceedings may run" the phrase "or of the District Court of the United States for the Northern District of Illinois".

SEC. 320. Subsection 12 (f) is amended by changing the phrases "unemployment-compensation laws", "unemployment benefits", and "unemployment-compensation law" to "unemployment-compensation, sickness, or maternity laws", "unemployment, sickness, or maternity benefits", and "unemployment-compensation, sickness, or maternity law", respectively.

SEC. 321. Subsection 12 (g) is amended by inserting after the word "unemployment", each time it appears, the phrase ", sickness, or maternity", and by striking out the phrase ", with respect to unemployment after June 30, 1939,".

SEC. 322. Subsection 12 (i) is amended by inserting the following paragraph between the second and third paragraphs thereof:

"The Board shall provide a form or forms for statements of sickness and a procedure for the execution and filing thereof. Such forms and procedure shall be designed with a view to having such statements provide substantial evidence of the days of sickness of

52 Stat. 1101.
45 U. S. C. § 356.

52 Stat. 1102.
45 U. S. C. § 358 (a).

Employer's liability, etc.

52 Stat. 1103.
45 U. S. C. § 358 (h).

Application of other laws.
53 Stat. 195, 288, 448.
26 U. S. C. §§ 1800, 2700, 3661; Supp. V, § 2700.

Authority, etc., of Board.

52 Stat. 1107.
45 U. S. C. § 362 (b).

52 Stat. 1108.
45 U. S. C. § 362 (f).

53 Stat. 848.
45 U. S. C. § 362 (g).

52 Stat. 1109.
45 U. S. C. § 362 (i).

Forms, etc., for statements of sickness.

the employee and, in the case of maternity sickness, the expected date of birth and the actual date of birth of the child. Such statements may be executed by any doctor (authorized to practice in the State or foreign jurisdiction in which he practices his profession) or any officer or supervisory employee of a hospital, clinic, group health association, or other similar organization, who is qualified under such regulations as the Board may prescribe to execute such statements. The Board shall issue regulations for the qualification of such persons to execute such statements. When so executed by any such person, or, in the discretion of the Board, by others designated by the Board individually or by groups, they may be accepted as initial proof of days of sickness sufficient to certify for payment a claim for benefits."

Regulations.

Ante, p. 739.

Physical, etc., examinations.

SEC. 323. Section 12 is further amended by adding thereto the following subsections:

"(n) Any employee claiming, entitled to, or receiving sickness benefits under this Act may be required to take such examination, physical, medical, mental, or otherwise, in such manner and at such times and by such qualified individuals, including medical officers or employees of the United States or a State, as the Board may prescribe. The place or places of examination shall be reasonably convenient for the employee. No sickness or maternity benefits shall be payable under this Act with respect to any period during which the employee unreasonably refuses to take or willfully obstructs an examination as prescribed by the Board.

Report by doctor to Board.

"Any doctor who renders any attendance, treatment, attention, or care, or performs any examination with respect to a sickness of an employee or as to the expected date of birth of a female employee's child, or the birth of such a child, upon which a claim or right to benefits under this Act is based, shall furnish the Board, in such manner and form and at such times as the Board by regulations may prescribe, information and reports relative thereto and to the condition of the employee. An application for sickness or maternity benefits under this Act shall contain a waiver of any doctor-patient privilege that the employee may have with respect to any sickness or maternity period upon which such application is based: *Provided*, That such information shall not be disclosed by the Board except in a court proceeding relating to any claim for benefits by the employee under this Act.

Waiver of doctor-patient privilege.

Disclosure of information.

Agreements with hospitals, etc.

"The Board may enter into agreements or arrangements with doctors, hospitals, clinics, or other persons for securing the examination, physical, medical, mental, or otherwise, of employees claiming, entitled to, or receiving sickness or maternity benefits under this Act and the performance of services or the use of facilities in connection with the execution of statements of sickness. The Board may compensate any such doctors, hospitals, clinics, or other persons upon such reasonable basis as the Board shall prescribe. Such doctors, hospitals, clinics, or other persons and persons employed by any of them shall not be subject to the Act of Congress approved March 3, 1917 (39 Stat. 1106, ch. 163, sec. 1). In the event that the Board pays for the physical or mental examination of an employee or for the execution of a statement of sickness and such employee's claim for benefits is based upon such examination or statement, the Board shall deduct from any sickness or maternity benefits payable to the employee pursuant to such claim such amount as, in the judgment of the Board, is a fair and reasonable charge for such examination or execution of such statement.

Compensation.

5 U. S. C. § 66.

Deductions from benefits.

“(o) Benefits payable to an employee with respect to days of sickness shall be payable regardless of the liability of any person to pay damages for such infirmity. The Board shall be entitled to reimbursement from any sum or damages paid or payable to such employee or other person through suit, compromise, settlement, judgment, or otherwise on account of any liability (other than a liability under a health, sickness, accident, or similar insurance policy) based upon such infirmity, to the extent that it will have paid or will pay benefits for days of sickness resulting from such infirmity. Upon notice to the person against whom such right or claim exists or is asserted, the Board shall have a lien upon such right or claim, any judgment obtained thereunder, and any sum or damages paid under such right or claim, to the extent of the amount to which the Board is entitled by way of reimbursement.

Payment of benefits for days of sickness.

Reimbursement from damages paid, etc.

“(p) The Board may, after hearing, disqualify any person from executing statements of sickness who, the Board finds, (i) will have solicited, or will have employed another to solicit, for himself or for another the execution of any such statement, or (ii) will have made false or misleading statements to the Board, to any employer, or to any employee, in connection with the awarding of any benefits under this Act, or (iii) will have failed to submit medical reports and records required by the Board under this Act, or will have failed to submit any other reports, records, or information required by the Board in connection with the administration of this Act or any other Act heretofore or hereafter administered by the Board, or (iv) will have engaged in any malpractice or other professional misconduct. No fees or charges of any kind shall accrue to any such person from the Board after his disqualification.

Disqualification from executing statements of sickness.

“(q) The Board shall engage in and conduct research projects, investigations, and studies with respect to the cause, care, and prevention of, and benefits for, accidents and disabilities and other subjects deemed by the Board to be related thereto, and shall recommend legislation deemed advisable in the light of such research projects, investigations, and studies.”

Research, etc., by Board.

SEC. 324. Subsection 13 (b) is amended by inserting after “1939,” in the first, second, and third sentences thereof, “and for the payment of sickness and maternity benefits for sickness or for maternity periods after June 30, 1947,” “or to sickness or maternity benefits under a sickness or maternity law of any State with respect to sickness or to maternity periods occurring after June 30, 1947,” and “or of State sickness or maternity laws after June 30, 1947,” respectively.

52 Stat. 1110.
45 U. S. C. § 368 (a).

DIVISION IV

SEC. 401. Except as otherwise provided in this Act, the provisions thereof shall become effective upon approval.

SEC. 402. Section 306 shall become effective on July 1, 1946, and sections 203, 205, 206, 207, 210, 211, 213, and 318 shall become effective on January 1, 1947.

Effective dates.

Ante, pp. 737, 726-729, 739.

The amendments to section 1532 of the Internal Revenue Code made by sections 1 and 3 (e) and (f) shall be effective only with respect to services rendered after December 31, 1946. The amendments made by section 3 (a), (b), (c), and (d) shall take effect January 1, 1947. Sections 1500, 1510, and 1520 of the Internal Revenue Code as in effect on December 31, 1946, shall remain in full force and effect on and after January 1, 1947, with respect to any remuneration which constitutes compensation under the law as in effect on December 31, 1946, to which such sections as amended by this Act are not applicable.

Ante, pp. 722, 724, 725.

Ante, pp. 735-738.

SEC. 403. Sections 301, 302, 303, 304, 305 (except for the revision of the table which shall be effective on the date of enactment of this Act), 307, 308, 309, and 310 shall become effective on July 1, 1947.

Prior rights, etc.

SEC. 404. Except as hereinafter provided, the rights of persons to whom pensions or annuities were awarded before the date of approval of this Act shall continue to be governed by the provisions of law applicable thereto prior to the approval of this Act. In the award of annuities or increases in annuities after the date of approval of this Act on applications on which no award or a partial award has been made prior to said date, service prior to 1937 (and the compensation therefor) shall be credited only if such service is creditable under the amendments made by section 201. No annuity or increase in annuity so awarded crediting such service shall begin to accrue prior to the date of approval of this Act.

Crediting of service prior to 1937.

Ante, p. 725.

Prior election of joint and survivor annuity.

SEC. 405. The election of a joint and survivor annuity made before the date of approval of this Act by an individual to whom an annuity accrues before January 1, 1947, shall be given effect as though the provisions of law under which the election was made had continued to be operative unless no annuity was awarded to such individual prior to the date of approval of this Act and, within one year after the approval of this Act, he revokes the election in such form and manner as the Board may prescribe. Such election by an individual to whom no annuity accrues before January 1, 1947, shall also be given such effect if the individual, before January 1, 1948, reaffirms the election in such form and manner as the Board may prescribe.

49 Stat. 970; 50 Stat. 312.

45 U. S. C. §§ 215-228 note, 228e; Supp. V, § 228e.

Ante, p. 729.

Increased annuity under applicable amendment.

SEC. 406. Payments upon death as provided in sections 5 of the Railroad Retirement Acts of 1935 and 1937, other than survivor annuities pursuant to an election, shall be made only with respect to deaths occurring before January 1, 1947.

Ante, p. 725 et seq.

SEC. 407. An individual to whom an annuity accrued prior to January 1, 1947, and who would as of the date of initial accrual have been entitled to an annuity in a greater amount by reason of the amendments made by section 201, 202, 205, or 210 had such amendments been in effect at the date of initial accrual (or, in the case of a survivor annuity, at the date of initial accrual of the annuity from which it derives), shall, without further application therefor other than a statement of any service claimed under section 202, be awarded an annuity in such greater amount beginning as of the date the applicable amendment shall have become operative: *Provided, however*, That, in such award service before 1937 (and the compensation therefor) shall not be credited if such service would not be creditable upon application of all the amendments made by this Act. In determinations made pursuant to this section any individual to whom an annuity based on not less than five years of service accrues before January 1, 1947, shall be deemed to have a "current connection with the railroad industry". If an annuity increased pursuant to this section is a joint and survivor annuity, the increase shall be in the same form, the actuarial value being computed as of the date the increase begins, unless on that date there is no spouse living for whom the election was made, in which case the increase shall be awarded on a single life basis. If the increase herein provided effects a survivor annuity only, the increase shall be so determined as to bear the same ratio to the survivor annuity, as the increase in the basic annuity would bear to such basic annuity, if the employee annuitant were living and had made no joint and survivor election.

Service prior to 1937.

Joint and survivor annuity.

Annuity terminated by recovery from disability.

Ante, p. 727.

SEC. 408. No annuities accruing after the month in which this Act is approved shall be reduced under section 2 (a) 3 of the Railroad Retirement Act of 1937 to compensate for an annuity terminated by recovery from disability.

SEC. 409. In the application of section 6 of the Railroad Retirement Act of 1937 with respect to persons who were not employers before the enactment of section 1 of this Act, the dates January 1, 1946, and January 1, 1947, shall be substituted for March 1, 1937, and July 1, 1937, respectively.

Approved July 31, 1946.

[CHAPTER 710]

AN ACT

To authorize the return of the Grand River Dam project to the Grand River Dam Authority and the adjustment and settlement of accounts between the authority and the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed, notwithstanding the provisions of any other law, to adjust and settle, upon such basis as he may deem just and equitable, the accounts between the United States and the Grand River Dam Authority arising out of (a) the loan and grant agreement between the United States and the Grand River Dam Authority of October 16, 1937, as modified and extended; and (b) the taking of possession and control, and the occupation and use of the Grand River Dam project in Oklahoma under Executive Order Numbered 8944, dated November 19, 1941, and Executive Order Numbered 9373, dated August 30, 1943, and upon completion of or in connection with such adjustment and settlement to return to the Grand River Dam Authority possession and control of the properties and assets which were taken over by the United States under Executive Order Numbered 8944, so far as such properties and assets may still be held by the United States; and to convey and deliver to the Grand River Dam Authority, for cash, credit, bonds, or property, and upon such other terms as the Secretary of the Interior may deem proper, all right, title, and interest of the United States in and to all or any part of the improvements, additions, and facilities made or added to the Grand River Dam project by the United States during the period of Federal control thereof and such maps, drawings, and other records pertaining thereto as may be agreed upon by him and the Authority.

SEC. 2. In carrying out the authority conferred upon him under section 1 of this Act, the Secretary, in accordance with such agreement as is made between him and the Authority, may—

(a) surrender for cancellation the 4 per centum revenue bonds of the Authority, dated April 1, 1938, together with the unpaid interest coupons appertaining thereto, now held by the United States, and accept in lieu thereof new revenue bonds of the Authority of such description and cash in such amounts as the Secretary may determine: *Provided*, That such new bonds shall bear interest at a rate of not less than 2½ per centum per annum, payable semiannually;

(b) cancel, modify, or treat as having been fulfilled the loan and grant agreement of October 16, 1937, as modified, and extended, and allow the Authority credit for all or such part of the grant provided for under such loan and grant agreement as he may determine, in his discretion, to be just and equitable;

(c) waive and relinquish on behalf of the United States all or such part of the matured interest installments and coupons or accrued interest on the Authority's bonds held by the United States that has matured or accrued during the period of Federal control of the Grand River Dam project as the Secretary may, in his discretion, determine to be just and equitable; and

50 Stat. 312.
45 U. S. C. § 228f.

Ante, p. 722.

July 31, 1946
[H. R. 5508]
[Public Law 573]

Grand River Dam
project.
Return, etc., to
Authority.

3 CFR, Cum. Supp.,
p. 1026; 3 CFR, 1943
Supp., p. 39.

Authority of Secre-
tary.

Surrender of bonds,
etc.

Modification, etc.,
of agreement.

Waiver, etc., of in-
terest installments.

Transfer of funds.

(d) transfer or cause to be transferred by the appropriate disbursing officer to the Grand River Dam Authority all, or such part as the Secretary may in his discretion determine to be just and equitable, of the balance of funds remaining in the special trust account in the Treasury of the United States used by the United States for deposits and disbursements on account of the Grand River Dam project during the period of Federal control thereof.

Retention of lands by Secretary.

SEC. 3. In connection with and as a part of the adjustment and settlement authorized to be made by this Act, the Secretary shall retain all lands or interests therein of the United States above elevation seven hundred and fifty feet mean sea level necessary or desirable for operation of the Grand River Dam project at a pool elevation of seven hundred and fifty-five feet above mean sea level at the Grand River Dam, and the Authority shall grant to the Secretary on behalf of the United States flowage rights on all lands or interests therein of the Authority above elevation seven hundred and fifty feet mean sea level which are necessary or desirable for such operation. Elevations herein stated are referred to the sea level datum in use at the time the Grand River Dam project was started, known as Grand River Dam datum, which is one and one-tenth feet below the sea level datum now in use at said location.

Payment of annual charges.

SEC. 4. The Grand River Dam Authority shall not be required to pay any annual charges under its license issued by the Federal Power Commission for the operation of the project during the period of Federal control thereof.

Termination of authority.

SEC. 5. The authority and power conferred herein shall cease and terminate thirty days after approval of this Act unless an adjustment and settlement shall have been agreed to by the Authority and the Secretary prior thereto.

Reduction of interest rate.

SEC. 6. The Administrator of the Federal Works Agency or his successor in interest is hereby authorized to reduce the rate of interest to 2½ per centum on all power bonds held by such Agency issued by States, public authorities, counties, municipalities, and other subdivisions of State governments for power projects financed by the Public Works Administration.

Approved July 31, 1946.

[CHAPTER 711]

AN ACT

To amend the Federal Credit Union Act.

July 31, 1946
[H. R. 6372]
[Public Law 574]

Federal Credit Union Act, amendments.

48 Stat. 1218.
12 U. S. C. § 1757 (5).
Usurious transactions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Credit Union Act, as amended, is hereby further amended as follows: Paragraph (5) of section 7 is amended by adding at the end thereof the following: "The taking, receiving, reserving, or charging a rate of interest greater than is allowed by this subsection, when knowingly done, shall be deemed a forfeiture of the entire interest which the note, bill, or other evidence of debt carries with it, or which has been agreed to be paid thereon. In case the greater rate of interest has been paid the person by whom it has been paid, or his legal representatives, may recover back, in an action in the nature of an action of debt, the entire amount of interest thus paid from the credit union taking or receiving the same: *Provided,* That such action is commenced within two years from the time the usurious transaction occurred."

SEC. 2. Section 9 of such Act is amended by adding at the end thereof the following:

"Shares may be issued in joint tenancy with right of survivorship with any person designated by the credit union member, but no joint

48 Stat. 1219.
12 U. S. C. § 1759.

Issuance of shares in joint tenancy.

tenant shall be permitted to vote, obtain loans, or hold office, unless he is within the field of membership and is a qualified member."

SEC. 3. Subsection (c) of section 11 of such Act is amended by striking out the clause "fix the amount and character of the surety bond required of any officer having custody of funds" and inserting in lieu thereof the following: "require any officer or employee having custody of or handling funds to give bond with good and sufficient surety in an amount and character to be determined, from time to time, by the board and authorize the payment of the premium or premiums therefor from the funds of the Federal credit union".

48 Stat. 1220.
12 U. S. C. § 1761 (e).

Furnishing of surety
bond.

SEC. 4. Subsection (d) of section 11 of such Act is amended by striking out in the first sentence thereof the following: "(by the treasurer)".

48 Stat. 1220.
12 U. S. C. § 1761 (d).

Maximum indebted-
ness.

SEC. 5. The fourth sentence of subsection (d) of section 11 of such Act is amended to read as follows: "No loan shall be made to any member which shall cause such member to become indebted to the Federal credit union in the aggregate, upon loans made to such member, in excess of \$200 or 10 per centum of the Federal credit union's paid-in and unimpaired capital and surplus, whichever is greater, or in excess of \$300 unless such excess over \$300 is adequately secured."

48 Stat. 1220.
12 U. S. C. § 1761 (e).

SEC. 6. Subsection (e) of section 11 of such Act is amended by adding at the end thereof the following:

"As used in this subsection the term 'passbook' shall include any book, statement of account, or other record approved by the Governor for use by Federal credit unions."

"Passbook."

SEC. 7. At the end of such Act a new section is added as follows: "SEC. 22. The provisions of this Act shall be extended to and include the Panama Canal Zone."

Panama Canal Zone.

SEC. 8. Subsection (b) of section 16 of such Act is amended to read as follows:

48 Stat. 1221.
12 U. S. C. § 1766 (b).

"(b) (1) The Governor may suspend or revoke the charter of any Federal credit union, or place the same in involuntary liquidation and appoint a liquidating agent therefor, upon his finding that the organization is bankrupt or insolvent or has violated any provisions of its charter, its bylaws, or of this chapter, or of any regulations issued thereunder.

Revocation of char-
ter.

"(2) The Governor, through such persons as he shall designate, may examine any Federal credit union in voluntary liquidation and, upon his finding that such voluntary liquidation is not being conducted in an orderly or efficient manner or in the best interests of its members, may terminate such voluntary liquidation and place such organization in involuntary liquidation and appoint a liquidating agent therefor.

Involuntary liqui-
dation.

"(3) Such liquidating agent shall have power and authority, subject to the control and supervision of the Governor and under such rules and regulations as the Governor may prescribe, (i) to receive and take possession of the books, records, assets, and property of every description of the Federal credit union in liquidation, to sell, enforce collection of, and liquidate all such assets and property, to compound all bad or doubtful debts, and to sue in his own name or in the name of the Federal credit union in liquidation, and defend such actions as may be brought against him as liquidating agent or against the Federal credit union; (ii) to receive, examine, and pass upon all claims against the Federal credit union in liquidation, including claims of members on shares; (iii) to make distribution and payment to creditors and members as their interests may appear; and (iv) to execute such documents and papers and to do such other acts and things which he may deem necessary or desirable to discharge his duties hereunder.

Authority of liqui-
dating agent.

- Notice to creditors. “(4) Subject to the control and supervision of the Governor and under such rules and regulations as the Governor may prescribe, the liquidating agent of a Federal credit union in involuntary liquidation shall (i) cause notice to be given to creditors and members to present their claims and make legal proof thereof, which notice shall be published once a week in each of three successive weeks in a newspaper of general circulation in each county in which the Federal credit union in liquidation maintained an office or branch for the transaction of business on the date it ceased unrestricted operations: *Provided*, That whenever the aggregate book value of the assets and property of a Federal credit union in involuntary liquidation is less than \$1,000, unless the Governor shall find that its books and records do not contain a true and accurate record of its liabilities, he shall declare such Federal credit union in liquidation to be a ‘no publication’ liquidation, and publication of notice to creditors and members shall not be required in such case; (ii) from time to time, make a ratable dividend on all such claims as may have been proved to his satisfaction or adjudicated in a court of competent jurisdiction and, after the assets of such organization have been liquidated, shall make further dividends on all claims previously proved or adjudicated; and the liquidating agent may accept in lieu of a formal proof of claim on behalf of any creditor or member the statement of any amount due to such creditor or member as shown on the books and records of the credit union: *Provided*, That all claims not filed before payment of the final dividend shall be barred and claims rejected or disallowed by the liquidating agent shall be likewise barred unless suit be instituted thereon within three months after notice of rejection or disallowance; (iii) in a ‘no publication’ liquidation, determine from all sources available to him, and within the limits of available funds of the Federal credit union, the amounts due to creditors and members, and after sixty days shall have elapsed from the date of his appointment, shall distribute the funds of the Federal credit union to creditors and members ratably and as their interests may appear.
- “No publication” liquidation.
- Dividend on claims.
- Barring of claims.
- Determination of amounts due to creditors, etc.
- Cancellation of charter.
- Continuance of Federal credit union.
- Destruction of records, etc.
- “(5) Upon certification by the liquidating agent in the case of an involuntary liquidation, and upon such proof as shall be satisfactory to the Governor in the case of a voluntary liquidation, that distribution has been made and that liquidation has been completed, as provided herein, the Governor shall cancel the charter of such Federal credit union: *Provided*, That the corporate existence of the Federal credit union shall continue for a period of three years from the date of such cancellation of its charter, during which period the liquidating agent, or his duly appointed successor, or such persons as the Governor shall designate, may act on behalf of the Federal credit union for the purpose of paying, satisfying, and discharging any existing liabilities or obligations, collecting and distributing its assets, and doing all other acts required to adjust and wind up its business and affairs, and it may sue and be sued in its corporate name.
- “(b) After the expiration of five years from the date of cancellation of the charter of a Federal credit union the Governor may, in his discretion, destroy any or all books and records of such Federal credit union in his possession or under his control.”

Approved July 31, 1946.

[CHAPTER 712]

AN ACT

To provide a method for payment in certain Government establishments of overtime, leave, and holiday compensation on the basis of night rates pursuant to certain decisions of the Comptroller General, and for other purposes.

July 31, 1946
[H. R. 6532]
[Public Law 576]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all claims by employees or former employees of the United States for overtime, leave, and holiday compensation based upon the difference between amounts heretofore received by such employees for overtime, leave, and holiday compensation computed at day rates and such compensation computed at night rates pursuant to decisions of the Comptroller General of the United States (23 Comp. Gen. 962; 24 Comp. Gen. 39, 155, 189, 550, 867), shall be paid by the appropriate disbursing officers for the department or agency under which such compensation was earned: *Provided,* That claims for amounts due deceased persons or persons determined to be mentally incompetent shall be settled in the General Accounting Office.

Government employees.
Payment of overtime, etc., claims.

SEC. 2. The heads of the departments and agencies concerned, or such subordinates as they may designate, are hereby authorized and directed to certify to the proper disbursing officer or to the General Accounting Office, as may be appropriate, the amount found to be due under any claim authorized to be paid by section 1 of this Act. Payments made pursuant to certifications hereby authorized shall, in the absence of fraud, be final and conclusive.

Certification of amount due.

SEC. 3. (a) No amount shall be certified for payment under section 2 of this Act on account of any compensation earned prior to March 28, 1934, and this Act shall not apply with respect to any claim for compensation earned subsequent to the date of approval thereof.

Restrictions.

(b) No amount shall be certified for payment under section 2 of this Act unless application shall have been submitted in writing, prior to the expiration of two years after the date of approval of this Act, over the signature of the person performing the service: *Provided,* That claims of deceased persons or persons determined to be mentally incompetent may be submitted by their heirs or personal representatives.

Submission of application.

(c) Except as otherwise provided in this section, no claim submitted in accordance with the terms of this Act for compensation earned between the dates specified in subsection (a) of this section shall be barred by any statute of limitations.

Exemption from statute of limitations.

SEC. 4. Any amount certified for payment under section 2 of this Act shall be paid without deduction for retirement or withholding of any amount for taxes.

Payment without designated deductions.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary for payment of amounts certified under this Act.

Appropriation authorized.

SEC. 6. The heads of the departments and agencies concerned, including the Comptroller General of the United States, are hereby authorized to prescribe such regulations as may be necessary to carry out the purposes of this Act in their respective agencies.

Regulations.

SEC. 7. No part of any moneys appropriated for payment of amounts certified under this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with claims so appropriated for and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1946.

[CHAPTER 713]

AN ACT

Authorizing Gus A. Guerra, his heirs, legal representatives, and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Texas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, Gus A. Guerra, his heirs, legal representatives and assigns, be, and is hereby, authorized to construct, maintain, and operate a toll bridge and originally designed approaches thereto across the Rio Grande, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at or near Rio Grande City, Texas, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act, and subject further to the approval of the International Boundary and Water Commission, United States and Mexico, and also subject to the approval of the proper authorities in the Republic of Mexico to the construction, operation, and maintenance of such bridge: *Provided*, That the construction of the bridge herein authorized shall not be undertaken until after an agreement regarding such construction shall have been effected between the Government of the United States and the Government of the United Mexican States.

SEC. 2. There is hereby conferred upon Gus A. Guerra, his heirs, legal representatives and assigns, all such rights and powers to enter upon lands and to acquire, occupy, possess, and use real estate and other property in the State of Texas needed for the location, construction, operation, and maintenance of such bridge and its originally designed approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes, upon making just compensation therefor to be ascertained and paid according to the laws of such State of Texas.

SEC. 3. The said Gus A. Guerra, his heirs, legal representatives and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of the State of Texas applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act to any public agency, or to an international bridge authority or commission, is hereby granted to Gus A. Guerra, his heirs, or legal representatives; and any such public agency, international bridge authority, or international bridge commission to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such public agency, international bridge authority, or international bridge commission.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 31, 1946.

July 31, 1946
[H. R. 6751]
[Public Law 576]

Toll bridge across
Rio Grande.
Construction and
operation.

34 Stat. 84.
33 U. S. C. §§ 491-
498.
Approval.

Agreement between
U. S. and Mexico.

Right to acquire
land, etc.

Tolls.

34 Stat. 84.
33 U. S. C. §§ 491-498.
Right to assign, etc.

[CHAPTER 714]

AN ACT

To provide benefits for certain employees of the United States who are veterans of World War II and lost opportunity for probational civil-service appointments by reason of their service in the armed forces of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any person—

(1) whose name appeared on any list of eligibles either (A) at any time between May 1, 1940, and March 16, 1942, with respect to a position the rate of compensation of which is determined by the Classification Act of 1923, as amended, an Act entitled "An Act to adjust the compensation of certain employees in the Customs Service", approved May 29, 1928, as amended, or the second paragraph of section 24 of the Immigration Act of 1917, as amended, or (B) at any time between May 1, 1940, and October 23, 1943, with respect to a position in the field service of the Post Office Department, or (C) at any time between May 1, 1940, and the effective date of this Act, with respect to positions of officers and members of the Metropolitan Police or of the Fire Department of the District of Columbia, and officers and members of the United States Park Police and the White House Police; and

(2) who, pursuant to Executive Order Numbered 9538, dated April 13, 1945, or regulations of the Civil Service Commission covering similar situations in which an eligible lost opportunity for probational appointment because of military service during World War II, was certified for probational appointment to such position, and, subsequently, was given such appointment,

shall, for the purpose of (A) determining his rate of compensation and (B) his seniority rights in the postal field service, be held to have been appointed to such position as of the earliest date on which an eligible standing lower on the same list of eligibles received a probational appointment therefrom: *Provided, however,* That no regular employee in the postal field service shall be reduced to substitute status by reason of the enactment of this Act.

(b) No person shall be entitled to the benefits of this section who has reenlisted after June 1, 1945, in the Regular Military Establishment or after February 1, 1945, in the Regular Naval Establishment.

SEC. 2. No person shall, by reason of the enactment of this Act, be entitled to any compensation for any period prior to the effective date of this Act.

SEC. 3. This Act shall take effect on the first day of the calendar month following the calendar month in which it is enacted.

Approved July 31, 1946.

[CHAPTER 717]

AN ACT

To amend the Internal Revenue Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 (b) (9) and (10) of the Internal Revenue Code, relating to the exclusion of income from the discharge of indebtedness, be amended by striking out "1946" in each of such paragraphs and inserting in lieu thereof "1947".

July 31, 1946
[H. R. 6903]
[Public Law 577]

Civil service.
Probational ap-
pointments of vet-
erans.

42 Stat. 1488; 45
Stat. 955, 954.
5 U. S. C. §§ 661-674;
Supp. V, § 661 *et seq.*;
19 U. S. C. §§ 6a-6d;
Supp. V, §§ 6a-6d note;
8 U. S. C. § 109; Supp.
V, § 109.
Ante, pp. 216, 219.

3 CFR, 1945 Supp.,
p. 59.

Postal field service.

Reenlistment in
military service.

Compensation for
prior period.

Effective date.

July 31, 1946
[H. R. 7052]
[Public Law 578]

59 Stat. 574.
26 U. S. C., Supp.
V, § 22 (b) (9), (10).

EXTENSION OF TIME FOR CLAIMING CREDIT OR REFUND WITH RESPECT TO
WAR LOSSES

56 Stat. 852.
26 U. S. C., Supp.
V, § 127 (a).
53 Stat. 91.
26 U. S. C. § 322 (b)
(1).

53 Stat. 92; 56 Stat.
876.
26 U. S. C. § 322 (b)
(2); Supp. V, § 322 (b)
(2), (3).

SEC. 2. If a claim for credit or refund under the internal-revenue laws relates to an overpayment on account of the deductibility by the taxpayer of a loss in respect of property considered destroyed or seized under section 127 (a) of the Internal Revenue Code, relating to war losses, for a taxable year beginning in 1941 or 1942, the three-year period of limitation prescribed in section 322 (b) (1) of the Internal Revenue Code shall in no event expire prior to December 31, 1947. In the case of such a claim filed on or before December 31, 1947, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in section 322 (b) (2) or (3) of the Internal Revenue Code, whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of the loss described in this section.

Approved July 31, 1946.

[CHAPTER 718]

AN ACT

July 31, 1946

[H. R. 4590]

[Public Law 579]

To authorize the use by industry of silver held or owned by the United States, and for other purposes.

U. S. silver.
Sale or lease for
manufacturing uses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the Secretary of the Treasury is authorized to sell or lease for manufacturing uses, including manufacturing uses incident to reconversion and the building up of employment in industry, upon such terms as the Secretary of the Treasury shall deem advisable, to any person, partnership, association, or corporation, or any department of the Government, any silver held or owned by the United States at not less than 90.5 cents per fine troy ounce: *Provided,* That at all times the ownership and the possession or control within the United States of an amount of silver of a monetary value equal to the face amount of all outstanding silver certificates heretofore or hereafter issued by the Secretary of the Treasury shall be maintained by the Treasury: *Provided further,* That hereafter each United States coinage mint shall receive for coinage silver mined after July 1, 1946, from natural deposits in the United States or any place subject to the jurisdiction thereof, as provided in the Act of July 6, 1939 (Public Law 165, Seventy-sixth Congress), and tendered to such mint within one year after the month in which the ore from which it is derived was mined, except that the seigniorage to be deducted shall be 30 per centum instead of 45 per centum as provided in section 4 (b) of said Act.

Approved July 31, 1946.

Coinage silver.

53 Stat. 998.
31 U. S. C. §§ 314,
316, 316c, 821, 822a;
Supp. V, §§ 821, 822a.

31 U. S. C. § 316c
(b).

[CHAPTER 719]

AN ACT

July 31, 1946

[H. R. 6486]

[Public Law 580]

To authorize an appropriation for the establishment of a geophysical institute at the University of Alaska.

University of
Alaska.

Whereas the need for a geophysical station in this country, dedicated to the maintenance of geophysical research concerning the Arctic regions, is recognized; and
Whereas the University of Alaska has been performing geophysical research in cooperation with the Department of War, the Department of the Navy, the Federal Communications Commission, the

United States Coast and Geodetic Survey, the United States Weather Bureau, and other agencies since 1941; and

Whereas said research has produced results not only of direct military application in the war emergency but also of value as a contribution to scientific knowledge; and

Whereas there is a necessity for indefinite continuation of geophysical research in the Arctic in the postwar period; and

Whereas geophysical exploration can lead to increases in supplies and reserves of important minerals and can furnish information of direct value both for military and nonmilitary projects; and

Whereas the University of Alaska, because of its unique location and the work it has accomplished in the past, is a logical site for a permanent geophysical research station: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, not to exceed the sum of \$975,000 for the construction and establishment of a geophysical institute at the University of Alaska, College, Alaska: *Provided,* That not to exceed 20 per centum of the funds herein authorized shall be expended for construction of housing accommodations to be used by the personnel carrying out the program: *Provided further,* That, subject to the then existing security regulations, the facilities of the institute shall be extended, without charge, to the duly qualified and authorized representatives of the Federal departments engaged in geophysical research who shall have priority in the use of the housing accommodations constructed as a part of said geophysical institute: *Provided further,* That in the discretion of the director the facilities of the institute may be extended, without charge, to the duly qualified and authorized representatives of nonprofit scientific societies engaged in geophysical research: *Provided further,* That in the discretion of the director said facilities may be used by others engaged in geophysical research, under such terms and conditions as said director may specify: *Provided further,* That all funds derived from the operation of said geophysical institute shall be used in geophysical research: *And provided further,* That no portion of the funds herein authorized shall be expended for maintenance of the buildings constructed, it being an express condition of this grant that the University of Alaska undertake to furnish heat, light, water, electric power, and custodial service, and to staff the institute with (1) a director, whose appointment by the regents of the University upon the recommendation of the president of the university shall be with the approval of the president of the National Academy of Sciences; (2) a librarian; and (3) a secretary.

SEC. 2. All buildings and equipment constructed or acquired with funds herein authorized shall, upon the establishment of the institute, become the property of the University of Alaska.

Approved July 31, 1946.

Establishment of
geophysical institute.
Appropriation au-
thorized.

Housing.

Use of facilities.

Funds derived
from operation.
Maintenance.

[CHAPTER 720]

AN ACT

To provide for the uniform administration of efficiency ratings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no employee in any civilian position in the executive branch of the Government of the United States, other than an employee in or under the field service of the Post Office Department or any employee of the Tennessee Valley Authority, shall be rated as to efficiency except under a system of efficiency ratings approved by the Civil Service Commission, and

July 31, 1946
[H. R. 5590]
[Public Law 581]

Efficiency ratings of
Government employ-
ees.

42 Stat. 1490.
5 U. S. C. § 669;
Supp. V, § 669.

that the provisions of section 9 of the Classification Act of 1923, as amended, or as may be hereafter amended, shall apply to all efficiency ratings under rating systems approved by the Civil Service Commission.

Rules and regula-
tions.

The Civil Service Commission is hereby authorized to make and publish rules and regulations for the administration of the provisions of this Act.

Effective date.

SEC. 2. The provisions of this Act shall be effective upon enactment, except that, with respect to employees in the field services whose positions are not subject to the Classification Act of 1923, as amended, such of the provisions of section 9 of the Classification Act of 1923, as amended, as require the Civil Service Commission to approve reductions in compensation and dismissals for inefficiency, or confer the right to a hearing and review of efficiency ratings by boards of review, shall not become effective until such boards of review in the field services are established as provided in section 7 of the Act of November 26, 1940 (54 Stat. 1215), under regulations prescribed by the Civil Service Commission, with the approval of the President.

42 Stat. 1488.
5 U. S. C. §§ 661-674;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

5 U. S. C. § 669;
Supp. V, § 669.

Approved July 31, 1946.

[CHAPTER 721]

AN ACT

To amend section 21 of the Act of May 28, 1896 (29 Stat. 184; 28 U. S. C., sec. 597), prescribing fees of United States commissioners.

August 1, 1946
[S. 346]
[Public Law 582]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 21 of the Act of May 28, 1896 (ch. 252, 29 Stat. 184, 28 U. S. C., sec. 597), be amended to read as follows:

U. S. courts.
Fees of commis-
sioners.

Criminal cases.

“SEC. 21. The fees of United States commissioners for the following services in connection with criminal cases shall be as provided in the following subdivisions of this section. The additional compensation provided for by section 521 of the Federal Employees Pay Act of 1945, as amended by section 6 of the Federal Employees Pay Act of 1946, shall apply to the fees for the specified services prescribed in this Act.

59 Stat. 301.
5 U. S. C., Supp. V,
§ 934.
Ante, p. 217.

“(a) In each case in which a complaint in writing and sworn to shall have been lodged with the commissioner, for all services rendered prior to the presentation of the accused before the commissioner, a fee of \$2.50, said fee to accrue when the complaint is filed.

“(b) In each case in which the accused is presented before the commissioner for binding over, for all services rendered after the presentation of the accused a fee depending upon the number of such cases disposed of by the commissioner during the quarterly accounting period either by discharge or by binding over, as follows:

“(1) \$7 for each of the first twenty-five cases so disposed of;

“(2) \$6 for each of the next twenty-five cases;

“(3) \$5 for each of the next fifty cases; and

“(4) \$2 for each of all cases over one hundred.

“(c) In each case in which the accused is presented before the commissioner not for binding over but only for purposes of bail, whether or not bail is taken or a commitment is ordered, a fee of \$2.50.

“(d) For all services in connection with each formal, written application for a search warrant, whether the application be granted or denied, a fee of \$4.

“(e) For all services in connection with the application by a convict for examination under sections 1042 and 5296 of the Revised Statutes of the United States, as amended (18 U. S. C., sec. 641), a fee of \$4.

Application for
search warrant.

Application by convict
for examination.

18 U. S. C., Supp. V,
§ 641 note.
Ante, p. 524.

“(f) For all services in each case in which the commissioner under the authority of section 1 of the Act approved October 9, 1940 (54 Stat. 1058; U. S. C., of 1940, title 18, sec. 576), and under the rules promulgated by the Supreme Court under the authority of section 2 of said Act (U. S. C., of 1940, title 18, sec. 576a), conducts the trial or on a plea of guilty imposes sentence, a fee of \$10 in lieu of all other fees herein provided.

Conduct of trial, etc.

54 Stat. 1059.

“(g) For all purposes of this section, each accused shall be considered as a ‘case.’”

“Case.”

SEC. 2. Each United States commissioner shall be entitled to the following-named fees for the following services in connection with civil cases:

Civil cases.

(a) For attending to a reference in a litigated matter in a civil cause or in admiralty in pursuance to an order of the court, \$5 a day.

(b) For taking and certifying depositions to file in civil cases, 10 cents for each folio; for each copy of the same furnished to a party on request, 10 cents for each folio.

(c) For the purpose of computing the compensation of commissioners as provided in this amendment, services performed in a case in connection with the issuance of an attachment and subsequent hearing in Internal Revenue matters as provided for in section 3615 (e) of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 439, 26 U. S. C., sec. 3615 (e)), and services performed in a case in connection with settling or certifying the nonpayment of a seaman’s wage, as provided for in sections 4546 and 4547 of the Revised Statutes of the United States as amended (46 U. S. C., secs. 603 and 604), shall be considered as cases under section 21 (b) of the Act of May 28, 1896 (ch. 252, 29 Stat. 184, 28 U. S. C. 597) as amended by this Act and shall be charged for and compensated accordingly.

SEC. 3. No commissioner may receive compensation for his services in that capacity in excess of \$7,500 for any one calendar year (exclusive of additions under section 521 of the Federal Employees Pay Act of 1945 as amended by section 6 of the Federal Employees Pay Act of 1946).

Restriction on compensation.

59 Stat. 301.
5 U. S. C., Supp. V, § 934.
Ante, p. 217.

SEC. 4. None of the provisions hereof shall apply to United States commissioners in the Territory of Alaska.

Commissioners in Alaska.

SEC. 5. This Act shall become effective on the first day of the month succeeding its approval and shall apply to all cases arising thereafter. A case shall be deemed to arise when it first requires action of a commissioner.

Effective date.

Approved August 1, 1946.

[CHAPTER 722]

AN ACT

Authorizing rehabilitation on the island of Guam.

August 1, 1946
[S. 1466]
[Public Law 593]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to construct such permanent facilities for the civil populace of the island of Guam as he may deem necessary for their economic rehabilitation at a cost not to exceed \$6,000,000 in aggregate amount.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effectuate the purpose of this Act.

Appropriation authorized.

Approved August 1, 1946.

[CHAPTER 723]

AN ACT

August 1, 1946

[S. 1636]

[Public Law 584]

To amend the Surplus Property Act of 1944 to designate the Department of State as the disposal agency for surplus property outside the continental United States, its Territories and possessions, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Surplus Property Act of 1944, as amended, is hereby amended by adding a new subsection (c) to read as follows:

“(c) Except as provided in subsection (b) of this section, the Department of State shall be the sole disposal agency for surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, and with respect to such property the Secretary of State shall exercise the functions heretofore conferred upon the Surplus Property Administrator by Public Law 181, Seventy-ninth Congress. The Secretary of State shall, subject to the provisions of the War Mobilization and Reconversion Act of 1944, have sole responsibility for carrying out the provisions of the Surplus Property Act of 1944, with respect to surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands.”

SEC. 2. Section 32 (b) of such Act, as amended, is hereby amended to read as follows:

“(b) (1) The provisions of this Act shall be applicable to disposition of property within the United States and elsewhere, but the Secretary of State may exempt from some or all of the provisions hereof dispositions of property located outside of the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, whenever he deems that such provisions would obstruct the efficient and economic disposition of such property in accordance with the objectives of this Act. In addition to the authority conferred by section 15 of this Act, the Department of State may dispose of surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, for foreign currencies or credits, or substantial benefits or the discharge of claims resulting from the compromise, or settlement of such claims by any Government agency in accordance with the law, whenever the Secretary of State determines that it is in the interest of the United States to do so and upon such terms and conditions as he may deem proper. Any foreign currencies or credits acquired by the Department of State pursuant to this subsection shall be administered in accordance with procedures that may from time to time be established by the Secretary of the Treasury and, if and when reduced to United States currency, shall be covered into the Treasury as miscellaneous receipts.

“(2) In carrying out the provisions of this section, the Secretary of State is hereby authorized to enter into an executive agreement or agreements with any foreign government for the use of currencies, or credits for currencies, of such government acquired as a result of such surplus property disposals, for the purpose of providing, by the formation of foundations or otherwise, for (A) financing studies, research, instruction, and other educational activities of or for American citizens in schools and institutions of higher learning located in such foreign country, or of the citizens of such foreign country in American schools and institutions of higher learning located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, including payment for transportation, tuition, maintenance, and other

Surplus Property Act of 1944, amendments.
58 Stat. 769.
50 U. S. C., Supp. V, app. § 1619.
Functions of Secretary of State.

59 Stat. 533.
50 U. S. C., Supp. V, app. §§ 1614a, 1614b.
58 Stat. 785, 765.
50 U. S. C., Supp. V, app. §§ 1651-1678, 1611-1646.
Ante, pp. 168, 169, 209, 599; *post*, p. 886.

58 Stat. 782.
50 U. S. C., Supp. V, app. § 1641 (b).
Exemption of dispositions.

Disposal for foreign currencies, etc.
58 Stat. 772.
50 U. S. C., Supp. V, app. § 1624.

Executive agreements.

Financing studies, etc., of American citizens abroad.

expenses incident to scholastic activities; or (B) furnishing transportation for citizens of such foreign country who desire to attend American schools and institutions of higher learning in the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, and whose attendance will not deprive citizens of the United States of an opportunity to attend such schools and institutions: *Provided, however*, That no such agreement or agreements shall provide for the use of an aggregate amount of the currencies, or credits for currencies, of any one country in excess of \$20,000,000 or for the expenditure of the currencies, or credits for currencies, of any one foreign country in excess of \$1,000,000 annually at the official rate of exchange for such currencies, unless otherwise authorized by Congress, nor shall any such agreement relate to any subject other than the use and expenditure of such currencies or credits for currencies for the purposes herein set forth: *Provided further*, That for the purpose of selecting students and educational institutions qualified to participate in this program, and to supervise the exchange program authorized herein, the President of the United States is hereby authorized to appoint a Board of Foreign Scholarships, consisting of ten members, who shall serve without compensation, composed of representatives of cultural, educational, student and war veterans groups, and including representatives of the United States Office of Education, the United States Veterans' Administration, State educational institutions, and privately endowed educational institutions: *And Provided further*, That in the selection of American citizens for study in foreign countries under this paragraph preference shall be given to applicants who shall have served in the military or naval forces of the United States during World War I or World War II, and due consideration shall be given to applicants from all geographical areas of the United States. The Secretary of State shall transmit to the Congress not later than the 1st day of March of each year a report of operations under this paragraph during the preceding calendar year. Such report shall include the text of any agreements which have been entered into hereunder during the preceding calendar year, and shall specify the names and addresses of American citizens who are attending schools or institutions of higher learning in foreign countries pursuant to such agreements, the names and locations of such schools and institutions, and the amounts of the currencies or credits for currencies expended for any of the purposes under this paragraph in each such foreign country during the preceding calendar year."

Approved August 1, 1946.

Transportation for citizens of foreign countries.

Restriction on use of funds.

Board of Foreign Scholarships.

Veteran preference.

Report to Congress.

[CHAPTER 724]

AN ACT

For the development and control of atomic energy.

August 1, 1946
[S. 1717]

[Public Law 585]

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

DECLARATION OF POLICY

Atomic Energy Act
of 1946.

SECTION 1. (a) FINDINGS AND DECLARATION.—Research and experimentation in the field of nuclear chain reaction have attained the stage at which the release of atomic energy on a large scale is practical. The significance of the atomic bomb for military purposes is evident. The effect of the use of atomic energy for civilian purposes upon the social, economic, and political structures of today cannot now be determined. It is a field in which unknown factors are involved. Therefore, any legislation will necessarily be subject to revision from

time to time. It is reasonable to anticipate, however, that tapping this new source of energy will cause profound changes in our present way of life. Accordingly, it is hereby declared to be the policy of the people of the United States that, subject at all times to the paramount objective of assuring the common defense and security, the development and utilization of atomic energy shall, so far as practicable, be directed toward improving the public welfare, increasing the standard of living, strengthening free competition in private enterprise, and promoting world peace.

Major programs.

(b) **PURPOSE OF ACT.**—It is the purpose of this Act to effectuate the policies set out in section 1 (a) by providing, among others, for the following major programs relating to atomic energy:

Private research.

(1) A program of assisting and fostering private research and development to encourage maximum scientific progress;

Control of information.

(2) A program for the control of scientific and technical information which will permit the dissemination of such information to encourage scientific progress, and for the sharing on a reciprocal basis of information concerning the practical industrial application of atomic energy as soon as effective and enforceable safeguards against its use for destructive purposes can be devised;

Federal research and development.

(3) A program of federally conducted research and development to assure the Government of adequate scientific and technical accomplishment;

Government control of material.

(4) A program for Government control of the production, ownership, and use of fissionable material to assure the common defense and security and to insure the broadest possible exploitation of the fields; and

Administration.

(5) A program of administration which will be consistent with the foregoing policies and with international arrangements made by the United States, and which will enable the Congress to be currently informed so as to take further legislative action as may hereafter be appropriate.

ORGANIZATION

SEC. 2. (a) ATOMIC ENERGY COMMISSION.—

Members.

(1) There is hereby established an Atomic Energy Commission (herein called the Commission), which shall be composed of five members. Three members shall constitute a quorum of the Commission. The President shall designate one member as Chairman of the Commission.

Appointment.

(2) Members of the Commission shall be appointed by the President, by and with the advice and consent of the Senate. In submitting any nomination to the Senate, the President shall set forth the experience and the qualifications of the nominee. The term of office of each member of the Commission taking office prior to the expiration of two years after the date of enactment of this Act shall expire upon the expiration of such two years. The term of office of each member of the Commission taking office after the expiration of two years from the date of enactment of this Act shall be five years, except that (A) the terms of office of the members first taking office after the expiration of two years from the date of enactment of this Act shall expire, as designated by the President at the time of appointment, one at the end of three years, one at the end of four years, one at the end of five years, one at the end of six years, and one at the end of seven years, after the date of enactment of this Act; and (B) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or

Term of office.

malfeasance in office. Each member, except the Chairman, shall receive compensation at the rate of \$15,000 per annum; and the Chairman shall receive compensation at the rate of \$17,500 per annum. No member of the Commission shall engage in any other business, vocation, or employment than that of serving as a member of the Commission.

Compensation.

(3) The principal office of the Commission shall be in the District of Columbia, but the Commission or any duly authorized representative may exercise any or all of its powers in any place. The Commission shall hold such meetings, conduct such hearings, and receive such reports as may be necessary to enable it to carry out the provisions of this Act.

Engaging in other business.

Office in D. C.

(4) There are hereby established within the Commission—

(A) a General Manager, who shall discharge such of the administrative and executive functions of the Commission as the Commission may direct. The General Manager shall be appointed by the President by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$15,000 per annum. The Commission may make recommendations to the President with respect to the appointment or removal of the General Manager.

General Manager.

(B) a Division of Research, a Division of Production, a Division of Engineering, and a Division of Military Application. Each division shall be under the direction of a Director who shall be appointed by the Commission, and shall receive compensation at the rate of \$14,000 per annum. The Director of the Division of Military Application shall be a member of the armed forces. The Commission shall require each such division to exercise such of the Commission's powers under this Act as the Commission may determine, except that the authority granted under section 3 (a) of this Act shall not be exercised by the Division of Research.

Divisions; directors.

Exercise of Commission's powers.

(b) GENERAL ADVISORY COMMITTEE.—There shall be a General Advisory Committee to advise the Commission on scientific and technical matters relating to materials, production, and research and development, to be composed of nine members, who shall be appointed from civilian life by the President. Each member shall hold office for a term of six years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term; and (2) the terms of office of the members first taking office after the date of the enactment of this Act shall expire, as designated by the President at the time of appointment, three at the end of two years, three at the end of four years, and three at the end of six years, after the date of the enactment of this Act. The Committee shall designate one of its own members as Chairman. The Committee shall meet at least four times in every calendar year. The members of the Committee shall receive a per diem compensation of \$50 for each day spent in meetings or conferences, and all members shall receive their necessary traveling or other expenses while engaged in the work of the Committee.

Civilian members.

Terms of office.

Per diem compensation; expenses.

(c) MILITARY LIAISON COMMITTEE.—There shall be a Military Liaison Committee consisting of representatives of the Departments of War and Navy, detailed or assigned thereto, without additional compensation, by the Secretaries of War and Navy in such number as they may determine. The Commission shall advise and consult with the Committee on all atomic energy matters which the Committees deems to relate to military applications, including the development, manufacture, use, and storage of bombs, the allocation of fissionable material for military research, and the control of information relating to the manufacture or utilization of atomic weapons. The Commission shall

Authority to make recommendations.

keep the Committee fully informed of all such matters before it and the Committee shall keep the Commission fully informed of all atomic energy activities of the War and Navy Departments. The Committee shall have authority to make written recommendations to the Commission on matters relating to military applications from time to time as it may deem appropriate. If the Committee at any time concludes that any action, proposed action, or failure to act of the Commission on such matters is adverse to the responsibilities of the Departments of War or Navy, derived from the Constitution, laws, and treaties, the Committee may refer such action, proposed action, or failure to act to the Secretaries of War and Navy. If either Secretary concurs, he may refer the matter to the President, whose decision shall be final.

Director of Division of Military Application.

47 Stat. 406.

28 Stat. 205.

(d) APPOINTMENT OF ARMY AND NAVY OFFICERS.—Notwithstanding the provisions of section 1222 of the Revised Statutes (U. S. C., 1940 edition, title 10, sec. 576), section 212 of the Act entitled "An Act making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes", approved June 30, 1932, as amended (U. S. C., 1940 edition, title 5, sec. 59a), section 2 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes", approved July 31, 1894, as amended (U. S. C., 1940 edition, title 5, sec. 62), or any other law, any active or retired officer of the Army or the Navy may serve as Director of the Division of Military Application established by subsection (a) (4) (B) of this section, without prejudice to his commissioned status as such officer. Any such officer serving as Director of the Division of Military Application shall receive, in addition to his pay from the United States as such officer, an amount equal to the difference between such pay and the compensation prescribed in subsection (a) (4) (B) of this section.

RESEARCH

Authority of Commission.

SEC. 3. (a) RESEARCH ASSISTANCE.—The Commission is directed to exercise its powers in such manner as to insure the continued conduct of research and development activities in the fields specified below by private or public institutions or persons and to assist in the acquisition of an ever-expanding fund of theoretical and practical knowledge in such fields. To this end the Commission is authorized and directed to make arrangements (including contracts, agreements, and loans) for the conduct of research and development activities relating to—

- (1) nuclear processes;
- (2) the theory and production of atomic energy, including processes, materials, and devices related to such production;
- (3) utilization of fissionable and radioactive materials for medical, biological, health, or military purposes;
- (4) utilization of fissionable and radioactive materials and processes entailed in the production of such materials for all other purposes, including industrial uses; and
- (5) the protection of health during research and production activities.

Post, p. 809.

The Commission may make such arrangements without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and may make partial and advance payments under such arrangements, and may make available for use in connection therewith such of its equipment and facilities as it may deem desirable. Such arrangements shall contain such provisions to protect health, to minimize danger from explosion

and other hazards to life or property, and to require the reporting and to permit the inspection of work performed thereunder, as the Commission may determine; but shall not contain any provisions or conditions which prevent the dissemination of scientific or technical information, except to the extent such dissemination is prohibited by law.

(b) **RESEARCH BY THE COMMISSION.**—The Commission is authorized and directed to conduct, through its own facilities, activities and studies of the types specified in subsection (a) above.

PRODUCTION OF FISSIONABLE MATERIAL

SEC. 4. (a) DEFINITION.—As used in this Act, the term “produce”, when used in relation to fissionable material, means to manufacture, produce, or refine fissionable material, as distinguished from source materials as defined in section 5 (b) (1), or to separate fissionable material from other substances in which such material may be contained or to produce new fissionable material.

“Produce.”

(b) **PROHIBITION.**—It shall be unlawful for any person to own any facilities for the production of fissionable material or for any person to produce fissionable material, except to the extent authorized by subsection (c).

(c) **OWNERSHIP AND OPERATION OF PRODUCTION FACILITIES.**—

(1) **OWNERSHIP OF PRODUCTION FACILITIES.**—The Commission, as agent of and on behalf of the United States, shall be the exclusive owner of all facilities for the production of fissionable material other than facilities which (A) are useful in the conduct of research and development activities in the fields specified in section 3, and (B) do not, in the opinion of the Commission, have a potential production rate adequate to enable the operator of such facilities to produce within a reasonable period of time a sufficient quantity of fissionable material to produce an atomic bomb or any other atomic weapon.

(2) **OPERATION OF THE COMMISSION'S PRODUCTION FACILITIES.**—The Commission is authorized and directed to produce or to provide for the production of fissionable material in its own facilities. To the extent deemed necessary, the Commission is authorized to make, or to continue in effect, contracts with persons obligating them to produce fissionable material in facilities owned by the Commission. The Commission is also authorized to enter into research and development contracts authorizing the contractor to produce fissionable material in facilities owned by the Commission to the extent that the production of such fissionable material may be incident to the conduct of research and development activities under such contracts. Any contract entered into under this section shall contain provisions (A) prohibiting the contractor with the Commission from subcontracting any part of the work he is obligated to perform under the contract, except as authorized by the Commission, and (B) obligating the contractor to make such reports to the Commission as it may deem appropriate with respect to his activities under the contract, to submit to frequent inspection by employees of the Commission of all such activities, and to comply with all safety and security regulations which may be prescribed by the Commission. Any contract made under the provisions of this paragraph may be made without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and partial and advance

Contracts.

Subcontracts.

Reports, etc.

Post, p. 809.

Determination of quantities.

payments may be made under such contracts. The President shall determine at least once each year the quantities of fissionable material to be produced under this paragraph.

(3) OPERATION OF OTHER PRODUCTION FACILITIES.—Fissionable material may be produced in the conduct of research and development activities in facilities which, under paragraph (1) above, are not required to be owned by the Commission.

(d) IRRADIATION OF MATERIALS.—For the purpose of increasing the supply of radioactive materials, the Commission and persons lawfully producing or utilizing fissionable material are authorized to expose materials of any kind to the radiation incident to the processes of producing or utilizing fissionable material.

(e) MANUFACTURE OF PRODUCTION FACILITIES.—Unless authorized by a license issued by the Commission, no person may manufacture, produce, transfer, or acquire any facilities for the production of fissionable material. Licenses shall be issued in accordance with such procedures as the Commission may by regulation establish and shall be issued in accordance with such standards and upon such conditions as will restrict the production and distribution of such facilities to effectuate the policies and purposes of this Act. Nothing in this section shall be deemed to require a license for such manufacture, production, transfer, or acquisition incident to or for the conduct of research or development activities in the United States of the types specified in section 3, or to prohibit the Commission from manufacturing or producing such facilities for its own use.

Licenses.

CONTROL OF MATERIALS

SEC. 5. (a) FISSIONABLE MATERIALS.—

(1) DEFINITION.—As used in this Act, the term "fissionable material" means plutonium, uranium enriched in the isotope 235, any other material which the Commission determines to be capable of releasing substantial quantities of energy through nuclear chain reaction of the material, or any material artificially enriched by any of the foregoing; but does not include source materials, as defined in section 5 (b) (1).

(2) GOVERNMENT OWNERSHIP OF ALL FISSIONABLE MATERIAL.—All right, title, and interest within or under the jurisdiction of the United States, in or to any fissionable material, now or hereafter produced, shall be the property of the Commission, and shall be deemed to be vested in the Commission by virtue of this Act. Any person owning any interest in any fissionable material at the time of the enactment of this Act, or owning any interest in any material at the time when such material is hereafter determined to be a fissionable material, or who lawfully produces any fissionable material incident to privately financed research or development activities, shall be paid just compensation therefor. The Commission may, by action consistent with the provisions of paragraph (4) below, authorize any such person to retain possession of such fissionable material, but no person shall have any title in or to any fissionable material.

(3) PROHIBITION.—It shall be unlawful for any person, after sixty days from the effective date of this Act to (A) possess or transfer any fissionable material, except as authorized by the Commission, or (B) export from or import into the United States any fissionable material, or (C) directly or indirectly engage in the production of any fissionable material outside of the United States.

(4) DISTRIBUTION OF FISSIONABLE MATERIAL.—Without prejudice to its continued ownership thereof, the Commission is authorized to distribute fissionable material owned by it, with or without charge, to applicants requesting such material (A) for the conduct of research or development activities either independently or under contract or

Research.

other arrangement with the Commission, (B) for use in medical therapy, or (C) for use pursuant to a license issued under the authority of section 7. Such material shall be distributed in such quantities and on such terms that no applicant will be enabled to obtain an amount sufficient to construct a bomb or other military weapon. The Commission is directed to distribute sufficient fissionable material to permit the conduct of widespread independent research and development activity, to the maximum extent practicable. In determining the quantities of fissionable material to be distributed, the Commission shall make such provisions for its own needs and for the conservation of fissionable material as it may determine to be necessary in the national interest for the future development of atomic energy. The Commission shall not distribute any material to any applicant, and shall recall any distributed material from any applicant, who is not equipped to observe or who fails to observe such safety standards to protect health and to minimize danger from explosion or other hazard to life or property as may be established by the Commission, or who uses such material in violation of law or regulation of the Commission or in a manner other than as disclosed in the application therefor.

(5) The Commission is authorized to purchase or otherwise acquire any fissionable material or any interest therein outside the United States, or any interest in facilities for the production of fissionable material, or in real property on which such facilities are located, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made under contracts for such purposes. The Commission is further authorized to take, requisition, or condemn, or otherwise acquire any interest in such facilities or real property, and just compensation shall be made therefor.

Medical therapy.

Post, p. 764.

Restrictions.

Acquisition of material outside U. S.

Post, p. 800.

(b) SOURCE MATERIALS.—

(1) DEFINITION.—As used in this Act, the term "source material" means uranium, thorium, or any other material which is determined by the Commission, with the approval of the President, to be peculiarly essential to the production of fissionable materials; but includes ores only if they contain one or more of the foregoing materials in such concentration as the Commission may by regulation determine from time to time.

(2) LICENSE FOR TRANSFERS REQUIRED.—Unless authorized by a license issued by the Commission, no person may transfer or deliver, receive possession of or title to, or export from the United States any source material after removal from its place of deposit in nature, except that licenses shall not be required for quantities of source materials which, in the opinion of the Commission, are unimportant.

(3) ISSUANCE OF LICENSES.—The Commission shall establish such standards for the issuance, refusal, or revocation of licenses as it may deem necessary to assure adequate source materials for production, research, or development activities pursuant to this Act or to prevent the use of such materials in a manner inconsistent with the national welfare. Licenses shall be issued in accordance with such procedures as the Commission may by regulation establish.

(4) REPORTING.—The Commission is authorized to issue such regulations or orders requiring reports of ownership, possession, extraction, refining, shipment, or other handling of source materials as it may deem necessary, except that such reports shall not be required with respect to (A) any source material prior to removal from its place of deposit in nature, or (B) quantities of source materials which in the

opinion of the Commission are unimportant or the reporting of which will discourage independent prospecting for new deposits.

Source materials.

(5) ACQUISITION.—The Commission is authorized and directed to purchase, take, requisition, condemn, or otherwise acquire, supplies of source materials or any interest in real property containing deposits of source materials to the extent it deems necessary to effectuate the provisions of this Act. Any purchase made under this paragraph may be made without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made thereunder. The Commission may establish guaranteed prices for all source materials delivered to it within a specified time. Just compensation shall be made for any property taken, requisitioned, or condemned under this paragraph.

Post, p. 809.

Guaranteed prices.

(6) EXPLORATION.—The Commission is authorized to conduct and enter into contracts for the conduct of exploratory operations, investigations, and inspections to determine the location, extent, mode of occurrence, use, or conditions of deposits or supplies of source materials, making just compensation for any damage or injury occasioned thereby. Such exploratory operations may be conducted only with the consent of the owner, but such investigations and inspections may be conducted with or without such consent.

Individual benefit,
restriction.

(7) PUBLIC LANDS.—All uranium, thorium, and all other materials determined pursuant to paragraph (1) of this subsection to be peculiarly essential to the production of fissionable material, contained, in whatever concentration, in deposits in the public lands are hereby reserved for the use of the United States subject to valid claims, rights, or privileges existing on the date of the enactment of this Act: *Provided, however,* That no individual, corporation, partnership, or association, which had any part, directly or indirectly, in the development of the atomic bomb project, may benefit by any location, entry, or settlement upon the public domain made after such individual, corporation, partnership, or association took part in such project, if such individual, corporation, partnership, or association, by reason of having had such part in the development of the atomic bomb project, acquired confidential official information as to the existence of deposits of such uranium, thorium, or other materials in the specific lands upon which such location, entry, or settlement is made, and subsequent to the date of the enactment of this Act made such location, entry, or settlement or caused the same to be made for his, its, or their benefit. The Secretary of the Interior shall cause to be inserted in every patent, conveyance, lease, permit, or other authorization hereafter granted to use the public lands or their mineral resources, under any of which there might result the extraction of any materials so reserved, a reservation to the United States of all such materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby. Any lands so patented, conveyed, leased, or otherwise disposed of may be used, and any rights under any such permit or authorization may be exercised, as if no reservation of such materials had been made under this subsection; except that, when such use results in the extraction of any such material from the land in quantities which may not be transferred or delivered without a license under this subsection, such material shall be the property of the Commission and the Commission may require delivery of such material to it by any possessor thereof after such material has been separated

Reservation of ma-
terials.

Right of U. S. to
prospect, etc.

Use of lands.

as such from the ores in which it was contained. If the Commission requires the delivery of such material to it, it shall pay to the person mining or extracting the same, or to such other person as the Commission determines to be entitled thereto, such sums, including profits, as the Commission deems fair and reasonable for the discovery, mining, development, production, extraction, and other services performed with respect to such material prior to such delivery, but such payment shall not include any amount on account of the value of such material before removal from its place of deposit in nature. If the Commission does not require delivery of such material to it, the reservation made pursuant to this paragraph shall be of no further force or effect.

Payments for discovery, mining, etc.

(c) **BYPRODUCT MATERIALS.**—

(1) **DEFINITION.**—As used in this Act, the term “byproduct material” means any radioactive material (except fissionable material) yielded in or made radioactive by exposure to the radiation incident to the processes of producing or utilizing fissionable material.

(2) **DISTRIBUTION.**—The Commission is authorized to distribute, with or without charge, byproduct materials to applicants seeking such materials for research or development activity, medical therapy, industrial uses, or such other useful applications as may be developed. In distributing such materials, the Commission shall give preference to applicants proposing to use such materials in the conduct of research and development activity or medical therapy. The Commission shall not distribute any byproduct materials to any applicant, and shall recall any distributed materials from any applicant, who is not equipped to observe or who fails to observe such safety standards to protect health as may be established by the Commission or who uses such materials in violation of law or regulation of the Commission or in a manner other than as disclosed in the application therefor.

Preference.

Restrictions.

Restrictions.

Distribution.

(d) **GENERAL PROVISIONS.**—The Commission shall not—

(1) distribute any fissionable material to (A) any person for a use which is not under or within the jurisdiction of the United States, (B) any foreign government, or (C) any person within the United States if, in the opinion of the Commission, the distribution of such fissionable material to such person would be inimical to the common defense and security.

(2) license any person to transfer or deliver, receive possession of or title to, or export from the United States any source material if, in the opinion of the Commission, the issuance of a license to such person for such purpose would be inimical to the common defense and security.

License.

MILITARY APPLICATIONS OF ATOMIC ENERGY

SEC. 6 (a) AUTHORITY.—The Commission is authorized to—

(1) conduct experiments and do research and development work in the military application of atomic energy; and

Experiments, etc.

(2) engage in the production of atomic bombs, atomic bomb parts, or other military weapons utilizing fissionable materials; except that such activities shall be carried on only to the extent that the express consent and direction of the President of the United States has been obtained, which consent and direction shall be obtained at least once each year.

Production of military weapons.

Consent of President.

The President from time to time may direct the Commission (1) to deliver such quantities of fissionable materials or weapons to the armed forces for such use as he deems necessary in the interest of national defense or (2) to authorize the armed forces to manufacture, produce, or acquire any equipment or device utilizing fissionable material or atomic energy as a military weapon.

Delivery to armed forces.

Manufacture of equipment, etc.

(b) **PROHIBITION.**—It shall be unlawful for any person to manufacture, produce, transfer, or acquire any equipment or device utilizing fissionable material or atomic energy as a military weapon, except as may be authorized by the Commission. Nothing in this subsection shall be deemed to modify the provisions of section 4 of this Act, or to prohibit research activities in respect of military weapons, or to permit the export of any such equipment or device.

UTILIZATION OF ATOMIC ENERGY

SEC. 7. (a) LICENSE REQUIRED.—It shall be unlawful, except as provided in sections 5 (a) (4) (A) or (B) or 6 (a), for any person to manufacture, produce, or export any equipment or device utilizing fissionable material or atomic energy or to utilize fissionable material or atomic energy with or without such equipment or device, except under and in accordance with a license issued by the Commission authorizing such manufacture, production, export, or utilization. No license may permit any such activity if fissionable material is produced incident to such activity, except as provided in sections 3 and 4. Nothing in this section shall be deemed to require a license for the conduct of research or development activities relating to the manufacture of such equipment or devices or the utilization of fissionable material or atomic energy, or for the manufacture or use of equipment or devices for medical therapy.

Research relating to
manufacture of equip-
ment, etc.

(b) **REPORT TO CONGRESS.**—Whenever in its opinion any industrial, commercial, or other nonmilitary use of fissionable material or atomic energy has been sufficiently developed to be of practical value, the Commission shall prepare a report to the President stating all the facts with respect to such use, the Commission's estimate of the social, political, economic, and international effects of such use and the Commission's recommendations for necessary or desirable supplemental legislation. The President shall then transmit this report to the Congress together with his recommendations. No license for any manufacture, production, export, or use shall be issued by the Commission under this section until after (1) a report with respect to such manufacture, production, export, or use has been filed with the Congress; and (2) a period of ninety days in which the Congress was in session has elapsed after the report has been so filed. In computing such period of ninety days, there shall be excluded the days on which either House is not in session because of an adjournment of more than three days.

Restriction on is-
suanee of license.

(c) **ISSUANCE OF LICENSES.**—After such ninety-day period, unless hereafter prohibited by law, the Commission may license such manufacture, production, export, or use in accordance with such procedures and subject to such conditions as it may by regulation establish to effectuate the provisions of this Act. The Commission is authorized and directed to issue licenses on a nonexclusive basis and to supply to the extent available appropriate quantities of fissionable material to licensees (1) whose proposed activities will serve some useful purpose proportionate to the quantities of fissionable material to be consumed; (2) who are equipped to observe such safety standards to protect health and to minimize danger from explosion or other hazard to life or property as the Commission may establish; and (3) who agree to make available to the Commission such technical information and data concerning their activities pursuant to such licenses as the Commission may determine necessary to encourage similar activities by as many licensees as possible. Each such license shall be issued for a specified period, shall be revocable at any time by the Commission in accordance with such procedures as the Commission may establish, and may be renewed upon the expiration of such period. Where

Supplying of mate-
rial to licensees.

Renewal, etc.

activities under any license might serve to maintain or to foster the growth of monopoly, restraint of trade, unlawful competition, or other trade position inimical to the entry of new, freely competitive enterprises in the field, the Commission is authorized and directed to refuse to issue such license or to establish such conditions to prevent these results as the Commission, in consultation with the Attorney General, may determine. The Commission shall report promptly to the Attorney General any information it may have with respect to any utilization of fissionable material or atomic energy which appears to have these results. No license may be given to any person for activities which are not under or within the jurisdiction of the United States, to any foreign government, or to any person within the United States if, in the opinion of the Commission, the issuance of a license to such person would be inimical to the common defense and security.

Restriction.

(d) **BYPRODUCT POWER.**—If energy which may be utilized is produced in the production of fissionable material, such energy may be used by the Commission, transferred to other Government agencies, or sold to public or private utilities under contracts providing for reasonable resale prices.

INTERNATIONAL ARRANGEMENTS

SEC. 8. (a) DEFINITION.—As used in this Act, the term “international arrangement” shall mean any treaty approved by the Senate or international agreement hereafter approved by the Congress, during the time such treaty or agreement is in full force and effect.

(b) **EFFECT OF INTERNATIONAL ARRANGEMENTS.**—Any provision of this Act or any action of the Commission to the extent that it conflicts with the provisions of any international arrangement made after the date of enactment of this Act shall be deemed to be of no further force or effect.

(c) **POLICIES CONTAINED IN INTERNATIONAL ARRANGEMENTS.**—In the performance of its functions under this Act, the Commission shall give maximum effect to the policies contained in any such international arrangement.

PROPERTY OF THE COMMISSION

SEC. 9. (a) The President shall direct the transfer to the Commission of all interests owned by the United States or any Government agency in the following property:

Transfer of U. S. interests.

(1) All fissionable material; all atomic weapons and parts thereof; all facilities, equipment, and materials for the processing, production, or utilization of fissionable material or atomic energy; all processes and technical information of any kind, and the source thereof (including data, drawings, specifications, patents, patent applications, and other sources (relating to the processing, production, or utilization of fissionable material or atomic energy; and all contracts, agreements, leases, patents, applications for patents, inventions and discoveries (whether patented or unpatented), and other rights of any kind concerning any such items;

(2) All facilities, equipment, and materials, devoted primarily to atomic energy research and development; and

(3) Such other property owned by or in the custody or control of the Manhattan Engineer District or other Government agencies as the President may determine.

(b) In order to render financial assistance to those States and localities in which the activities of the Commission are carried on and in which the Commission has acquired property previously subject to State and local taxation, the Commission is authorized to make payments to State and local governments in lieu of property taxes. Such

Payments to States, etc.

payments may be in the amounts, at the times, and upon the terms the Commission deems appropriate, but the Commission shall be guided by the policy of not making payments in excess of the taxes which would have been payable for such property in the condition in which it was acquired, except in cases where special burdens have been cast upon the State or local government by activities of the Commission, the Manhattan Engineer District or their agents. In any such case, any benefit accruing to the State or local government by reason of such activities shall be considered in determining the amount of the payment. The Commission, and the property, activities, and income of the Commission, are hereby expressly exempted from taxation in any manner or form by any State, county, municipality, or any subdivision thereof.

Tax exemptions.

CONTROL OF INFORMATION

SEC. 10. (a) POLICY.—It shall be the policy of the Commission to control the dissemination of restricted data in such a manner as to assure the common defense and security. Consistent with such policy, the Commission shall be guided by the following principles:

Exchange with other nations.

(1) That until Congress declares by joint resolution that effective and enforceable international safeguards against the use of atomic energy for destructive purposes have been established, there shall be no exchange of information with other nations with respect to the use of atomic energy for industrial purposes; and

Scientific and technical information.

(2) That the dissemination of scientific and technical information relating to atomic energy should be permitted and encouraged so as to provide that free interchange of ideas and criticisms which is essential to scientific progress.

"Restricted data."

(b) RESTRICTIONS.—

(1) The term "restricted data" as used in this section means all data concerning the manufacture or utilization of atomic weapons, the production of fissionable material, or the use of fissionable material in the production of power, but shall not include any data which the Commission from time to time determines may be published without adversely affecting the common defense and security.

Communication with intent to injure U. S., etc.; penalties.

(2) Whoever, lawfully or unlawfully, having possession of, access to, control over, or being entrusted with, any document, writing, sketch, photograph, plan, model, instrument, appliance, note or information involving or incorporating restricted data—

(A) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with intent to injure the United States or with intent to secure an advantage to any foreign nation, upon conviction thereof, shall be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury and only in cases where the offense was committed with intent to injure the United States); or by a fine of not more than \$20,000 or imprisonment for not more than twenty years, or both;

(B) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with reason to believe such data will be utilized to injure the United States or to secure an advantage to any foreign nation, shall, upon conviction, be punished by a fine of not more than \$10,000 or imprisonment for not more than ten years, or both.

Acquisition, etc., of documents.

(3) Whoever, with intent to injure the United States or with intent to secure an advantage to any foreign nation, acquires or attempts or

conspires to acquire any document, writing, sketch, photograph, plan, model, instrument, appliance, note or information involving or incorporating restricted data shall, upon conviction thereof, be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury and only in cases where the offense was committed with intent to injure the United States); or by a fine of not more than \$20,000 or imprisonment for not more than twenty years, or both.

Penalty.

(4) Whoever, with intent to injure the United States or with intent to secure an advantage to any foreign nation, removes, conceals, tampers with, alters, mutilates, or destroys any document, writing, sketch, photograph, plan, model, instrument, appliance, or note involving or incorporating restricted data and used by any individual or person in connection with the production of fissionable material, or research or development relating to atomic energy, conducted by the United States, or financed in whole or in part by Federal funds, or conducted with the aid of fissionable material, shall be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury and only in cases where the offense was committed with intent to injure the United States); or by a fine of not more than \$20,000 or imprisonment for not more than twenty years or both.

Removal, etc.

Penalty.

(5) (A) No person shall be prosecuted for any violation under this section unless and until the Attorney General of the United States has advised the Commission with respect to such prosecution and no such prosecution shall be commenced except upon the express direction of the Attorney General of the United States.

Prosecution.

(B) (i) No arrangement shall be made under section 3, no contract shall be made or continued in effect under section 4, and no license shall be issued under section 4 (e) or 7, unless the person with whom such arrangement is made, the contractor or prospective contractor, or the prospective licensee agrees in writing not to permit any individual to have access to restricted data until the Federal Bureau of Investigation shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual and the Commission shall have determined that permitting such person to have access to restricted data will not endanger the common defense or security.

Investigation of designated persons by FBI, etc.

(ii) Except as authorized by the Commission in case of emergency, no individual shall be employed by the Commission until the Federal Bureau of Investigation shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual.

(iii) Notwithstanding the provisions of subparagraphs (i) and (ii), during such period of time after the enactment of this Act as may be necessary to make the investigation, report, and determination required by such paragraphs, (a) any individual who was permitted access to restricted data by the Manhattan Engineer District may be permitted access to restricted data and (b) the Commission may employ any individual who was employed by the Manhattan Engineer District.

Persons previously employed, etc.

(iv) To protect against the unlawful dissemination of restricted data and to safeguard facilities, equipment, materials, and other property of the Commission, the President shall have authority to utilize the services of any Government agency to the extent he may deem necessary or desirable.

Use of Government services.

(C) All violations of this Act shall be investigated by the Federal Bureau of Investigation of the Department of Justice.

Violations.

Applicability of
other laws.

(6) This section shall not exclude the applicable provisions of any other laws, except that no Government agency shall take any action under such other laws inconsistent with the provisions of this section.

(c) **INSPECTIONS, RECORDS, AND REPORTS.**—The Commission is—

(1) authorized by regulation or order to require such reports and the keeping of such records with respect to, and to provide for such inspections of, activities and studies of types specified in section 3 and of activities under licenses issued pursuant to section 7 as may be necessary to effectuate the purposes of this Act;

(2) authorized and directed by regulation or order to require regular reports and records with respect to, and to provide for frequent inspections of, the production of fissionable material in the conduct of research and development activities.

PATENTS AND INVENTIONS

SEC. 11. (a) PRODUCTION AND MILITARY UTILIZATION.

(1) No patent shall hereafter be granted for any invention or discovery which is useful solely in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon. Any patent granted for any such invention or discovery is hereby revoked, and just compensation shall be made therefor.

(2) No patent hereafter granted shall confer any rights with respect to any invention or discovery to the extent that such invention or discovery is used in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon. Any rights conferred by any patent heretofore granted for any invention or discovery are hereby revoked to the extent that such invention or discovery is so used, and just compensation shall be made therefor.

Reports.

(3) Any person who has made or hereafter makes any invention or discovery useful in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon shall file with the Commission a report containing a complete description thereof, unless such invention or discovery is described in an application for a patent filed in the Patent Office by such person within the time required for the filing of such report. The report covering any such invention or discovery shall be filed on or before whichever of the following is the latest: (A) The sixtieth day after the date of enactment of this Act; (B) the sixtieth day after the completion of such invention or discovery; or (C) the sixtieth day after such person first discovers or first has reason to believe that such invention or discovery is useful in such production or utilization.

(b) **USE OF INVENTIONS FOR RESEARCH.**—No patent hereafter granted shall confer any rights with respect to any invention or discovery to the extent that such invention or discovery is used in the conduct of research or development activities in the fields specified in section 3. Any rights conferred by any patent heretofore granted for any invention or discovery are hereby revoked to the extent that such invention or discovery is so used, and just compensation shall be made therefor.

Ante, p. 768.

(c) **NONMILITARY UTILIZATION.**—

(1) It shall be the duty of the Commission to declare any patent to be affected with the public interest if (A) the invention or discovery covered by the patent utilizes or is essential in the utilization of fissionable material or atomic energy; and (B) the licensing of such invention or discovery under this subsection is necessary to effectuate the policies and purposes of this Act.

(2) Whenever any patent has been declared, pursuant to paragraph (1), to be affected with the public interest—

(A) The Commission is hereby licensed to use the invention or discovery covered by such patent in performing any of its powers under this Act; and

(B) Any person to whom a license has been issued under section 7 is hereby licensed to use the invention or discovery covered by such patent to the extent such invention or discovery is used by him in carrying on the activities authorized by his license under section 7.

Ante, p. 764.

The owner of the patent shall be entitled to a reasonable royalty fee for any use of an invention or discovery licensed by this subsection. Such royalty fee may be agreed upon by such owner and the licensee, or in the absence of such agreement shall be determined by the Commission.

Royalty fee.

(3) No court shall have jurisdiction or power to stay, restrain, or otherwise enjoin the use of any invention or discovery by a licensee, to the extent that such use is licensed by paragraph (2) above, on the ground of infringement of any patent. If in any action for infringement against such licensee the court shall determine that the defendant is exercising such license, the measure of damages shall be the royalty fee determined pursuant to this section, together with such costs, interest, and reasonable attorney's fees as may be fixed by the court. If no royalty fee has been determined, the court shall stay the proceeding until the royalty fee is determined pursuant to this section. If any such licensee shall fail to pay such royalty fee, the patentee may bring an action in any court of competent jurisdiction for such royalty fee, together with such costs, interest, and reasonable attorney's fees as may be fixed by the court.

Infringement of patent.

(d) ACQUISITION OF PATENTS.—The Commission is authorized to purchase, or to take, requisition, or condemn, and make just compensation for, (1) any invention or discovery which is useful in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon, or which utilizes or is essential in the utilization of fissionable material or atomic energy, or (2) any patent or patent application covering any such invention or discovery. The Commissioner of Patents shall notify the Commission of all applications for patents heretofore or hereafter filed which in his opinion disclose such inventions or discoveries and shall provide the Commission access to all such applications.

Notification by Commissioner of Patents.

(e) COMPENSATION AWARDS, AND ROYALTIES.—

(1) PATENT COMPENSATION BOARD.—The Commission shall designate a Patent Compensation Board, consisting of two or more employees of the Commission, to consider applications under this subsection.

(2) ELIGIBILITY.—

Applications.

(A) Any owner of a patent licensed under subsection (c) (2) or any licensee thereunder may make application to the Commission for the determination of a reasonable royalty fee in accordance with such procedures as it by regulation may establish.

(B) Any person seeking to obtain the just compensation provided in subsections (a), (b), or (d) shall make application therefor to the Commission in accordance with such procedures as it may by regulation establish.

(C) Any person making any invention or discovery useful in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon who is not entitled to compensation therefor under subsection (a) and

who has complied with subsection (a) (3) above may make application to the Commission for, and the Commission may grant, an award.

Counsel.

(D) Any person making application under this subsection shall have the right to be represented by counsel.

Determination of royalty fee.

(3) STANDARDS.—

(A) In determining such reasonable royalty fee, the Commission shall take into consideration any defense, general or special, that might be pleaded by a defendant in an action for infringement, the extent to which, if any, such patent was developed through federally financed research, the degree of utility, novelty, and importance of the invention or discovery, and may consider the cost to the owner of the patent of developing such invention or discovery or acquiring such patent.

Determination of compensation.

(B) In determining what constitutes just compensation under subsection (a), (b), or (d) above, the Commission shall take into account the considerations set forth in paragraph (A) above, and the actual use of such invention or discovery, and may determine that such compensation be paid in periodic payments or in a lump sum.

Payment of awards.

(C) In determining the amount of any award under paragraph (2) (C) of this subsection, the Commission shall take into account the considerations set forth in paragraph (A) above, and the actual use of such invention or discovery. Awards so made may be paid by the Commission in periodic payments or in a lump sum.

36 Stat. 1157.

(4) JUDICIAL REVIEW.—Any person aggrieved by any determination of the Commission of an award or of a reasonable royalty fee may obtain a review of such determination in the Court of Appeals for the District of Columbia by filing in such court, within thirty days after notice of such determination, a written petition praying that such determination be set aside. A copy of such petition shall be forthwith served upon the Commission and thereupon the Commission shall file with the court a certified transcript of the entire record in the proceeding, including the findings and conclusions upon which the determination was based. Upon the filing of such transcript the court shall have exclusive jurisdiction upon the record certified to it to affirm the determination in its entirety or set it aside and remand it to the Commission for further proceedings. The findings of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States upon writ of certiorari on petition therefor under section 240 of the Judicial Code (U. S. C., title 28, sec. 347), by the Commission or any party to the court proceeding.

GENERAL AUTHORITY

SEC. 12. (a) In the performance of its functions the Commission is authorized to—

Advisory boards.

(1) establish advisory boards to advise with and make recommendations to the Commission on legislation, policies, administration, research, and other matters;

Standards to govern use of materials, etc.

(2) establish by regulation or order such standards and instructions to govern the possession and use of fissionable and byproduct materials as the Commission may deem necessary or desirable to protect health or to minimize danger from explosions and other hazards to life or property;

Studies, hearings, etc.

(3) make such studies and investigations, obtain such information, and hold such hearings as the Commission may deem

necessary or proper to assist it in exercising any authority provided in this Act, or in the administration or enforcement of this Act, or any regulations or orders issued thereunder. For such purposes the Commission is authorized to administer oaths and affirmations, and by subpoena to require any person to appear and testify, or to appear and produce documents, or both, at any designated place. No person shall be excused from complying with any requirements under this paragraph because of his privilege against self-incrimination, but the immunity provisions of the Compulsory Testimony Act of February 11, 1893 (U. S. C., title 49, sec. 46), shall apply with respect to any individual who specifically claims such privilege. Witnesses subpoenaed under this subsection shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States;

Administration of oaths, etc.

27 Stat. 443.

(4) appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Commission. Such officers and employees shall be appointed in accordance with the civil-service laws and their compensation fixed in accordance with the Classification Act of 1923, as amended, except that to the extent the Commission deems such action necessary to the discharge of its responsibilities, personnel may be employed and their compensation fixed without regard to such laws. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee;

Officers and employees.

42 Stat. 1488.
5 U. S. C. §§ 661-674;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

(5) acquire such materials, property, equipment, and facilities, establish or construct such buildings and facilities, and modify such buildings and facilities from time to time as it may deem necessary, and construct, acquire, provide, or arrange for such facilities and services (at project sites where such facilities and services are not available) for the housing, health, safety, welfare, and recreation of personnel employed by the Commission as it may deem necessary;

Acquisition of property, etc.

(6) with the consent of the agency concerned, utilize or employ the services or personnel of any Government agency or any State or local government, or voluntary or uncompensated personnel, to perform such functions on its behalf as may appear desirable;

Use of Government services, etc.

(7) acquire, purchase, lease, and hold real and personal property as agent of and on behalf of the United States and to sell, lease, grant, and dispose of such real and personal property as provided in this Act; and

Purchase, sale, etc., of property.

(8) without regard to the provisions of the Surplus Property Act of 1944 or any other law, make such disposition as it may deem desirable of (A) radioactive materials, and (B) any other property the special disposition of which is, in the opinion of the Commission, in the interest of the national security.

Disposition of radioactive materials, etc.
58 Stat. 765.
60 U. S. C., Supp. V, app. §§ 1611-1646.
Ante, pp. 168, 169, 599; *post*, p. 886.

(b) **SECURITY.**—The President may, in advance, exempt any specific action of the Commission in a particular matter from the provisions of law relating to contracts whenever he determines that such action is essential in the interest of the common defense and security.

(c) **ADVISORY COMMITTEES.**—The members of the General Advisory Committee established pursuant to section 2 (b) and the members of advisory boards established pursuant to subsection (a) (1) of this section may serve as such without regard to the provisions of sections 109 and 113 of the Criminal Code (18 U. S. C., secs. 198 and 203) or section 19 (e) of the Contract Settlement Act of 1944, except insofar as such sections may prohibit any such member from receiving compensation in respect of any particular matter which directly involves the Commission or in which the Commission is directly interested.

Ante, p. 757.

35 Stat. 1107, 1109.
18 U. S. C., Supp. V, § 198 note.
58 Stat. 668.
41 U. S. C., Supp. V, § 119.

COMPENSATION FOR PRIVATE PROPERTY ACQUIRED

SEC. 13. (a). The United States shall make just compensation for any property or interests therein taken or requisitioned pursuant to sections 5 and 11. The Commission shall determine such compensation. If the compensation so determined is unsatisfactory to the person entitled thereto, such person shall be paid 50 per centum of the amount so determined, and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided by sections 24 (20) and 145 of the Judicial Code to recover such further sum as added to said 50 per centum will make up such amount as will be just compensation.

(b) In the exercise of the rights of eminent domain and condemnation, proceedings may be instituted under the Act of August 1, 1888 (U. S. C., title 40, sec. 257), or any other applicable Federal statute. Upon or after the filing of the condemnation petition, immediate possession may be taken and the property may be occupied, used, and improved for the purposes of this Act, notwithstanding any other law. Real property acquired by purchase, donation, or other means of transfer may also be occupied, used, and improved for the purposes of this Act, prior to approval of title by the Attorney General.

JUDICIAL REVIEW AND ADMINISTRATIVE PROCEDURE

SEC. 14. (a) Notwithstanding the provisions of section 12 of the Administrative Procedure Act (Public Law 404, Seventy-ninth Congress, approved June 11, 1946) which provide when such Act shall take effect, section 10 of such Act (relating to judicial review) shall be applicable, upon the enactment of this Act, to any agency action under the authority of this Act or by any agency created by or under the provisions of this Act.

(b) Except as provided in subsection (a), no provision of this Act shall be held to supersede or modify the provisions of the Administrative Procedure Act.

(c) As used in this section the terms "agency action" and "agency" shall have the same meaning as is assigned to such terms in the Administrative Procedure Act.

JOINT COMMITTEE ON ATOMIC ENERGY

SEC. 15. (a) There is hereby established a Joint Committee on Atomic Energy to be composed of nine Members of the Senate to be appointed by the President of the Senate, and nine Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. In each instance not more than five members shall be members of the same political party.

(b) The joint committee shall make continuing studies of the activities of the Atomic Energy Commission and of problems relating to the development, use, and control of atomic energy. The Commission shall keep the joint committee fully and currently informed with respect to the Commission's activities. All bills, resolutions, and other matters in the Senate or the House of Representatives relating primarily to the Commission or to the development, use, or control of atomic energy shall be referred to the joint committee. The members of the joint committee who are Members of the Senate shall from time to time report to the Senate, and the members of the joint committee who are Members of the House of Representatives shall from time to time report to the House, by bill or otherwise, their recommendations with respect to matters within the jurisdiction of their respective Houses which are (1) referred to the joint committee or (2) otherwise within the jurisdiction of the joint committee.

Ante, pp. 760, 768.

36 Stat. 1093, 1136.
28 U. S. C. §§ 41 (20),
260.

25 Stat. 357.

Ante, pp. 244, 243.

Ante, p. 237.

"Agency action,"
"agency."

Ante, p. 237.

Functions.

Reports.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The provisions of sections 102 to 104, inclusive, of the Revised Statutes shall apply in case of any failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

(e) The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

Vacancies.

Hearings, etc.

2 U. S. C. §§ 192-194.

Compensation of experts, etc.

42 Stat. 1488.
5 U. S. C. §§ 661-674;
Supp. V, § 661 et seq.
Ante, pp. 216, 218.

ENFORCEMENT

SEC. 16. (a) Whoever willfully violates, attempts to violate, or conspires to violate, any provision of sections 4 (b), 4 (e), 5 (a) (3), or 6 (b) shall, upon conviction thereof, be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation shall, upon conviction thereof, be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury and only in cases where the offense was committed with intent to injure the United States); or by a fine of not more than \$20,000 or by imprisonment for not more than twenty years, or both.

(b) Whoever willfully violates, attempts to violate, or conspires to violate, any provision of this Act other than those specified in subsection (a) and other than section 10 (b), or of any regulation or order prescribed or issued under sections 5 (b) (4), 10 (c), or 12 (a) (2), shall, upon conviction thereof, be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation shall, upon conviction thereof, be punished by a fine of not more than \$20,000 or by imprisonment for not more than twenty years, or both.

(c) Whenever in the judgment of the Commission any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this Act, or any regulation or order issued thereunder, it may make application to the appropriate court for an order enjoining such acts or practices, or for an order enforcing compliance with such provision, and upon a showing by the Commission that such person has engaged or is about to engage in any such acts or practices a permanent or temporary injunction, restraining order, or other order may be granted.

Ante, pp. 759, 760,
764.
Penalty.

Ante, p. 766.

Ante, pp. 761, 768,
770.Application by
Commission.

Refusal to obey subpoena, etc.
Ante, p. 770.

(d) In case of failure of refusal to obey a subpoena served upon any person pursuant to section 12 (a) (3), the district court for any district in which such person is found or resides or transacts business, upon application by the Commission, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents, or both, in accordance with the subpoena; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

REPORTS

Additional legislation.

SEC. 17. The Commission shall submit to the Congress, in January and July of each year, a report concerning the activities of the Commission. The Commission shall include in such report, and shall at such other times as it deems desirable submit to the Congress, such recommendations for additional legislation as the Commission deems necessary or desirable.

DEFINITIONS

"Atomic energy."

SEC. 18. As used in this Act—

(a) The term "atomic energy" shall be construed to mean all forms of energy released in the course of or as a result of nuclear fission or nuclear transformation.

"Government agency."

(b) The term "Government agency" means any executive department, commission, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government.

"Person."

(c) The term "person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, the United States or any agency thereof, any government other than the United States, any political subdivision of any such government, and any legal successor, representative, agent, or agency of the foregoing, or other entity, but shall not include the Commission or officers or employees of the Commission in the exercise of duly authorized functions.

"United States."

(d) The term "United States", when used in a geographical sense, includes all Territories and possessions of the United States and the Canal Zone.

"Research and development."

(e) The term "research and development" means theoretical analysis, exploration, and experimentation, and the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes.

"Equipment or device utilizing fissionable material or atomic energy."

(f) The term "equipment or device utilizing fissionable material or atomic energy" shall be construed to mean any equipment or device capable of making use of fissionable material or peculiarly adapted for making use of atomic energy and any important component part especially designed for such equipment or devices, as determined by the Commission.

"Facilities for the production of fissionable material."

(g) The term "facilities for the production of fissionable material" shall be construed to mean any equipment or device capable of such production and any important component part especially designed for such equipment or devices, as determined by the Commission.

APPROPRIATIONS

SEC. 19. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act. The Acts appropriating such sums may appropriate specified portions thereof to be accounted for upon the certification of the Commission only. Funds appropriated to the Commission shall, if obligated by contract during the fiscal year for which appropriated, remain available for expenditure for four years following the expiration of the fiscal year for which appropriated. After such four-year period, the unexpended balances of appropriations shall be carried to the surplus fund and covered into the Treasury.

Appropriation authorized. *Post*, p. 913.

SEPARABILITY OF PROVISIONS

SEC. 20. If any provision of this Act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SHORT TITLE

SEC. 21. This Act may be cited as the "Atomic Energy Act of 1946". Approved August 1, 1946.

[CHAPTER 725]

AN ACT

To amend the Act of June 8, 1936, relating to vocational education, so as to provide for the further development of vocational education in the several States and Territories.

August 1, 1946

[S. 619]

[Public Law 586]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 8, 1936, entitled "An Act to provide for the further development of vocational education in the several States and Territories" (49 Stat. 1488, ch. 541), is amended to read as follows:

20 U. S. C. §§ 15h-15p.

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Vocational Education Act of 1946.'

Vocational Education Act of 1946.

"DEFINITIONS

"SEC. 2. As used in this Act—

"(1) the term 'States and Territories' means the several States, the Territories of Alaska and Hawaii, the island of Puerto Rico, and the District of Columbia;

"(2) the terms 'State plan' and 'State board' shall have the meaning which said terms have in the Smith-Hughes Vocational Education Act; and

Infra.

"(3) the term 'Smith-Hughes Vocational Education Act' means the Act approved February 23, 1917 (39 Stat. 929, ch. 114).

20 U. S. C. §§ 11-15, 16-28.

"AUTHORIZATION FOR APPROPRIATIONS FOR VOCATIONAL EDUCATION

"SEC. 3. (a) For the purpose of assisting the several States and Territories in the further development of vocational education, there is authorized to be appropriated for the fiscal year beginning July 1, 1946, and annually thereafter—

Assistance to States and Territories.

"(1) \$10,000,000 for vocational education in agriculture; including supervision by the vocational agriculture teachers of

Agriculture.

the activities, related to vocational education in agriculture, of the Future Farmers of America and the New Farmers of America, to be apportioned for expenditure in the several States and Territories in the proportion that their farm population bears to the total farm population of the States and Territories, according to the last preceding United States census;

Home economics.

“(2) \$8,000,000 for vocational education in home economics, to be apportioned for expenditure in the several States and Territories in the proportion that their rural population bears to the total rural population of the States and Territories, according to the last preceding United States census;

Trades and industry.

“(3) \$8,000,000 for vocational education in trades and industry, to be apportioned for expenditure in the several States and Territories in the proportion that their nonfarm population bears to the total nonfarm population of the States and Territories, according to the last preceding United States census;

Distributive occupations.

“(4) \$2,500,000 for vocational education in distributive occupations, to be apportioned for expenditure in the several States and Territories in the proportion that their total population bears to the total population of the States and Territories, according to the last preceding United States census;

Use of funds.

“(b) The funds appropriated under authority of paragraphs (1) to (4), inclusive, of subsection (a) of this section may be used for assisting the several States and Territories, for the purposes therein specified, in the maintenance of adequate programs of administration, supervision, and teacher-training; for salaries and necessary travel expenses of teachers, teacher-trainers, vocational counselors, supervisors and directors of vocational education and vocational guidance; for securing necessary educational information and data as a basis for the proper development of programs of vocational education and vocational guidance; for training and work-experience training programs for out-of-school youths; for training programs for apprentices; for purchase or rent of equipment and supplies for vocational instruction: *Provided*, That all expenditures for the purposes as set forth in this section shall be made in accordance with the State plan for vocational education.

State plan.

Funds available.

“(c) Notwithstanding the provisions of subsection (a), the amount to be available for expenditure in any State or Territory shall be not less, for any fiscal year, than \$40,000 each for vocational education in agriculture, in home economics, and in trades and industry; \$15,000 for vocational education in distributive occupations and there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1946, and annually thereafter, such additional sums as may be needed for the purpose of providing such minimum amounts.

Annual appropriations.

“REQUIREMENTS AS TO MATCHING OF FUNDS

“SEC. 4. The several States and Territories, in order to receive the benefits of this Act, shall be required to match by State and local funds or both 100 per centum of the appropriations made under authority of section 3.

“MAKING OF PAYMENTS

“SEC. 5. The Secretary of the Treasury, through the Fiscal Service of the Treasury Department, shall, upon the certification of the United States Commissioner of Education, pay, in equal semiannual payments, on the first day of July and January of each year, to the custodian for vocational education of each State and Territory designated in the Smith-Hughes Vocational Education Act, the moneys to which the State or Territory is entitled under the provisions of this Act.

“AVAILABILITY OF FUNDS FOR SALARY AND EXPENSES OF STATE DIRECTORS

“SEC. 6. Funds appropriated under authority of section 3 shall be available, on a prorated basis determined by the State board, for the salary and necessary travel expenses of a State director of vocational education selected by the State board, in accordance with the requirements of the State plan, on the basis of his technical and professional qualifications including experience in vocational education.

“APPLICABILITY OF SMITH-HUGHES VOCATIONAL EDUCATION ACT

“SEC. 7. The appropriations made under authority of this Act shall be in addition to, and shall be subject to the same conditions and limitations as, the appropriations made to carry out the Smith-Hughes Vocational Education Act; except that (1) the appropriations made under authority of this Act for home economics shall be subject to the conditions and limitations applicable to the appropriation for agricultural purposes under the Smith-Hughes Vocational Education Act, with the exception of that part of section 10 thereof which requires directed or supervised practice for at least six months per year; (2) such moneys as are provided under authority of this Act for trade and industrial subjects, and public and other service occupations, may be expended for part-time classes operated for less than one hundred and forty-four hours per year; (3) the provisions of section 11 of the Smith-Hughes Vocational Education Act, requiring at least one-third of the sum appropriated to any State to be expended for part-time schools or classes shall be held to include any part-time day-school classes for workers sixteen years of age and over, and evening-school classes for workers sixteen years of age and over; (4) the appropriations made by this Act for distributive occupational subjects shall be limited to part-time and evening schools as provided in the Smith-Hughes Vocational Education Act, for trade, home economics, and industrial subjects and is qualified by the provisions of this section; (5) preemployment schools and classes organized for persons over eighteen years of age or who have left the full-time school may be operated for less than nine months per year and less than thirty hours per week and without the requirement that a minimum of 50 per centum of the time must be given to shop work on a useful or productive basis; and (6) the appropriations available under section 9 of this Act shall be available for expenses of attendance at meetings of educational associations and other organizations and for expenses of conferees called to meet in the District of Columbia or elsewhere, which, in the opinion of the Commissioner, are necessary for the efficient discharge of the provisions of this Act.

39 Stat. 929.
20 U. S. C. §§ 11-15,
16-28.
Home economics.

39 Stat. 934.
20 U. S. C. § 20.
Trade and industrial subjects.

Part-time schools.
39 Stat. 934.
20 U. S. C. § 21.

Distributive occupational subjects.

Preemployment schools.

Attendance at meetings.
39 Stat. 933.
20 U. S. C. § 19.

“RESTRICTIONS AND CONDITIONS

“SEC. 8. (a) No part of the appropriations made under authority of this Act shall be expended in industrial-plant training programs, except such industrial-plant training be bona fide vocational training, and not a device to utilize the services of vocational trainees for private profit.

Industrial-plant training.

“(b) After June 30, 1951; not more than 10 per centum of the amount appropriated for each of the purposes specified in section 3 (a) shall be used for the purchase or acquisition of equipment.

Acquisition of equipment.

“APPROPRIATIONS FOR OFFICE OF EDUCATION

“SEC. 9. For the purpose of carrying out the provisions of this Act there is hereby authorized to be appropriated to the Office of Education, Federal Security Agency, for vocational education, for the fiscal year beginning July 1, 1937, and annually thereafter the sum of

Appropriation authorized.

39 Stat. 933.
20 U. S. C. § 15.

\$350,000, to be expended for the same purposes and in the same manner as provided in section 7 of the Smith-Hughes Vocational Education Act, as amended October 6, 1917.”

Approved August 1, 1946.

[CHAPTER 726]

AN ACT

To amend Revised Statutes, 4921 (U. S. C. A., title 35, Patents, sec. 70), providing that damages be ascertained on the basis of compensation for infringement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4921 of the Revised Statutes of the United States (35 U. S. C. A. 70) is hereby amended to read as follows:

Power of courts to grant injunctions, etc.

“The several courts vested with jurisdiction of cases arising under the patent laws shall have power to grant injunctions according to the course and principles of courts of equity, to prevent the violation of any right secured by patent, on such terms as the court may deem reasonable; and upon a judgment being rendered in any case for an infringement the complainant shall be entitled to recover general damages which shall be due compensation for making, using, or selling the invention, not less than a reasonable royalty therefor, together with such costs, and interest, as may be fixed by the court. The court may in its discretion award reasonable attorney’s fees to the prevailing party upon the entry of judgment on any patent case.

Recovery in infringement cases.

Attorney’s fees.

Expert or opinion evidence in determining compensation.

“The court is hereby authorized to receive expert or opinion evidence upon which to determine in conjunction with any other evidence in the record, due compensation for making, using, or selling the invention, and such expert or opinion evidence is hereby declared to be competent and admissible subject to the general rules of evidence applicable thereto.

Assessment of damages.

“The court shall assess said damages, or cause the same to be assessed, under its direction and shall have the same power to increase the assessed damages, in its discretion, as is given to increase the damages found by verdicts in actions in the nature of actions of trespass upon the case; but recovery shall not be had for any infringement committed more than six years prior to the filing of the complaint in the action. And it shall be the duty of the clerks of such courts within one month after the filing of any action, suit, or proceeding arising under the patent laws to give notice thereof in writing to the Commissioner of Patents, setting forth in order so far as known the names and addresses of the litigants, names of the inventors, and the designating number or numbers of the patent or patents upon which the action, suit, or proceeding has been brought, and in the event any other patent or patents be subsequently included in the action, suit, or proceeding by amendment, answer, cross bill, or other pleading, the clerk shall give like notice thereof to the Commissioner of Patents, and within one month after the decision is rendered or a judgment issued the clerk of the court shall give notice thereof to the Commissioner of Patents, and it shall be the duty of the Commissioner of Patents on receipt of such notice forthwith to endorse the same upon the file wrapper of the said patent or patents, and to incorporate the same as a part of the contents of said file or file wrapper.”

Recovery for infringement.

Notice to Commissioner of Patents.

Endorsement.

Effective date; pending causes of action.

This Act shall take effect upon approval and shall apply to pending causes of action in which the taking of the testimony has not been concluded: *Provided, however,* That pending causes of action in which the taking of the testimony has been concluded are to be governed by the statute in force at the time of approval of this Act as if such statute had not been amended.

Approved August 1, 1946.

[CHAPTER 727]

AN ACT

To establish an Office of Naval Research in the Department of the Navy; to plan, foster, and encourage scientific research in recognition of its paramount importance as related to the maintenance of future naval power, and the preservation of national security; to provide within the Department of the Navy a single office, which, by contract and otherwise, shall be able to obtain, coordinate, and make available to all bureaus and activities of the Department of the Navy, world-wide scientific information and the necessary services for conducting specialized and imaginative research; to establish a Naval Research Advisory Committee consisting of persons preeminent in the fields of science and research, to consult with and advise the Chief of such Office in matters pertaining to research.

August 1, 1946
[H. R. 5911]
[Public Law 588]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created and established in the Office of the Secretary of the Navy an Office of Naval Research, which shall be charged with such duties relating to (1) the encouragement, promotion, planning, initiation, and coordination, of naval research; (2) the conduct of naval research in augmentation of and in conjunction with the research and development conducted by the respective bureaus and other agencies and offices of the Navy Department; and (3) the supervision, administration, and control of activities within or on behalf of the Department of the Navy relating to patents, inventions, trade-marks, copyrights, royalty payments, and matters connected therewith; as may be prescribed by the Secretary of the Navy. All of the duties of this Office shall be performed under the authority of the Secretary of the Navy and its orders shall be considered as emanating from him and shall have full force and effect as such.

Navy.
Office of Naval Research.

Duties.

SEC. 2. At the head of the Office of Naval Research there shall be a Chief of Naval Research, appointed by the President, by and with the advice and consent of the Senate, for a term of not to exceed three years, from among officers not below the grade of commander on the active list of the Navy. The Chief of Naval Research shall have the same rank and shall be entitled to the same pay, allowances, and privileges of retirement as are now or may hereafter be prescribed by or in pursuance of law for chiefs of bureaus in the Navy Department.

Chief of Naval Research.
Appointment, etc.

SEC. 3. An officer on the active list of the Navy may be detailed as Assistant Chief of Naval Research, and such officer shall receive the highest pay of his grade and in case of the death, resignation, absence, or sickness of the Chief of Naval Research, shall, until otherwise directed by the President as provided in Revised Statutes, section 179 (U. S. C., title 5, sec. 6), perform the duties of such chief until his successor is appointed or such absence or sickness shall cease.

Assistant Chief of Naval Research.

SEC. 4. The Secretary of the Navy is hereby authorized to establish a Naval Research Advisory Committee, which shall consist of not exceeding fifteen persons to be appointed by the Secretary from those persons in civilian life who are preeminent in the fields of science, research, and development work. One member of such committee will be from the field of medicine. The members of such committee shall serve for such term or terms as the Secretary may specify, and shall meet at such times as may be specified by the Secretary to consult with and advise the Chief of Naval Operations and the Chief of the Office of Naval Research. Each member of such committee shall be entitled to compensation in the amount of \$50 for each day or part of a day he shall be in attendance at any regularly called meeting of the committee, together with reimbursement for all travel expenses incident to such attendance: *Provided*, That nothing contained in sections

Naval Research Advisory Committee.

Term of service, etc.

Compensation.

35 Stat. 1097, 1107,
1109.
18 U. S. C., Supp.
V, § 198 note.
58 Stat. 668.
41 U. S. C., Supp.
V, § 119.

41, 109, and 113 of the Criminal Code (U. S. C., title 18, secs. 93, 198, and 203); in Revised Statutes, section 190 (U. S. C., title 5, sec. 99); in section 19 (e) of the Contract Settlement Act of 1944 (Public Law 395, Seventy-eighth Congress); or in any other provision of Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim proceeding, or matter involving the United States, shall apply to such persons solely by reason of their appointment to and membership on such committee.

Appropriation au-
thorized.

SEC. 5. (a) There is hereby authorized to be appropriated such amounts as may be necessary for the Office of Naval Research to carry out its functions as provided for herein, including such sums as may be required for administrative expenses, and the conduct of research and development work in Government facilities and under contracts with private individuals, corporations, and educational or scientific institutions. Sufficient information relative to estimates of appropriations for research by the several bureaus and offices shall be furnished to the Chief of the Office of Naval Research to assist him in coordinating the Navy research program and the carrying out of such other duties as outlined in section 1.

Availability of funds.

(b) Any funds appropriated to enable the Office of Naval Research to carry out its functions as provided for herein shall, if obligated during the fiscal year for which appropriated, remain available for expenditure for four years following the expiration of the fiscal year for which appropriated. After such a four-year period, the unexpended balances of appropriations shall be carried to the surplus fund and covered into the Treasury.

Contracts for serv-
ices, etc.

SEC. 6. Within the limits of available appropriations, the Secretary of the Navy, and, by direction of the Secretary, the Chief of the Office of Naval Research and the chiefs of all bureaus of the Navy Department may enter into contracts, or amendments or modifications of contracts, for services and materials necessary for the making and securing of reports, tests, models, apparatus, and for the conducting of research, without performance or other bonds, and without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), section 3718 of the Revised Statutes (U. S. C., title 34, sec. 561), section 3719 of the Revised Statutes (U. S. C., title 34, sec. 562), section 3720 of the Revised Statutes (U. S. C., title 34, sec. 563), section 3722 of the Revised Statutes (U. S. C., title 34, sec. 572), and may make advance, progress, and other payments with respect to such contracts without regard to the provisions of section 3648 of the Revised Statutes (U. S. C., title 31, sec. 529): *Provided*, That nothing herein shall be construed to authorize the use of the cost-plus-a-percentage-of-cost system of contracting.

Post, p. 809.

Post, p. 809.

Transfer of func-
tions and property.

SEC. 7. The Secretary of the Navy is authorized to transfer to the Office of Naval Research, as in his judgment may be necessary and appropriate, such research and development functions as are now assigned to the various bureaus and other agencies and offices of the Navy Department, together with any or all personnel, buildings, facilities, and other property used in the administration thereof, including without limitation the Special Devices Division and the Naval Research Laboratory.

Approved August 1, 1946.

[CHAPTER 728]

AN ACT

To amend certain provisions of the National Service Life Insurance Act of 1940, as amended, and for other purposes.

August 1, 1946
[H. R. 6371]
[Public Law 689]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 601 (f) of the National Service Life Insurance Act of 1940 is hereby amended effective as of October 8, 1940, to read as follows:

Insurance Act of 1946,
56 Stat. 659.
38 U. S. C., Supp.
V. § 801 (f).
"Parent," "father,"
"mother."

"(f) The terms 'parent', 'father', and 'mother' include a father, mother, father through adoption, mother through adoption, persons who have stood in loco parentis to a member of the military or naval forces at any time prior to entry into active service for a period of not less than one year, and a stepparent, if designated as beneficiary by the insured."

(b) The amendment made by subsection (a) of this section to section 601 (f) of the National Service Life Insurance Act of 1940, as amended, shall not be construed (1) to require the discontinuance, for any period prior to the first day of the third calendar month following receipt of claim by or on behalf of a person brought within the permitted class of beneficiaries by such amendment, of any insurance award made prior to the date of enactment of this Act, or (2) to require duplicate payments of benefits in any case.

Discontinuance of
award, etc.

SEC. 2. Section 602 (c) of the National Service Life Insurance Act of 1940 is hereby amended effective as of October 8, 1940, to read as follows:

54 Stat. 1009.
38 U. S. C. § 802 (c).

"(c) (1) Any person upon reenlistment or reentrance into or reemployment in active service and before discharge or resignation therefrom and any person in the active service upon discharge to accept a commission and before resignation therefrom, shall be granted such insurance upon application therefor in writing (made within one hundred and twenty days following such reenlistment, reentrance, reemployment, or discharge to accept a commission), and upon payment of premiums and evidence satisfactory to the Administrator showing such person to be in good health at the time of such application.

Reenlistment, etc.

"(2) Subject to the provisions of the first proviso under the caption 'Transfer of Appropriations' contained in title II of the First Supplemental Surplus Appropriation Rescission Act, 1946 (Public Law 301, Seventy-ninth Congress), any individual who has had active service between October 8, 1940, and September 2, 1945, both dates inclusive, shall be granted such insurance upon application therefor in writing and upon payment or authorization for deduction of premiums and evidence satisfactory to the Administrator showing such person to be in good health at the time of such application. In any case in which application for life or disability insurance or for reinstatement of such insurance is made prior to January 1, 1950, the Administrator shall not deny, for the purposes of this or any other section of this part, that the applicant is in good health because of any disability or disabilities, less than total in degree, resulting from or aggravated by such active service. In any case in which insurance is granted by reason of the immediately preceding sentence, the premiums paid on such insurance shall be credited directly to the national service life-insurance appropriation and any payments of benefits on such insurance shall be made directly from such appropriation. The maximum amount of insurance for which an individual is otherwise eligible to apply under this paragraph shall be decreased by the amount of any insurance which he may have surrendered for its cash-surrender value.

Active service be-
tween Oct. 8, 1940 and
Sept. 2, 1945.

Ante, p. 14.

Application prior to
Jan. 1, 1950.

Permanent disability, etc., in line of duty.

"(3) Any person in the active service between October 8, 1940, and September 2, 1945, both dates inclusive, who, while in such service, made application in writing for insurance while performing full military or naval duty, which application was denied solely on account of his condition of health, and the applicant thereafter shall have incurred a total and permanent disability in line of duty or died in line of duty, shall be deemed to have applied for and to have been granted such insurance as of the date of such application and such insurance shall be deemed to be or to have been continued in force to the date of death of such person. In any case in which insurance deemed to have been granted under this paragraph matures or has matured, there shall be deducted from the proceeds of such insurance the premiums payable thereon from the date of application to the date of incurrence of total and permanent disability in line of duty or to the date of death, if permanent and total disability was not incurred. Any payments on such insurance shall be made directly from the national service life insurance appropriation. The amount of insurance deemed to have been granted under this paragraph, when added to any other insurance in force under the War Risk Insurance Act, as amended, the World War Veterans' Act, 1924, as amended, or this part, shall not in the aggregate exceed \$10,000."

SEC. 3. Section 602 (f) of the National Service Life Insurance Act of 1940 is hereby amended to read as follows:

"(f) Such insurance shall be issued upon the five year level premium term plan, with the privilege of conversion as of the date when any premium becomes or has become due, or exchange as of the date of the original policy, upon payment of the difference in reserve, at any time after such policy has been in effect for one year and within the term period, to policies of insurance upon the following plans: Ordinary life, twenty-payment life, thirty-payment life, twenty-year endowment, endowment at age sixty, and endowment at age sixty-five: *Provided*, That conversion to an endowment plan may not be made while the insured is totally disabled. All level premium term policies shall cease and terminate at the expiration of the term period. Provisions for cash, loan, paid-up, and extended values, dividends from gains and savings, refund of unearned premiums, and such other provisions as may be found to be reasonable and practicable may be provided for in the policy of insurance or from time to time by regulations promulgated by the Administrator."

SEC. 4. Section 602 (g) of the National Service Life Insurance Act of 1940, as amended, is hereby amended by substituting a colon for the period at the end thereof and adding the following: "*Provided*, That the provisions of this subsection as to the restricted permitted class of beneficiaries shall not apply to any national service life-insurance policy maturing on or after the date of enactment of the Insurance Act of 1946."

SEC. 5. (a) So much of subsection (h) of section 602 of the National Service Life Insurance Act of 1940, as amended, as precedes paragraph (3) thereof is hereby amended to read as follows:

"(h) Insurance maturing prior to the date of enactment of the Insurance Act of 1946 shall be payable in the following manner:

"(1) If the beneficiary to whom payment is first made is under thirty years of age at the time of maturity, in two hundred and forty equal monthly installments: *Provided*, That the Administrator, under regulations to be promulgated by him, may include a provision in the insurance contract authorizing the insured or the beneficiary to elect in lieu of this mode of payment and prior to the commencement of payments, a refund life income in monthly installments payable for such period

38 Stat. 711; 43 Stat.

607.

38 U. S. C. §§ 287, 357, 502, 575, 421; Supp. V, § 434 *et seq.*

Anle, p. 526; *post*, p.

739.

54 Stat. 1009.

38 U. S. C. § 802

(f).

Issuance of insurance, etc.

Conversion to endowment plan.

54 Stat. 1010.
38 U. S. C. § 802 (g);
Supp. V, § 802 (g).

Beneficiaries.

54 Stat. 1010.
38 U. S. C. § 802
(h); Supp. V, § 802
(h).

Payments.

Beneficiary under

30.

Right of election.

certain as may be required in order that the sum of the installments certain, including a last installment of such reduced amount as may be necessary, shall equal the face value of the contract, less any indebtedness, with such payments continuing throughout the lifetime of such beneficiary: *Provided further*, That in any case in which insurance benefit payments were commenced prior to September 30, 1944, the beneficiary, whether or not the first beneficiary, shall have the right to elect to receive a refund life income, as provided in such optional settlement, payable in monthly installments adjusted as of the date of the maturity of such policy, credit being allowed for payments previously made on the insurance. The right of election with respect to cases in which benefit payments were commenced prior to September 30, 1944, shall terminate two years after the date of enactment of the Insurance Act of 1946. The Administrator is directed to send, within one year after the date of enactment of the Insurance Act of 1946, to each beneficiary of insurance on which payments were commenced prior to September 30, 1944, a notice explaining the right of election. Any such notice shall be sent by registered mail addressed to the last known address of the addressee.

Notice to beneficiary.

“(2) If the beneficiary to whom payment is first made is thirty or more years of age at the time of maturity, in equal monthly installments for one hundred and twenty months certain, with such payments continuing during the remaining lifetime of such beneficiary: *Provided*, That the Administrator, under regulations to be promulgated by him, may include a provision in the insurance contract authorizing the insured or the beneficiary to elect, in lieu of this mode of payment and prior to the commencement of payments, a refund life income in monthly installments payable for such period certain as may be required in order that the sum of the installments certain, including a last installment of such reduced amount as may be necessary, shall equal the face value of the contract, less any indebtedness, with such payments continuing throughout the lifetime of such beneficiary: *Provided further*, That such optional settlement shall not be available in any case in which such settlement would result in payments of installments over a shorter period than one hundred and twenty months: *Provided further*, That in any case in which insurance benefit payments were commenced prior to September 30, 1944, the beneficiary, whether or not the first beneficiary, shall have the right to elect to receive a refund life income, as provided in such optional settlement, payable in monthly installments adjusted as of the date of the maturity of such policy, credit being allowed for payments previously made on the insurance. The right of election with respect to cases in which benefit payments were commenced prior to September 30, 1944, shall terminate two years after the date of enactment of the Insurance Act of 1946. The Administrator is directed to send, within one year after the date of enactment of the Insurance Act of 1946, to each beneficiary of insurance on which payments were commenced prior to September 30, 1944, a notice explaining the right of election. Any such notice shall be sent by registered mail addressed to the last known address of the addressee.”

Beneficiary 30 or older.

Right of election.

Notice to beneficiary.

(b) Subsections (i), (j), and (k) of section 602 of the National Service Life Insurance Act of 1940, as amended, are amended by adding at the end of each of such subsections the following: “The provisions of this subsection shall not be applicable to insurance maturing on or after the date of enactment of the Insurance Act of 1946.”

Nonapplicability.

54 Stat. 1010.
38 U. S. C. § 802 (i), (j), (k); Supp. V, § 802 (i).

54 Stat. 1011.
38 U. S. C. § 802
(m); Supp. V, § 802
(m).

Time and method of
payment of premi-
ums.

Advance of first-
premium amount.

54 Stat. 1195.
38 U. S. C. § 454a.
Deduction of premi-
ums from service pay.

SEC. 6. Section 602 (m) of the National Service Life Insurance Act of 1940 is hereby amended, effective as of October 8, 1940, to read as follows:

"(m) (1) The Administrator shall, by regulations, prescribe the time and method of payment of the premiums on such insurance, but payments of premiums in advance shall not be required for periods of more than one month each, and may at the election of the insured be deducted from his active-service pay or be otherwise made: *Provided*, That an amount equal to the first premium due under a national service life-insurance policy may be advanced from current appropriations for active service pay to any person in the active service in the Army, Navy, Marine Corps, or Coast Guard, which amount shall constitute a lien upon any service or other pay accruing to the person for whom such advance was made and shall be collected therefrom if not otherwise paid: *Provided further*, That no disbursing or certifying officer shall be responsible for any loss incurred by reason of the advance herein authorized: *And provided further*, That any amount so advanced in excess of available service or other pay shall constitute a lien on the policy within the provisions of section 5, Public Law Numbered 866, Seventy-sixth Congress, approved October 17, 1940.

"(2) In any case in which the insured provided for the payment of premiums on his insurance by authorizing in writing the deduction of premiums from his service pay, such insurance shall be deemed not to have lapsed so long as he remained in active service prior to the date of enactment of the Insurance Act of 1946, notwithstanding the fact that deduction of premiums was discontinued because—

"(A) the insured was discharged to accept a commission; or

"(B) the insured was absent without leave, if restored to active duty; or

"(C) the insured was sentenced by court martial, if he was restored to active duty, required to engage in combat, or killed in combat.

In any case in which the insured under any insurance continued in force by the provisions of this paragraph died while such insurance was so continued in force, any premiums due on such insurance shall be deducted from the proceeds of the insurance. Any premiums deducted or collected on any such insurance shall be credited to the national service life insurance appropriation and any payments of benefits on any such insurance shall be made directly from such appropriation."

SEC. 7. Section 602 (n) of the National Service Life Insurance Act of 1940, as amended, is amended to read as follows:

"(n) Upon application by the insured and under such regulations as the Administrator may promulgate, payment of premiums on such insurance may be waived during the continuous total disability of the insured, which continues or has continued for six or more consecutive months, if such disability commenced (1) subsequent to the date of his application for insurance, (2) while the insurance was in force under premium-paying conditions, and (3) prior to the insured's sixtieth birthday: *Provided*, That upon application made within one year after the date of enactment of the Insurance Act of 1946 the Administrator shall grant waiver of any premium becoming due not more than five years prior to the date of enactment of such Act which may be waived under the foregoing provisions of this subsection: *Provided further*, That the Administrator, upon any application made subsequent to one year after the date of enactment of the Insurance Act of 1946, shall not grant waiver of any premium

54 Stat. 1011.
38 U. S. C. § 802
(n); Supp. V, § 802
(n).
Waiver of premi-
ums.

becoming due more than one year prior to the receipt in the Veterans' Administration of application for the same, except as herein-after provided. Any premiums paid for months during which waiver is effective shall be refunded. The Administrator shall provide by regulations for examination or reexamination of an insured claiming benefits under this subsection, and may deny benefits for failure to cooperate. In the event that it is found that an insured is no longer totally disabled, the waiver of premiums shall cease as of the date of such finding and the policy of insurance may be continued by payment of premiums as provided in said policy: *Provided further*, That in any case in which the Administrator finds that the insured's failure to make timely application for waiver of premiums or his failure to submit satisfactory evidence of the existence or continuance of total disability was due to circumstances beyond his control, the Administrator may grant waiver or continuance of waiver of premiums: *And provided further*, That in the event of death of the insured without filing application for waiver, the beneficiary, within one year after the death of the insured or the enactment of this amendment, whichever be the later, or, if the beneficiary be insane or a minor, within one year after removal of such legal disability, may file application for waiver with evidence of the insured's right to waiver under this section. Premium rates shall be calculated without charge for the cost of the waiver of premiums herein provided and no deduction from benefits otherwise payable shall be made on account thereof."

SEC. 8. Section 602 (p) of the National Service Life Insurance Act of 1940, as amended, is amended to read as follows:

"(p) Such insurance may be made effective, as specified in the application, not later than the first day of the calendar month following the date of application therefor, but the United States shall not be liable thereunder for death occurring prior to such effective date. Notwithstanding the foregoing provisions of this subsection, in any case in which prior to the date of enactment of the Insurance Act of 1946 application was made for insurance to become effective subsequent to the date of application and the applicant died in line of duty prior to the date such insurance was to become effective, the United States shall be liable to the same extent as it would have been if such insurance had been in force on the date of death of the applicant. Any payments of benefits made as a result of the enactment of the preceding sentence shall be made directly from the national service life insurance appropriation."

SEC. 9. Section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended by adding at the end thereof the following new subsections:

"(t) Insurance maturing on or subsequent to the date of enactment of the Insurance Act of 1946 shall be payable in accordance with the following optional modes of settlement:

"(1) In one sum.

"(2) In equal monthly installments of from thirty-six to two hundred and forty in number, in multiples of twelve.

"(3) In equal monthly installments for one hundred and twenty months certain with such payments continuing during the remaining lifetime of the first beneficiary.

"(4) As a refund life income in monthly installments payable for such period certain as may be required in order that the sum of the installments certain, including a last installment of such reduced amount as may be necessary, shall equal the face

Refunds.
Examinations.

Insured no longer
totally disabled.

Continuance of
waiver.

Death of insured
without filing appli-
cation.

54 Stat. 1011.
38 U. S. C. § 802 (p).

Effective date of
insurance.

Liability of U. S.

54 Stat. 1009.
38 U. S. C. § 802;
Supp. V, § 802.
Ante, p. 781 *et seq.*;
post, p. 788.

Optional modes of
settlement.

value of the contract, less any indebtedness, with such payments continuing throughout the lifetime of the first beneficiary: *Provided*, That such optional settlement shall not be available in any case in which such settlement would result in payments of installments over a shorter period than one hundred and twenty months.

Restriction.**Payment to beneficiary.**

Unless the insured elects some other mode of settlement, the insurance shall be payable to the designated beneficiary or beneficiaries in thirty-six equal monthly installments. The first beneficiary may elect to receive payment under any option which provides for payment over a longer period of time than the option elected by the insured, or if no option be designated by the insured, in excess of thirty-six months. If the option selected requires payment to any one beneficiary of monthly installments of less than \$10, the amount payable to such beneficiary shall be paid in such maximum number of monthly installments as are a multiple of twelve as will provide a monthly installment of not less than \$10. If the present value of the amount payable at the time any person initially becomes entitled to payment thereof is not sufficient to pay at least twelve monthly installments of not less than \$10 each, such amount shall be payable in one sum. Options (3) and (4) shall not be available if any firm, corporation, legal entity (including the estate of the insured), or trustee is beneficiary, or in any case in which an endowment contract matures by reason of the completion of the endowment period.

Installments less than \$10.**Lump-sum settlement.**

“(u) With respect to insurance maturing on or subsequent to the date of enactment of the Insurance Act of 1946, in any case in which the beneficiary is entitled to a lump-sum settlement but elects some other mode of settlement and dies before receiving all the benefits due and payable under such mode of settlement, the present value of the remaining unpaid amount shall be payable to the estate of the beneficiary; and in any case in which no beneficiary is designated by the insured, or the designated beneficiary does not survive the insured, or a designated beneficiary not entitled to choose a lump-sum settlement survives the insured, and dies before receiving all the benefits due and payable, the commuted value of the insurance remaining unpaid shall be paid in one sum to the estate of the insured: *Provided*, That in no event shall there be any payment to the estate of the insured or of the beneficiary of any sums unless it is shown that any sums paid will not escheat.

Total-disability provisions.

“(v) (1) The Administrator is hereby authorized and directed, upon application by the insured and proof of good health satisfactory to the Administrator and payment of such extra premium as the Administrator shall prescribe, to include in any national service life-insurance policy on the life of the insured provisions whereby an insured who is shown to have become totally disabled for a period of six consecutive months or more commencing after the date of such application and before attaining the age of sixty and while the payment of any premium is not in default, shall be paid monthly disability benefits from the first day of the seventh consecutive month of and during the continuance of such total disability of \$5 for each \$1,000 of such insurance in effect when such benefits become payable: *Provided*, That in any case in which the applicant while not totally disabled and prior to January 1, 1950, furnishes proof satisfactory to the Administrator that his inability to furnish proof of good health is the result of an actually service-incurred injury or disability, the requirement of proof of good health shall be waived, but in such case the extra premium for disability coverage paid by any such insured shall be credited directly to the

Waiver of requirement

national service life-insurance appropriation and any disability payments made to such insured shall be made directly from the national service life-insurance appropriation: *Provided further*, That policies containing additional provisions for the payment of disability benefits may be separately classified for the purpose of dividend distribution from otherwise similar policies not containing such benefit.

Separate classification of policies.

“(2) Whenever benefits under the total-disability provision authorized by section 602 (v) (1) hereof become, or have become, payable because of total disability of the insured as a result of disease or injury traceable to the extra hazard of the military or naval service, as such hazard may be determined by the Administrator of Veterans' Affairs, the liability shall be borne by the United States, and the Administrator is hereby authorized and directed to transfer from the national service life-insurance appropriation to the national service life-insurance fund from time to time any amounts which become, or have become, payable to the insured on account of such total disability, and to transfer from the national service life-insurance fund to the national service life-insurance appropriation the amount of the reserve held on account of the total-disability benefit. When a person receiving such payments on account of total disability recovers from such disability, and is then entitled to continue protection under the total-disability provision, the Administrator is hereby authorized and directed to transfer to the national service life-insurance fund a sum sufficient to set up the then required reserve on such total-disability benefit.

Transfer of funds.

“(w) Subject to the provisions of section 612 of the National Service Life Insurance Act of 1940, as amended, all contracts or policies of insurance heretofore or hereafter issued, reinstated, or converted shall be incontestable from the date of issue, reinstatement, or conversion except for fraud, nonpayment of premium, or on the ground that the applicant was not a member of the military or naval forces of the United States.

Incontestability of policies.
54 Stat. 1013.
38 U. S. C. § 812.

“(x) When an optional mode of settlement of insurance heretofore or hereafter matured is available to a beneficiary who is a minor or incompetent, such option may be exercised by his fiduciary, person qualified under Public Law 373, Seventy-second Congress, February 25, 1933 (47 Stat. 907; 25 U. S. C. 14), or person recognized by the Administrator as having custody of the person or the estate of such beneficiary, and the obligation of the United States under the insurance contract shall be fully satisfied by payment of benefits in accordance with the mode of settlement so selected.

Minor or incompetent beneficiary.

“(y) (1) Any level premium term insurance which has lapsed may be reinstated within the term upon written application, payment of two monthly premiums, and evidence satisfactory to the Administrator that the applicant, subject to the provisions of the second sentence of section 602 (c) (2), *supra*, is in good health.

Reinstatement of insurance.

Ante, p. 781.

“(2) Any level premium term insurance which has lapsed may be reinstated within the term upon written application, made within six months after the date of such lapse or within six months after the date of enactment of the Insurance Act of 1946, whichever is the later, and payment of two monthly premiums, provided such applicant is in as good health on the date of application and tender of premiums as he was on the due date of the premium in default and furnishes evidence thereof satisfactory to the Administrator: *Provided*, That when the insured makes inquiry prior to the expiration of the grace period disclosing a clear intent to continue insurance protection, an additional reasonable period not exceeding sixty days may be granted for payment of premiums due, but the premiums in any such case must be paid during the lifetime of the insured.”

Additional grace period.

54 Stat. 1009.
38 U. S. C. § 802;
Supp. V, § 802.
Ante, p. 781 *et seq.*

Total disability.

SEC. 10. Section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended effective as of October 8, 1940, by adding at the end thereof the following new subsection:

“(z) Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the total loss of hearing of both ears, or the organic loss of speech, shall be deemed total disability for insurance purposes.”

54 Stat. 1012.
38 U. S. C. § 807 (b).

Calculation of liability.

SEC. 11. Section 607 (b) of the National Service Life Insurance Act of 1940, as amended, is hereby amended effective as of October 8, 1940, by inserting after the first sentence thereof the following: “Where life contingencies are involved in the calculation of the value of such benefits of insurance heretofore or hereafter matured, the calculation of such liability or liabilities shall be based upon such mortality table or tables as the Administrator may prescribe with interest at the rate of 3 per centum per annum.”

54 Stat. 1012.
38 U. S. C. § 808.

Powers of Administrator.

SEC. 12. Section 608 of the National Service Life Insurance Act of 1940, as amended, is hereby amended effective as of October 8, 1940, to read as follows:

“SEC. 608. The Administrator, subject to the general direction of the President, shall administer, execute, and enforce the provisions of this Act, shall have power to make such rules and regulations, not inconsistent with the provisions of this Act, as are necessary or appropriate to carry out its purposes, and shall decide all questions arising hereunder. All officers and employees of the Veterans' Administration shall perform such duties in connection with the administration of this Act as may be assigned to them by the Administrator. All official acts performed by such officers and employees designated therefor by the Administrator shall have the same force and effect as though performed by the Administrator. Except in the event of suit as provided in section 617 hereof, or other appropriate court proceedings, all decisions rendered by the Administrator under the provisions of this Act, or regulations properly issued pursuant thereto, shall be final and conclusive on all questions of law or fact, and no other official of the United States, except a judge or judges of United States courts, shall have jurisdiction to review any such decisions.”

54 Stat. 1014.
38 U. S. C. § 816.

Assignments of beneficiary's interest.

SEC. 13. Section 616 of the National Service Life Insurance Act of 1940, as amended, is hereby amended by substituting a colon for the period at the end thereof and adding the following: “*Provided*, That assignments of all or any part of the beneficiary's interest may be made by a designated beneficiary to a widow, widower, child, father, mother, grandfather, grandmother, brother, or sister of the insured, when the designated contingent beneficiary, if any, joins the beneficiary in the assignment, and if the assignment is delivered to the Veterans' Administration before any payments of the insurance shall have been made to the beneficiary: *Provided further*, That an interest in an annuity, when assigned, shall be payable in equal monthly installments in such multiple of twelve as most nearly equals the number of installments certain under such annuity, or in two hundred and forty installments, whichever is the lesser.”

Payment of interest in annuity.

54 Stat. 1014.
38 U. S. C. § 817;
Supp. V, § 817.

Suits.

SEC. 14. Section 617 of the National Service Life Insurance Act of 1940, as amended, is hereby amended effective as of October 8, 1940, to read as follows:

“SEC. 617. In the event of disagreement as to any claim arising under this Act, suit may be brought in the same manner and subject to the same conditions and limitations as are applicable to the

United States Government life (converted) insurance under the provisions of sections 19 and 500 of the World War Veterans' Act, 1924, as amended."

SEC. 15. The World War Veterans' Act, 1924, as amended, is hereby amended by adding thereto a new section 313, to read as follows:

"SEC. 313. Whenever benefits under the total disability provision authorized by section 311 become, or have become, payable because of total disability of the insured as a result of disease or injury traceable to the extra hazard of the military or naval service, as such hazard may be determined by the Administrator of Veterans' Affairs, the liability shall be borne by the United States, and the Administrator is hereby authorized and directed to transfer from the military and naval insurance appropriation to the United States Government life insurance fund from time to time any amounts which become or have become payable to the insured on account of such total disability, and to transfer from the United States Government life insurance fund to the military and naval insurance appropriation the amount of the reserve held on account of the total disability benefit. When a person receiving such payments on account of total disability recovers from such disability, and is then entitled to continued protection under the total disability provision, the Administrator is hereby authorized and directed to transfer to the United States Government life insurance fund a sum sufficient to set up the then required reserve on such total disability benefit."

SEC. 16. This Act may be cited as the "Insurance Act of 1946".

Approved August 1, 1946.

43 Stat. 612, 628.
38 U. S. C. §§ 445, 551.

43 Stat. 607.
38 U. S. C. § 421;
Supp. V. § 434 *et seq.*
Ante, p. 526.

Transfer of funds.
45 Stat. 970.
38 U. S. C. § 512b.

Short title.

[CHAPTER 729]

AN ACT

To establish the Office of Under Secretary of State for Economic Affairs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the Department of State for a period of two years following the enactment and approval of this legislation by the President, the Office of Under Secretary of State for Economic Affairs, which shall be filled by appointment by the President, by and with the advice and consent of the Senate. The Under Secretary of State for Economic Affairs shall receive compensation at the rate of \$10,000 a year and shall perform such duties as may be prescribed by the Secretary of State. The Under Secretary of State for Economic Affairs shall serve subject to the direction of the Secretary of State and the Under Secretary of State.

Approved August 1, 1946.

August 1, 1946
[H. R. 6646]
[Public Law 590]

Department of State.
Under Secretary of State for Economic Affairs.

[CHAPTER 735]

AN ACT

To make it a criminal offense for certain escaped convicts to travel from one State to another.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act making it unlawful for any person to flee from one State to another for the purpose of avoiding prosecution or the giving of testimony in certain cases", approved May 18, 1934 (48 Stat. 782; 18 U. S. C. 408e), be, and it hereby is, amended to read as follows:

"That it shall be unlawful for any person to move or travel in interstate or foreign commerce from any State, Territory, or possession of

August 2, 1946
[S. 496]
[Public Law 591]

Fugitive Felon Act, amendment.

the United States, or the District of Columbia, with intent either (1) to avoid prosecution, or custody or confinement after conviction for murder, kidnaping, burglary, robbery, mayhem, rape, assault with a dangerous weapon, or extortion accompanied by threats of violence, or attempt to commit any of the foregoing, under the laws of the place from which he flees; or (2) to avoid giving testimony in any criminal proceedings in such place in which the commission of a felony is charged. Any person who violates the provision of this Act shall, upon conviction thereof, be punished by a fine of not more than \$5,000 or by imprisonment for not longer than five years, or by both such fine and imprisonment. Violations of this Act may be prosecuted only in the Federal judicial district in which the original crime was alleged to have been committed or in which the person was held in custody or confinement."

Approved August 2, 1946.

[CHAPTER 736]

AN ACT

To provide for the replanning and rebuilding of slum, blighted, and other areas of the District of Columbia and the assembly, by purchase or condemnation, of real property in such areas and the sale or lease thereof for the redevelopment of such area in accordance with said plans; and to provide for the organization of, procedure for, and the financing of such planning, acquisition, and sale or lease; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Redevelopment Act of 1945".

GENERAL PURPOSES

SEC. 2. It is hereby declared to be a matter of legislative determination that owing to technological and sociological changes, obsolete lay-out, and other factors, conditions existing in the District of Columbia with respect to substandard housing and blighted areas, including the use of buildings in alleys as dwellings for human habitation, are injurious to the public health, safety, morals, and welfare; and it is hereby declared to be the policy of the United States to protect and promote the welfare of the inhabitants of the seat of the Government by eliminating all such injurious conditions by employing all means necessary and appropriate for the purpose; and control by regulatory processes having proved inadequate and insufficient to remedy the evils, it is in the judgment of Congress necessary to acquire property in the District of Columbia by gift, purchase, or the use of eminent domain to effectuate the declared policy by the discontinuance of the use for human habitation in the District of Columbia of substandard dwellings and of buildings in alleys and blighted areas, and thereby to eliminate the substandard housing conditions and the communities in the inhabited alleys and blighted areas in such District; and it is necessary to modernize the planning and development of such portions of such District. The Congress finds that the foregoing cannot be accomplished by the ordinary operations of private enterprise alone without public participation in the planning and in the financing of land assembly for such development; and that for the economic soundness of this redevelopment and the accomplishment of the necessary social and economic benefits, and by reason of the close relationships between the development and uses of any part of an urban area with the development and uses of all other parts the sound replanning and redevelopment of an obsolescent or obsolescing portion of such District cannot be accomplished

Penalty.

Prosecution.

August 2, 1946
[S. 1426]

[Public Law 592]

District of Columbia Redevelopment Act of 1945.

Policy.

Acquisition of property.

Modernization.

Comprehensive and coordinated planning.

unless it be done in the light of comprehensive and coordinated planning of the whole of the territory of the District of Columbia and its environs; and that this comprehensive planning and replanning should proceed vigorously without delay; and to these ends it is necessary to enact the provisions hereinafter set forth; and that the acquisition and the assembly of real property and the leasing or sale thereof for redevelopment pursuant to a project area redevelopment plan, all as provided in this Act, is hereby declared to be a public use.

DEFINITIONS

SEC. 3. The following terms, whenever used or referred to in this Act, shall, for the purposes of this Act and unless a different intent clearly appears from the context, be construed as follows:

(a) The term "Agency" means the District of Columbia Redevelopment Land Agency established by section 4 of this Act.

(b) "District Commissioners" means the Board of Commissioners of the District of Columbia.

(c) "Housing" includes housing, dwelling, habitation, and residence.

(d) "Housing project" means any low-rent housing (as defined in the United States Housing Act of 1937, U. S. C., title 42, ch. 8), the development or administration of which is assisted by the United States Housing Authority.

(e) "Land" includes bare or vacant land, or the land under buildings, structures, or other improvements; also water and land under water. When employed in connection with "use", as for instance, "use of land" or "land use", "land" also includes buildings, structures, and improvements existing or to be placed thereon.

(f) "Low-rent housing" means safe and sanitary housing within the financial reach of families of comparatively low income and, as a guide for the standard of rental to be used as a maximum at the time of the enactment of this law but not necessarily thereafter, it is specified that such housing shall be rented at not more than \$13 per room per month, excluding utilities.

(g) "Lessee" includes the successors or assigns and successors in title of any lessee.

(h) "Planning Commission" means the National Capital Park and Planning Commission.

(i) "Proceeds" means the money proceeds of sales or transfers by the Agency; and "net proceeds" means the gross proceeds after deducting commissions or other expenses of the sales or transfers.

(j) "Project area" is an area of such extent and location as may be adopted by the Planning Commission and approved by the District Commissioners after public hearing as an appropriate unit of redevelopment planning for a redevelopment project separate from the redevelopment projects for other parts of the District of Columbia. In the provisions of this Act relating to lease or sale by the Agency, for abbreviation "project area" is used for the remainder of the project area after taking out those pieces of property which in accordance with section 7 (a) of this Act shall have been or are to be transferred for public uses.

(k) "Public low-rent housing" means low-rent housing constructed by a public agency for families of low income, at rentals which (including the value or cost to tenants of heat, light, water, and cooking fuel) shall not exceed one-fifth of the highest net family income of families eligible for tenancy in such housing, as herein provided. The dwellings in public low-rent housing shall be available solely for such families of low income whose net family income does

"Agency."

"District Commissioners."

"Housing."

"Housing project."
50 Stat. 888.
42 U. S. C. § 1401 et seq.; Supp. V, § 1402 et seq.

"Land."

"Low-rent housing."

"Lessee."

"Planning Commission."

"Proceeds."

"Net proceeds."

"Project area."

Post, p. 795.

"Public low-rent housing."

Availability of dwellings.

not exceed the maximum net family income falling within the lowest 20 per centum by number of all family incomes in the District of Columbia, as such maximum net family income shall have been determined, or from time to time redetermined after public hearing, by the District Commissioners. At the end of one year after the enactment of this Act this definition shall be reexamined by the Commissioners for the District of Columbia and a public hearing shall be held thereon to determine whether administrative or interpretive difficulties or unsatisfactory progress in the provision of low-rent housing requires a modification thereof. Upon the conclusion of such hearing the Commissioners shall forthwith make recommendations to Congress whether said definition should be modified and, if so, to what extent.

Modification of definition.

"Purchaser."

(l) "Purchaser" includes the successors or assigns and successors in title of any purchaser.

"Real property."

(m) "Real property" includes land; also includes land together with the buildings, structures, fixtures, and other improvements thereon; also includes liens, estates, easements, and other interests therein; and also includes restrictions or limitations upon the use of land, buildings, or structures other than those imposed by exercise of the police power.

"Redevelopment."

(n) "Redevelopment" means replanning, clearance, redesign, and rebuilding of project areas, including open-space types of uses, such as streets, recreation and other public grounds, and spaces around buildings, as well as buildings, structures, and improvements, but not excluding the continuance of some of the existing buildings or uses in a project area. For the purposes of this Act, "redevelopment" also includes the replanning, redesign, and original development of undeveloped areas which, by reason of street lay-out, lot lay-out, or other causes, are backward and stagnant and therefore blighted and for which replanning and land assembly are deemed necessary as a condition of sound development.

"Redevelopment company."

(o) "Redevelopment company" means a private or public corporation or body corporate, whether organized under the District of Columbia Code or the laws of the United States or any State, or an unincorporated association, trust, or other legal entity, which, by virtue of the statutes, charter, articles of incorporation, instruments of trust, or other instrument defining its powers, has the power to become a lessee or purchaser of a project area and to conform to the provisions of this Act and to perform fully and comply with the terms of the lease or sale of such area or part thereof to it.

"Rentals."

"Net rentals."

(p) "Rentals" means the rents specified in a lease to be paid by the lessee to the Agency; "net rentals" means gross rentals after deducting taxes payable by the Agency.

"Revenues."

"Net revenues."

(q) "Revenues" means the revenues or income received by the Agency from real property while held by it and operated or temporarily let by it and not yet leased, transferred, or sold by it; and "net revenues" means the gross revenues after deducting repair, management, maintenance, insurance, and other operating expenses and taxes paid or payable by the Agency.

"Substandard housing conditions."

(r) "Substandard housing conditions" means the conditions obtaining in connection with the existence of any dwelling, or dwellings, or housing accommodations for human beings, which because of lack of sanitary facilities, ventilation, or light, or because of dilapidation, overcrowding, faulty interior arrangement, or any combination of these factors, is in the opinion of the Commissioners detrimental to the safety, health, morals, or welfare of the inhabitants of the District of Columbia.

ESTABLISHMENT AND POWERS OF THE AGENCY

SEC. 4. (a) The District of Columbia Redevelopment Land Agency is hereby established and shall be composed of five members. Two members shall be appointed by the President and three members shall be appointed by the District Commissioners, subject to confirmation by the Senate. One of the Presidential appointees may be an official of the United States Government; one appointee of the District Commissioners may be an official of the District of Columbia Government. Each nonofficial appointee shall have been a resident of the District of Columbia for at least the five next preceding years, and shall have been engaged or employed during such time in private business or industry, or the private practice of a profession, in the District of Columbia. The terms of members shall be for five years, except that the first appointment of one of the Presidential appointees shall be for three years and the other for five years; one of the first appointments of the District Commissioners shall be for four years, one for two years, and one for one year: *Provided*, That in the event any member shall cease to hold the official position held by him at the time of his designation or appointment, such cessation shall be deemed to create a vacancy in his membership on the Agency, such vacancy, as well as all vacancies from other causes, to be filled by designation or appointment by the President or District Commissioners for the unexpired term. The members shall receive no salary as such, but those members who hold no other salaried public position shall be paid a per diem of \$20 for each day of service at meetings or on the work of the Agency.

(b) The said District of Columbia Redevelopment Agency is hereby made a body corporate of perpetual duration, the powers of which shall be vested in and exercised by the board of directors thereof, consisting of the five members thereof appointed as above set forth. It shall have the power to adopt, alter, and use a corporate seal which shall be judicially noticed; to make contracts; to sue and be sued, to complain and defend in its own name in any court of competent jurisdiction, State, Federal, or municipal; to make, deliver, and receive deeds, leases, and other instruments and to take title to real and other property in its own name; to adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations for the exercise of its powers under this Act or governing the manner in which its business may be conducted and the powers granted to it by this Act may be exercised and enjoyed, including the selection of its chairman and other officers, together with provisions for such committees and the functions thereof as it may deem necessary for facilitation of its work; to protect and enforce any right conferred upon it by this Act, or otherwise acquired, including any lease, sale, or other agreement made by or with it; and in general to exercise all the powers necessary or proper to the performance of its duties and functions under this Act.

POWER TO ACQUIRE AND ASSEMBLE REAL PROPERTY

SEC. 5. (a) Subject to and in accordance with the procedures, conditions, and other provisions of this Act, the Agency is hereby granted the power to further the redevelopment of blighted territory in the District of Columbia and the prevention, reduction, or elimination of blighting factors or causes of blight and for that purpose to acquire and assemble real property by purchase, exchange, gift, dedication, or eminent domain, and including the power to rent, maintain, manage, operate, repair, clear, transfer, lease, and sell such real property, but excluding the power to build new structures

D. C. Redevelopment Land Agency.

Terms of members.

Vacancies.

Per diem.

Powers.

New structures, etc.

thereon (other than the improvements mentioned in section 7 (i) or the power to enlarge, extend, or make major structural improvements of existing buildings).

Condemnation proceedings.

(b) Condemnation proceedings for the acquisition of real property for said purposes shall be conducted in accordance with the procedural provisions of the Act entitled "An Act to provide for the acquisition of land in the District of Columbia for the use of the United States", approved March 1, 1929 (45 Stat. 1415), or Acts which may amend or supplement said Act. The title to properties acquired under this present Act shall be taken by and in the name of the Agency and proceedings for condemnation or other acquisition of property shall be brought by and in the name of the Agency.

40 U. S. C. §§ 361-386.

GENERAL AND PROJECT AREA REDEVELOPMENT PLANS

SEC. 6. (a) The Planning Commission is hereby directed to make and, from time to time, develop a comprehensive or general plan of the District of Columbia, including the appropriate maps, charts, tables, and descriptive, interpretative, and analytical matter, which plan is intended to serve as a general framework or guide of development within which the various project areas may be more precisely planned and calculated, and which comprehensive or general plan shall include at least a land-use plan which designates the proposed general distribution and general locations and extents of the uses of the land for housing, business, industry, recreation, education, public buildings, public reservations, and other general categories of public and private uses of the land.

Acquisition, etc., of property.

(b) For the exercise of the powers granted to the Agency by this Act for the acquisition and disposition of real property for the redevelopment of a project area, the following steps and plans shall be requisite, namely:

Boundaries.

(1) Adoption by the Planning Commission of the boundaries of the project area proposed by it, submission of such boundaries to the District Commissioners, and approval thereof by said Commissioners.

Redevelopment plan.

(2) Adoption by the Planning Commission and submission to, and, after a public hearing thereon, approval by the District Commissioners, of the redevelopment plan of the project area which shall contain a site and use plan for the redevelopment of the area, including the approximate locations and extents of the land uses proposed for and within the area, such as public buildings, streets, and other public works and utilities, housing, recreation, business, industry, schools, public and private open spaces, and other categories of public and private uses. Such plan shall also contain specifications of standards of population density and building intensity. Any such plan may also specify, by means of specification of maximum rentals or other basis, the amount or character or class of any low-rent housing for which the area or part thereof is proposed to be redeveloped.

Location and extent of public works, etc.

(c) In relation to the location and extent of public works and utilities, public buildings, and other public uses in the general plan or in a project area plan, the Planning Commission is directed to confer with the Federal and District public officials, boards, authorities, and agencies under whose administrative jurisdictions such uses respectively fall. In the project area planning, the Planning Commission is directed to consult from time to time with the Agency, and the Agency shall be free at all times to submit to the Planning Commission suggestions regarding both the location and extent of project areas and the use and site plans of project areas.

(d) After a project area redevelopment plan shall have been adopted by the Planning Commission and approved by the District Commissioners, the Planning Commission shall forthwith certify said plan to the Agency, whereupon said Agency shall proceed to the exercise of the powers granted to it in this Act for the acquisition and assembly of the real property of the area. Following such certification, no new construction shall be authorized by the District Commissioners in such area, including substantial remodeling or conversion or rebuilding, enlargement or extension or major structural improvements on existing buildings, but not including ordinary maintenance or remodeling or changes necessary to continue the occupancy.

Certification of plan.

TRANSFER, LEASE, OR SALE OF REAL PROPERTY IN PROJECT AREA FOR PUBLIC AND PRIVATE USES

SEC. 7. (a) After the real property in the project area shall have been assembled by the Agency, the Agency shall have the power to transfer to and shall at a practicable time or times transfer by deeds to the United States or to the District of Columbia, or to the appropriate Federal or District public body, department, or agency, those pieces of real property which, in accordance with the approved project area redevelopment plan, are to be devoted to public uses (other than public housing) falling within the construction or administrative jurisdiction of Federal or District agencies, such as streets and other utilities and works, Federal and District public buildings, public recreational spaces, and schools. The Federal agencies and the public agencies of the District of Columbia are hereby empowered, respectively, to acquire real property from the Agency for the uses respectively specified in the project area plan and to pay for same out of their funds duly appropriated for such acquisition. Excepting for such property as may be transferred by dedication, gift, or exchange, the transferee agency shall pay to the Agency such sum as may be agreed upon or, in the absence of agreement, as may be fixed by the Chief Justice of the District Court of the United States for the District of Columbia.

Public uses.
Transfer of prop-
erty.

Acquisition of prop-
erty from Agency.

(b) The Agency shall have the power to lease or sell the remainder of the project area as an entirety to a redevelopment company or to an individual or a partnership. Said remainder may include streets or parts thereof which in accordance with the plan are to be closed or vacated or other than publicly owned properties; and the Federal and District departments and agencies are empowered to transfer said spaces or properties to the Agency for such sums or other consideration as may be agreed upon.

Lease or sale of re-
mainder.

(c) Any such lease or sale may be made without public bidding but only after a public hearing, after ten days' public notice, by the Agency upon the proposed lease or sale and the provisions thereof.

(d) The term of any such lease shall be fixed by the Agency and the instrument of lease may provide for renewals upon reappraisals and with rentals and other provisions adjusted to such reappraisals. Every such lease or sale shall provide that the lessee or purchaser shall carry out or cause to be carried out the approved project area redevelopment plan or approved modifications thereof and that no use shall be made of any land or real property included in the lease or sale nor any building or structure erected thereon which does not conform to such approved plan or approved modifications thereof. In the instrument, or instruments, of lease or sale, the Agency may include such other terms, conditions, and provisions as in its judgment will provide reasonable assurance of the priority of the obligations of the lease or sale and of conformance to the plan over any other obligations of the lessee or purchaser and also assurance of the financial and legal ability

Term of lease, etc.

of the lessee or purchaser to carry out and conform to the plan and the terms and conditions of the lease or sale; also, such terms, conditions, and specifications concerning buildings, improvements, sub-leases, or tenancies, maintenance and management, and any other related matters as the Agency may reasonably impose or approve, including provisions whereby the obligations to carry out and conform to the project area plan shall run with the land. In the event that maximum rentals to be charged to tenants of housing be specified, provision may be made for periodic reconsideration of such rental bases, with a view to proposing modification of the project area plan with respect to such rentals.

Maximum rentals.

Conveyance by purchaser.

(e) Until the Agency certifies that all building constructions and other physical improvements specified to be done and made by the purchaser of the area have been completed, the purchaser shall have no power to convey the area, or any part thereof, without the consent of the Agency; and no such consent shall be given unless the grantee or mortgagee of the purchaser obligates itself or himself by written instrument to the Agency to carry out that portion of the redevelopment plan which falls within the boundaries of the conveyed property, and also that the grantee, his or its heirs, representatives, successors, and assigns, shall have no right or power to convey, lease, or let the conveyed property or any part thereof or erect or use any building or structure erected thereon free from the obligation and requirement to conform to the approved project area redevelopment plan or approved modifications thereof.

Lease, etc., of parts of area.

(f) In lieu of the lease or sale of a project area as an entirety, the Agency shall have the power to lease or sell parts of such area separately to individuals, partnerships, or redevelopment companies. Any such sale or lease of a part or parts of a project area shall be fully subject to the provisions of subsections (c), (d), and (e) of this section.

Lease, etc., to public redevelopment company.

(g) No lease or sale of any project area or portion thereof shall be made by the Agency to any public redevelopment company unless the terms of such lease or sale shall provide greater compensation to the Agency than any offer or combination of offers based on substantially the same area and substantially the same redevelopment plan which shall be received from any responsible private sources (eligible as purchasers or lessees under this Act) within a reasonable announced period of time (not less than thirty days) after the public hearing on such proposed lease or sale. It is the intent of this provision that private enterprise as represented through a responsible private redevelopment company, individual, or partnership shall be given a preference over any public redevelopment company in such lease or sale provided such preference can be given, in the judgment of the Agency, consistently with the protection of the public interest and consistently with a purpose to resort to a public redevelopment company only in the event that private enterprise shall not reasonably be available for the development of the project area or the part thereof under consideration.

Preference given to private enterprise.

Demolition and construction.

(h) The Agency may itself demolish any existing structure or clear the area or any part thereof, or may specify the demolition and clearance to be performed by a lessee or purchaser within a reasonable time after such lease or purchase. The Agency may specify a reasonable time schedule and reasonable conditions for the construction of buildings and other improvements by a lessee or purchaser: *Provided*, That any such time schedule or condition shall be specified prior to the offering of the area or part thereof for lease or sale, and shall be equally binding upon any purchaser or lessee, public or private. The cost of demolition or clearance made by the Agency pursuant to this

Prior specification of time schedule.

subsection shall be treated as an item of cost of the acquisition of the area.

(i) In order to facilitate the lease or sale of a project area or, in the event that the lease or sale is of parts of an area, then to facilitate the leases or sales of such parts, the Agency shall have the power to include in the cost payable by it the cost of the construction of local streets and sidewalks within the area or of grading and other local public surface or subsurface facilities necessary for shaping the area as the site of the redevelopment of the area. The Agency may arrange with the appropriate Federal or District agencies for the reimbursement of such outlays from funds or assessments raised or levied for such purposes.

Cost of street construction, etc.

Reimbursement.

HOUSING FOR DISPLACED FAMILIES

SEC. 8. (a) Prior to approval by the District Commissioners, pursuant to subparagraph (2) of subsection 6 (b), of any redevelopment plan, the District Commissioners shall satisfy themselves (and shall so state at the public hearing required by such subparagraph) that decent, safe, and sanitary housing, substantially equal in quantity to the number of substandard dwelling units to be removed or demolished within the project area, under the proposed redevelopment plan, are available or will be provided (by construction pursuant to the redevelopment plan, or otherwise) in localities, and at rents or prices, within the reach of the low-income families displaced or to be displaced (temporarily or permanently), pursuant to the redevelopment plan, from the project area.

Availability of safe housing.

(b) Families displaced by slum clearance or redevelopment under this Act shall be given preference as tenants to fill vacancies occurring in housing owned or operated within the District of Columbia by Federal or District of Columbia governmental agencies until appropriate housing is available to such families.

Preference as tenants.

ACQUISITION OF PROPERTY FROM PROSPECTIVE LESSEE OR PURCHASER

SEC. 9. As an aid in the acquisition of the real property of a project area, the Agency may accept a fund or, at an agreed value, any parcel or parcels of property within such area, from any redevelopment company or partnership or individual, subject to a provision that in the event the supplier of any such fund or the conveyer of such property shall become the purchaser of the project area or any part or parts thereof such fund or the agreed value of such property shall be credited on the purchase price of such area or part thereof and if there be an excess above the cost of acquisition of the area such excess shall be returned, and that in the event that such supplier or conveyer does not become the purchaser of such area or any part thereof, the amount of the fund or the agreed value of such property (as the case may be) shall be paid to such supplier or conveyer.

USE-VALUE APPRAISALS

SEC. 10. After the Agency shall have assembled and acquired the real property of a project area, it shall, as an aid to it in determining the rentals and other terms upon which it will lease or the price at which it will sell the area or parts thereof, place a use-value upon each piece or tract of land within the area which, in accordance with the plan, is to be used for private uses or for low-rent housing, such use-value to be based on the planned use; and, for the purpose of this use valuation, it shall cause a use-value appraisal to be made by two or more land-value experts employed by it for the purpose; but nothing contained in this section shall be construed as requiring the Agency to base its rentals or selling prices upon such appraisal.

The aggregate use value placed, for purposes of lease or sale, upon all land, within a particular project area, leased or sold by the Agency pursuant to this Act shall be not less than one-third of the aggregate cost to the Agency of acquiring all such land (excluding the cost of old buildings destroyed and the demolition and clearance thereof).

PROTECTION OF REDEVELOPMENT PLAN

SEC. 11. (a) Previous to the execution and delivery by the Agency of a lease or conveyance to a redevelopment company or previous to the consent by the Agency to an assignment or conveyance by a lessee or purchaser to a redevelopment company, the articles or certificate of incorporation or association or charter or other basic instrument of such company shall contain provisions so defining, limiting, and regulating the exercise of the powers of the company that neither the company nor its stockholders, its officers, its directors, its members, its beneficiaries, its bondholders, or other creditors or other persons shall have any power to amend or to effect the amendment of the terms and conditions of the lease or the terms and conditions of the sale without the consent of the Agency or, in relation to the project area redevelopment plan, without the approval of any proposed modification in accordance with the provisions of section 12 of this Act; and no action of stockholders, officers, directors, bondholders, creditors, partners or other persons, nor any reorganization, dissolution, receivership, consolidation, foreclosure, or any other change in the status or obligation of any redevelopment company, partnership, or individual in any litigation or proceeding in any Federal or other court shall effect any release or any impairment or modification of the lease or terms of sale or of the project area redevelopment plan unless such consent or approval be obtained.

(b) Redevelopment corporations may be organized under the provisions of subchapter 4 of chapter XVIII of the Code of Law for the District of Columbia approved March 3, 1901, as amended (title 29, ch. 2 of the District of Columbia Code, 1940 edition); and said corporations shall have the power to be redevelopment companies under this Act and to acquire and hold real property for the purposes set forth in this Act and to exercise all other powers granted to redevelopment companies in this Act subject to the provisions, limitations, and obligations set forth in this Act.

(c) A redevelopment company, individual, or partnership to which any project area or part thereof is leased or sold under this Act shall keep books of account of its operations of or transactions relating to such area or part thereof entirely separate and distinct from its or his accounts of and for any other project area or part thereof or any other real property or enterprise; and no lien or other interest shall be placed upon any real property in said area to secure any indebtedness or obligation of the redevelopment company, individual, or partnership incurred for or in relation to any property or enterprise outside of said area.

MODIFICATIONS OF REDEVELOPMENT PLANS

SEC. 12. An approved project area redevelopment plan may be modified at any time or times: *Provided*, That any such modification as it may affect an area or part thereof which has been sold or leased shall not become effective without the consent in writing of the purchaser or lessee thereof: *Provided further*, That such modification may be effected only through adoption by the Planning Commission and subsequent submission to and approval by the District Commissioners, as hereinafter provided. Before approval, the District Commissioners shall hold a public hearing on the proposed modification,

Articles of incorporation, etc.

Organization of redevelopment corporations.

31 Stat. 1234.
D. C. Code §§ 29-201 to 29-240.
Ante, p. 261.

Books of account.

notice of the time and place of which shall be given by mail sent at least ten days prior to the hearing to the then owners of the real properties in the project area and of the real properties immediately adjoining or across the street from the project area. The District Commissioners may refer back to the Planning Commission any project area redevelopment plan, project area boundaries, or modification submitted to it, together with their recommendation for changes in such plan, boundaries, or modification, and, if such recommended changes be adopted by the Planning Commission and be in turn approved by the District Commissioners, the plan, boundaries, or modification as thus changed shall be and become the approved plan, boundaries, or modification.

LIMITATION UPON TAX EXEMPTION

SEC. 13. Nothing contained in this Act shall be construed to authorize or require the exemption of any real property from taxation. No real property acquired by the Agency under this Act shall be exempt from taxation by reason of such acquisition or by reason of the holding thereof by the Agency; and, in the case of any piece of real property, which, under the project area redevelopment plan, is designated to be used for Federal or District or other tax-exempt uses, the exemption of such real property from taxation granted by or in the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia (Public Law 846, Seventy-seventh Congress)", or other statute, shall not commence until title thereto shall have been transferred from the Agency to the United States or the District of Columbia or to a Federal or District public agency as provided in section 7 of this Act or sold or leased to a public redevelopment company or other public corporation or tax-exempt agency and may thereby become exempt from taxation by reason of the provisions of statutes other than this present Act; the intention being that ownership or operation by the Agency in the exercise of its power under this present Act shall not, in and of itself, produce tax exemption.

56 Stat. 1089.
D. C. Code, Supp.
V, §§ 47-801a to 47-801f.

Ante, p. 795.

ADMINISTRATIVE EXPENDITURE AND EMPLOYMENT

SEC. 14. The Agency is hereby authorized and empowered—

(a) to procure services or make any purchase without regard to the provisions of section 3709 of the Revised Statutes, provided the aggregate amount involved is not more than \$100;

Post, p. 800.

(b) to secure planning, land economics and valuation services, and other expert services related to the acquisition and disposition of real property, by contract or otherwise, at rates of pay or fees not to exceed those usual for similar services elsewhere, and without regard to the Classification Act of 1923, and to section 3709 of Revised Statutes, as amended: *Provided*, That this exemption shall not apply to persons employed by the Agency on a permanent basis;

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 *et seq.*
Ante, pp. 216, 219;
post, p. 809.

(c) to appoint and employ such officers and employees as it may find necessary for the proper performance of its duties under this Act and to prescribe their authorities, duties, responsibilities, and tenures and fix their compensations; such appointments and employments to be made in conformance with the civil-service laws and the Classification Act of 1923, as amended; and

Supra.

(d) to make such expenditures, subject to audit under the general law, for the acquisition and maintenance of adequate vehicles, furnishings, equipment, supplies, books of reference, directories, periodicals, newspapers, printing and binding, and for

such other expenses as may from time to time be found necessary for the proper administration of this Act.

ANNUAL REPORT

SEC. 15. On or before the last day of September of each year the Agency shall make an annual report to Congress of its operations and expenditures for the immediately preceding fiscal year, said report to include a financial balance sheet of its entire operations hereunder, and a recital in such particularity as is feasible of what the Agency proposes to do during the next succeeding fiscal year. The Agency shall make such other and further reports, in such form and at such times as the Congress by concurrent resolution shall require.

APPROPRIATIONS AUTHORIZED

Acceptance of private funds.

Grants to States, etc.

Special trust fund.

Estimates of expenses.

Transfer of funds.

Deficits.

SEC. 16. (a) There is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, whatever amounts are necessary to the Planning Commission, in addition to other funds which may be appropriated to it or private funds made available to it (the acceptance of which is hereby authorized), for the making or modification of a general or comprehensive plan and the making or modification of project area redevelopment plans and for surveys as authorized in this Act, and other administrative expenses in connection therewith. The Commission is also authorized to receive any grants that the Congress may appropriate for said purposes to the various States and municipalities and the District of Columbia.

(b) There is further authorized to be appropriated out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of \$20,000,000, which sum shall be placed to the credit of a special trust fund to be established for the purposes hereinafter set out. There shall be deposited in the Treasury of the United States and credited to said special trust fund all revenues, rentals, proceeds, and other funds received by the Agency. The said special trust fund is hereby made available to the Agency for the purpose of acquiring real property and performing any act required or authorized by this Act. The Agency shall from time to time submit to the District Commissioners estimates of amounts for the reasonable and necessary expenses of the Agency, including personal services, and such amounts as may be approved by the District Commissioners shall be available from the said special trust fund for such expenses.

(c) As of the last day of the tenth fiscal year beginning after approval of this Act, or as of such later date as may be fixed by the Congress, there shall be transferred and credited to miscellaneous receipts of the United States the balance in the said special trust fund after deducting (a) such amount as may be necessary for the completion of any approved project the acquisition of which has been begun and (b) such amount for operating expenses of the Agency for one year as may be approved by the District Commissioners. If the balance so transferred and credited be insufficient to reimburse the United States for appropriations made pursuant to paragraph (b) of this section, then an amount equal to 50 per centum of the deficit shall be payable to the United States from revenues of the District of Columbia in installments of equal amounts for each of ten years. The District Commissioners shall include in their annual estimates of appropriations items for the payment of such installments. The aforesaid deficit shall be determined by deducting from the total of said appropriations an amount equal to (a) the fund transferred and credited to miscellaneous receipts of the United States, (b) the cost

to the Agency of the real property owned by it on said date, and (c) the reserve for completion of approved projects. All subsequent proceeds, revenues, and rentals from said real property shall be credited to the said special trust fund, to be disposed of as the Congress may direct.

ACQUISITION UNDER DISTRICT OF COLUMBIA ALLEY DWELLING ACT

SEC. 17. From and after the termination of the period of one year, beginning with the date of the approval of this Act, all authority granted by the Act known as the District of Columbia Alley Dwelling Act, approved June 12, 1934, as amended, to acquire, by purchase, condemnation, or gift, lands, buildings and structures, or any interest therein, is hereby transferred to and vested in the Agency created by this Act. During said one-year period said authority may be exercised by the National Capital Housing Authority only for projects that shall have been approved by the Planning Commission and the District Commissioners: *Provided, however,* That failure of the Planning Commission or the District Commissioners to approve or disapprove in writing within sixty days after the submission by the National Capital Housing Authority shall be equivalent to a formal approval. Nothing contained in said Alley Dwelling Act or in this Act shall be interpreted as precluding the inclusion at any time of any alley or inhabited alley or alley dwelling or dwelling or square containing an inhabited alley in a project area to be planned, acquired, and disposed of under the provisions of this Act. Any real property acquired by the Agency under the authority of the Alley Dwelling Act may be transferred or may be sold or leased by the Agency as provided in this Act for real property acquired for a project area redevelopment. The National Capital Housing Authority is hereby declared to be a redevelopment company and is hereby granted the power to purchase or lease redevelopment areas or parts thereof from the Agency in accordance with the provisions of this Act. The National Capital Housing Authority shall keep regular books of account in accordance with standard auditing practices, covering all properties operated by it, showing detailed construction costs, management costs, repairs, maintenance, other operating costs, rents, subsidies, grants, allowances and exemptions; such books shall be subject to annual audit by the General Accounting Office; and the annual report of the National Capital Housing Authority shall include a summary of all transactions covered by such books and shall be made available to the public upon request.

48 Stat. 930.
D. C. Code §§ 5-103
to 5-116; Supp. V,
§ 5-103 *et seq.*
Infra.

Authority declared
to be redevelopment
company.

Books of account.

Annual reports.

AMENDMENT TO DISTRICT OF COLUMBIA ALLEY DWELLING ACT

SEC. 18. (a) Section 4 (b) of the Act known as the "District of Columbia Alley Dwelling Act", approved June 12, 1934, as amended, is further amended to read as follows:

Ante, p. 319.

"(b) On and after July 1, 1955, it shall be unlawful to use or occupy any alley building or structure as a dwelling in the District of Columbia."

(b) Section 6 of such Act, as amended, is further amended by striking "1947" and inserting in lieu thereof "1955".

Ante, p. 319.

ENCOURAGEMENT AND AID TO PRIVATE LENDING INSTITUTIONS

SEC. 19. (a) To provide for and to facilitate the improvement of housing and other improved real estate in the District of Columbia, Federal savings and loan associations of the District of Columbia and building associations and building and loan associations operating

Loans for improve-
ments.

under the laws of the District of Columbia are authorized, notwithstanding any other provision of law, to make loans for the improvement of homes or other improved real estate in the District of Columbia without security: *Provided*, That no such loan without security shall be made in a sum in excess of \$2,000.

Limitation.

Redevelopment corporations, etc.

(b) Any financial institution or other lending organization operating under the laws of the United States or the District of Columbia is authorized, notwithstanding any other law or regulation, to make loans to redevelopment corporations to finance the improvement of any project area as provided in this Act. Any life-insurance company organized under the laws of the District or formed or organized under an Act of Congress is authorized, notwithstanding any other provision of law, to make loans or advances for the purpose of making repairs, alterations, additions, or improvements to homes or other buildings on improved real estate upon which it then holds a first lien to secure a loan previously made, without additional security: *Provided*, That no such loan or advance shall be made in a sum in excess of \$2,000: *And provided further*, That the amount of such loan or advance when added to the balance due on the original indebtedness shall not exceed the amount originally secured by the first lien.

Limitation.

EFFECT UPON EXISTING STATUTES

SEC. 20. (a) In the making and approval of project area redevelopment plans, the Planning Commission and the District Commissioners shall not be limited or bound by the provisions of sections 7-108, 7-117, 7-122, and 7-301 of the District of Columbia Code (1940 edition) (Act of March 2, 1893, 27 Stat. 532, ch. 197, sec. 1; Act of May 31, 1900, 31 Stat. 248, ch. 599, sec. 2; Act of March 4, 1913, 37 Stat. 949, ch. 150; Act of March 3, 1901, 31 Stat. 1429, ch. 854, sec. 1608, as amended) relating to width, location, and length of streets and highways. No department, instrumentality, agency, or official of the Federal Government or of the District of Columbia shall have any power to release or modify or depart from any feature or detail of an approved redevelopment plan or part thereof unless such release, modification, or departure be adopted by the Planning Commission and approved by the District Commissioners in accordance with the provisions of section 12 of this Act or unless the modification or departure be approved by Act of Congress.

Release, etc., of approved redevelopment plan.

Ante, p. 798.

(b) Any power granted the District Commissioners or any District or Federal agency by the District of Columbia Code or by any statute may, in addition to the purposes now specified, be exercised in furtherance of the protection or carrying out of any redevelopment plan or modification made and approved under this Act.

SEPARABILITY OF PROVISIONS

SEC. 21. If any provisions of this Act or the application thereof to any body, agency, situation, or circumstances be held invalid, the remainder of the Act and the application of such provision to other bodies, agencies, situations, or circumstances shall not be affected thereby.

Effective date.

SEC. 22. This Act shall take effect ninety days after the date of its approval.

Approved August 2, 1946.

[CHAPTER 737]

AN ACT

Granting the consent of Congress to the State of Rhode Island to construct, maintain, and operate a free highway bridge across the Sakonnet River between the towns of Tiverton and Portsmouth in Newport County, Rhode Island.

August 2, 1946
[S. 2036]
[Public Law 593]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Rhode Island to construct, maintain, and operate a free highway bridge and approaches thereto across the Sakonnet River, at a point suitable to the interests of navigation, between the towns of Tiverton and Portsmouth in Newport County, Rhode Island, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Bridge.
Sakonnet River.

34 Stat. 84,
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 2, 1946.

[CHAPTER 738]

AN ACT

To authorize the Secretary of the Navy to acquire in fee or otherwise certain lands and rights in land on the island of Guam, and for other purposes.

August 2, 1946
[S. 2246]
[Public Law 594]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to acquire in the name, and for the use, of the United States, by purchase or otherwise, land and rights pertaining thereto situated on or within the island of Guam, including interests in fee, leasehold interests with or without option to purchase interests in fee, and rights-of-way and easements both temporary and perpetual for highways, drainage system, water supply and water distribution facilities, power lines, communication systems, and communication distribution facilities, upon conveyance of title acceptable to him or to such other officer as he may designate without regard to and notwithstanding section 355 of the Revised Statutes, as amended (U. S. C. A., title 40, sec. 255), or any other provision of law requiring approval of title by the Attorney General of the United States. The authority contained herein may include, but shall not be limited to, acquisitions for the purpose set forth in Public Law 225 of the Seventy-ninth Congress, approved November 15, 1945.

Navy.
Acquisition of lands
in Guam.

50 Stat. 584.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,630,000 to effectuate the purposes of this Act.

Appropriation
authorized.

Approved August 2, 1946.

[CHAPTER 739]

AN ACT

To permit the Secretary of the Navy to delegate the authority to compromise and settle claims against the United States caused by vessels of the Navy or in the naval service, or for towage or salvage services to such vessels, and for other purposes.

August 2, 1946
[S. 2247]
[Public Law 595]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 3, 1944 (58 Stat. 726), be amended by adding another section thereto as follows:

Naval vessels.
46 U. S. C., Supp.
V, §§ 791-798.

"SEC. 9. When the net amount paid in settlement does not exceed

58 Stat. 726.
46 U. S. C., Supp.
V, § 797.

\$1,000, the authority of the Secretary of the Navy, as set forth in section 7, may be exercised by such person or persons as he may designate."

Approved August 2, 1946.

[CHAPTER 740]

AN ACT

August 2, 1946
[S. 2253]
[Public Law 596]

To further amend the Act of January 16, 1936, as amended, entitled "An Act to provide for the retirement and retirement annuities of civilian members of the teaching staff at the United States Naval Academy and the Postgraduate School, United States Naval Academy".

Naval Academy
and Postgraduate
School.
Retirement of civil-
ian teachers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of January 16, 1936 (49 Stat. 1092; 34 U. S. C. 1073-1073e), entitled "An Act to provide for the retirement and retirement annuities of civilian members of the teaching staff at the United States Naval Academy and the Postgraduate School, United States Naval Academy", as amended by the Act of November 28, 1943 (57 Stat. 594), is hereby further amended by inserting therein two new sections numbered 4B and 4C, reading as follows:

34 U. S. C., Supp.
V, §§ 1073c-1, 1073d.

Total disability.

"SEC. 4B. Any civilian member of the teaching staffs to whom this Act applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in the preceding sections hereof, becomes totally disabled for useful and efficient service in his position, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the civilian member of the teaching staffs, shall upon his own application or upon the request or order of the Secretary of the Navy be retired on an annuity computed in accordance with provisions of section 4A of this Act. The annuity which the Government pays to a civilian teacher who is forced to retire under this section shall be the difference between his total annuity as computed under section 4A of this Act and the immediate life annuity to which he is entitled at the time of such retirement under the annuity policy provided by the Act. Every annuitant retired under the provisions of this section, unless the disability for which he was retired be permanent in character, shall at the expiration of one year from the date of such retirement and annually thereafter, until reaching retirement age as defined in section 3 hereof, be examined by a board of medical officers appointed by the Superintendent of the Naval Academy. If the annuitant is found to be sufficiently recovered for useful and efficient service in his position and if he is offered reemployment by the Superintendent of the Naval Academy, the annuity being paid him by the Government shall cease immediately. If an annuitant who has been retired under the provisions of this section is subsequently reemployed by the Government, the annuity being paid to him by the Government shall be terminated. If the annuitant is reemployed as a civilian teacher at the Naval Academy, the annuity which the Government will pay him at the time of subsequent retirement shall be the difference between the total annuity, computed under section 4A of this Act, and the immediate life annuity which the total premiums, paid on his annuity contracts provided by this Act, would purchase. No person shall be entitled to receive an annuity under the provisions of this Act, and compensation under the provisions of the Act of September 7, 1916, entitled 'An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', covering the same period of time; but this provision shall not bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period.

57 Stat. 594.
34 U. S. C., Supp.
V, § 1073c-1.
Annuity.

49 Stat. 1092.
34 U. S. C. § 1073b.

Reemployment.

Supra.

39 Stat. 742.
5 U. S. C. § 751-
791, 793.

“SEC. 4C. Any civilian member of the teaching staffs retiring under the provisions of this Act, as amended, may at the time of his retirement elect to receive in lieu of the life annuity to be paid by the Secretary of the Navy under the provisions of this Act a reduced annuity payable to him during his life, and an annuity after his death payable to his beneficiary, duly designated in writing and filed with the Secretary of the Navy at the time of retirement, during the life of such beneficiary (a) equal to or (b) 50 per centum of such reduced annuity and upon the death of such surviving beneficiary all payments shall cease and no further annuities shall be due or payable. The amounts of these two annuities shall be such that their combined actuarial value on the date of retirement as determined under the provisions of the Civil Service Retirement Act shall be the same as the actuarial value of the single life annuity provided by this Act.”

Choice of annuities.

46 Stat. 468.
5 U. S. C. § 691 et seq.; Supp. V, § 691 et seq.
Ante, pp. 339, 658, 659, 706, 706; post, pp. 850, 859.

Approved August 2, 1946.

[CHAPTER 741]

AN ACT

To amend the Philippine Rehabilitation Act of 1946, for the purpose of making a clerical correction.

August 2, 1946
[S. 2259]
[Public Law 597]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104 (c) of the Philippine Rehabilitation Act of 1946 is amended to read as follows:

Ante, p. 131.

“(c) All of the provisions of this title shall be subject to the requirement that, to the fullest extent practicable, the Commission shall require that the lost or damaged property be rebuilt, replaced, or repaired before payments of money are actually made to claimants under this title: *Provided*, That if the Commission determines it is impossible for any reason beyond the control of the claimant, or is impractical to rebuild, replace, or repair the lost or damaged property, the Commission may make payment to the claimant without making said requirement: *Provided, however*, That as a condition to the making of such payment, the Commission shall require that the whole of such payment shall be reinvested in such manner as will further the rehabilitation or economic development of the Philippines: *And provided further*, That nothing in this subsection shall preclude the partial payment of claims as the rebuilding, replacing, or repairing of the property progresses.”

Replacement, etc., of property.

Exception.

Reinvestment of payment.

Partial payment of claims.

Ante, p. 131.
Report to Congress.

SEC. 2. Section 105 of such Act is amended to read as follows: “SEC. 105. Not later than six months after its organization, and every six months thereafter, the Commission shall make a report to the Congress concerning operations under this title.”

Ante, p. 134.

SEC. 3. Section 201 of such Act is amended on page 8, lines 12 and 17, after the word “Philippines,” by addition of the following “(Republic of the Philippines).”

Approved August 2, 1946.

[CHAPTER 742]

AN ACT

To permit the Secretary of the Navy to delegate the authority to compromise and settle claims for damages to property under the jurisdiction of the Navy Department, and for other purposes.

August 2, 1946
[S. 2349]
[Public Law 598]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 5, 1945 (Public Law 246, Seventy-ninth Congress), is hereby amended by adding another section thereto as follows:

Navy.
59 Stat. 596.
34 U. S. C., Supp. V, §§ 600a-600c.

Delegation of authority.

"SEC. 4. Where the net amount received in settlement does not exceed \$1,000, the authority of the Secretary of the Navy as set forth in section 1 may be exercised by such person or persons as he may designate."

Approved August 2, 1946.

[CHAPTER 743]

AN ACT

To provide for refunds to railroad employees in certain cases, so as to place the various States on an equal basis, under the Railroad Unemployment Insurance Act, with respect to contributions of employees.

August 2, 1946
[H. R. 3420]
[Public Law 599]

Railroad employees.
Refunds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, in any case where an employee amount (as hereinafter defined) was paid from a State unemployment fund to the Unemployment Trust Fund, an aggregate amount equal thereto shall be paid from the Unemployment Trust Fund, as refunds, to employees who paid into the State fund the contributions upon which such payment into the Unemployment Trust Fund was based, except that in case any such employee is deceased, payment shall be made to his estate; and the payment so made in the case of any employee shall be in proportion to the contributions paid by such employee into the State fund: *Provided,* That payment in any such case shall be made only if application therefor is made to the Railroad Retirement Board within twelve months after the date of enactment of this Act.

Application.

Definitions.

(b) As used in this Act—

(1) The term "employee amount" means any amount paid from a State unemployment fund to the Unemployment Trust Fund which would not have been required to be paid, under the provisions of section 13 (c) of the Railroad Unemployment Insurance Act, if such section 13 (c) had not required payment of amounts based on contributions collected from employees.

(2) The term "Unemployment Trust Fund" means the fund established by section 904 of the Social Security Act.

(3) The term "employees" has the same meaning as in the Railroad Unemployment Insurance Act.

Approved August 2, 1946.

52 Stat. 1111.
45 U. S. C. § 363 (c);
Supp. V. § 363 (c).

49 Stat. 640.
42 U. S. C. § 1104;
Supp. V. § 1104.

45 U. S. C. § 367;
Supp. V. § 361 *et seq.*
Ante, p. 722 *et seq.*

[CHAPTER 744]

AN ACT

To authorize certain administrative expenses in the Government service, and for other purposes.

August 2, 1946
[H. R. 6533]
[Public Law 600]

Transfer of civilian employees.
Travel expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) under such regulations as the President may prescribe, any civilian officer or employee of the Government who, in the interest of the Government, is transferred from one official station to another, including transfer from one department to another, for permanent duty, shall, except as otherwise provided herein, when authorized, in the order directing the travel, by such subordinate official or officials of the department concerned as the head thereof may designate for the purpose, be allowed and paid from Government funds the expenses of travel of himself and the expenses of transportation of his immediate family (or a commutation thereof in accordance with the Act of February 14, 1931) and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects (not to exceed seven thousand pounds if uncrated or eight thousand seven hundred and fifty pounds if

Post, p. 807.

crated or the equivalent thereof when transportation charges are based on cubic measurement): *Provided*, That advances of funds may be made to the officer or employee in accordance with said regulations under the same safeguards as are required under the Subsistence Expense Act of 1926 (5 U. S. C. 828): *Provided further*, That the allowances herein authorized shall not be applicable to civilian employees of the War Department and their dependents when transferred under the provisions of section 3 of the Act of June 5, 1942 (50 U. S. C. 763), nor to officers and employees of the Foreign Service, Department of State: *Provided further*, That no part of such expenses (including those of officers and employees of the Foreign Service, Department of State) shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee or at his request: *Provided further*, That in case of transfer from one department to another such expenses shall be payable from the funds of the department to which the officer or employee is transferred.

(b) In lieu of the payment of actual expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects, in the case of such transfers between points in continental United States, reimbursement shall be made to the officer or employee on a commuted basis (not to exceed the amount which would be allowable for the authorized weight allowance) at such rates per one hundred pounds as may be fixed by zones in regulations prescribed by the President.

(c) Funds available for travel expenses of civilian officers and employees shall also be available for the expenses of the transportation of their immediate families, and funds available for the transportation of things shall also be available for the transportation of household goods and effects, as authorized by this Act.

SEC. 2. The Act of October 10, 1940 (5 U. S. C. 73c-1), relating to allowances for the transportation of household goods, section 5 of the Act of March 4, 1923, as amended (19 U. S. C. 48), relating to traveling and subsistence expenses of customs officers and employees, the first sentence of section 645 (a) of the Tariff Act of 1930 (19 U. S. C. 1645 (a)), relating to traveling and subsistence expenses of the families of such officers and employees, and other Acts relating to allowances to civilian officers and employees in the executive branch of the Government (except those mentioned in the second proviso clause of section 1 (a) of this Act) on transfer from one official station to another for permanent duty, are hereby repealed.

SEC. 3. The Act of February 14, 1931 (5 U. S. C. 73a), as amended, is further amended to read as follows:

"Civilian officers or employees or others rendering service to the Government shall, under regulations prescribed by the President, and unless otherwise provided in the appropriation concerned or other law, and whenever such mode of transportation is authorized or approved as more advantageous to the Government, be paid in lieu of actual expenses of transportation not to exceed 2 cents per mile for the use of privately owned motorcycles or 5 cents per mile for the use of privately owned automobiles or airplanes when engaged in necessary travel on official trips from their designated posts of duty or places of service, or 2 cents per mile for the use of privately owned motorcycles or 4 cents per mile for the use of privately owned automobiles when used on official business wholly within the limits of their official stations or places of service. In addition to the mileage allowances provided for in this section, there may be allowed reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls."

Advances of funds.

44 Stat. 688.
5 U. S. C. §§ 821-823, 824-833; Supp. V, § 823.
Restrictions.

56 Stat. 314.
50 U. S. C., Supp. V, app. § 763.

Transfer from one department to another.

Reimbursement on commuted basis.

Funds available for transportation of families, etc.

Repeals.
54 Stat. 1105.
5 U. S. C., Supp. V, § 73c-1 note.
42 Stat. 1454.

46 Stat. 761.

46 Stat. 1103.
5 U. S. C., Supp. V, § 73a.

Travel by privately owned vehicles.

Ferry fares, etc.

Per diem allowances.

SEC. 4. Until June 30, 1948, when authorized in an appropriation or other Act, appropriations available for travel expenses shall be available for the payment, without regard to the rates authorized by the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), of per diem allowances in lieu of subsistence expenses to civilian officers and employees of departments while traveling on official business outside continental United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department concerned or by such subordinates as he may designate for the purpose, but shall in no case exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed.

44 Stat. 688.
5 U. S. C., Supp. V,
§ 823.

Determination of amount.

Travel expenses of consultants and experts.

SEC. 5. Persons in the Government service employed intermittently as consultants or experts and receiving compensation on a per diem when actually employed basis may be allowed travel expenses while away from their homes or regular places of business, including per diem in lieu of subsistence while at place of such employment, in accordance with the Standardized Government Travel Regulations, Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), and the Act of February 14, 1931, as amended by this Act, and persons serving without compensation or at \$1 per annum may be allowed, while away from their homes or regular places of business, transportation in accordance with said regulations and said Act of February 14, 1931, as so amended, and not to exceed \$10 per diem in lieu of subsistence en route and at place of such service or employment unless a higher rate is specifically provided in an appropriation or other Act.

Supra.

Ante, p. 807.
Persons serving without compensation, etc.

47 Stat. 1516.

Lowest first-class accommodations.

SEC. 6. Section 10 of the Act of March 3, 1933 (5 U. S. C. 73b), is hereby amended to read as follows:

"SEC. 10. Whenever by or under authority of law actual expenses for transportation may be allowed, such allowances shall not exceed the lowest first-class rate by the transportation facility used in such transportation unless it is certified, in accordance with regulations prescribed by the President, that lowest first-class accommodations are not available or that use of a compartment or such other accommodations as may be authorized or approved by the head of the agency concerned or such subordinates as he may designate, is required for purposes of security."

Travel of new appointees outside U. S.

SEC. 7. Appropriations for the departments shall be available, in accordance with regulations prescribed by the President, for expenses of travel of new appointees, expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects from places of actual residence at time of appointment to places of employment outside continental United States, and for such expenses on return of employees from their posts of duty outside continental United States to the places of their actual residence at time of assignment to duty outside the United States: *Provided*, That such expenses shall not be allowed new appointees unless and until the person selected for appointment shall agree in writing to remain in the Government service for the twelve months following his appointment, unless separated for reasons beyond his control. In case of a violation of such agreement any moneys expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States. This section shall not apply to appropriations for the Foreign Service, State Department.

Restriction.

Nonapplicability to Foreign Service, State Department.

Exchange allowances, etc.

SEC. 8. In purchasing motor-propelled or animal-drawn vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, or any other article or item the exchange of which is authorized by law, the

head of any department or his duly authorized representative may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor: *Provided*, That any transaction carried out under the authority of this section shall be evidenced in writing.

SEC. 9. (a) Section 3709 of the Revised Statutes of the United States is hereby amended to read as follows:

"Unless otherwise provided in the appropriation concerned or other law, purchases and contracts for supplies or services for the Government may be made or entered into only after advertising a sufficient time previously for proposals, except (1) when the amount involved in any one case does not exceed \$100, (2) when the public exigencies require the immediate delivery of the articles or performance of the service, (3) when only one source of supply is available and the Government purchasing or contracting officer shall so certify, or (4) when the services are required to be performed by the contractor in person and are (A) of a technical and professional nature or (B) under Government supervision and paid for on a time basis. Except (1) as authorized by section 29 of the Surplus Property Act of 1944 (50 U. S. C. App. 1638), (2) when otherwise authorized by law, or (3) when the reasonable value involved in any one case does not exceed \$100, sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising."

(b) Exemptions from section 3709, Revised Statutes, in other law in amounts of \$100 or less are hereby repealed.

(c) In the case of wholly owned Government corporations, this section shall apply to their administrative transactions only.

SEC. 10. Whenever a department is authorized by law to hold hearings and to subpoena witnesses for appearance at said hearings, witnesses summoned to and attending such hearings shall be entitled to the same fees and mileage, or expenses in the case of Government officers and employees, as provided by law for witnesses attending in the United States courts.

SEC. 11. The first sentence of section 3648 of the Revised Statutes (31 U. S. C. 529) is hereby amended to read as follows:

"No advance of public money shall be made in any case unless authorized by the appropriation concerned or other law."

SEC. 12. The head of any department may delegate to subordinate officials (1) the power vested in him by law to take final action on matters pertaining to the employment, direction, and general administration of personnel under his department; (2) the authority vested in him by section 3683 of the Revised Statutes (31 U. S. C. 675) to direct the purchase of articles from contingent funds; and (3) the authority vested in him by section 3828, Revised Statutes (44 U. S. C. 324), to authorize the publication of advertisements, notices or proposals.

SEC. 13. Appropriations available for the procurement of supplies and material or equipment shall be available for the purchase and maintenance of special clothing and equipment for the protection of personnel in the performance of their assigned tasks.

SEC. 14. The head of each department is authorized, under such rules and regulations as the President may prescribe, to pay cash awards to civilian officers and employees (or to their estates) who make meritorious suggestions which will result in improvement or economy in the operations of his department and which have been adopted for use and to incur necessary expenses for the honorary recognition of exceptional or meritorious service: *Provided*, That no award shall be paid to any officer or employee for any suggestion which represents a part of the normal requirements of the duties of his position. With the exception of the War and Navy Departments, the amount of any one

Evidence of transaction.

41 U. S. C. § 5.

Advertising.

Purchases, etc., excepted.

58 Stat. 781.

Repeal. *Supra*.

Wholly owned Government corporations.

Fees and mileage for witnesses.

31 U. S. C., Supp. V, § 529 note.

Advances.

Delegation of authority.

Special clothing and equipment.

Awards for suggestions.

Restrictions.

- award shall not exceed \$1,000 and the total of cash awards paid during any fiscal year in any department shall not exceed \$25,000. Payments may be made from the appropriation for the activity primarily benefiting or may be distributed among appropriations for activities benefiting as the head of the department determines. A cash award shall be in addition to the regular compensation of the recipient and the acceptance of such cash award shall constitute an agreement that the use by the United States of the suggestion for which the award is made shall not form the basis of a further claim of any nature upon the United States by him, his heirs or assigns.
- Payments.**
- Repeal.** All other Acts or parts of Acts in conflict with the provisions of this section are hereby repealed.
- Temporary services of experts, etc.** SEC. 15. The head of any department, when authorized in an appropriation or other Act, may procure the temporary (not in excess of one year) or intermittent services of experts or consultants or organizations thereof, including stenographic reporting services, by contract, and in such cases such service shall be without regard to the civil-service and classification laws (but as to agencies subject to the Classification Act at rates not in excess of the per diem equivalent of the highest rate payable under the Classification Act, unless other rates are specifically provided in the appropriation or other law) and, except in the case of stenographic reporting services by organizations, without regard to section 3709, Revised Statutes, as amended by this Act.
- 42 Stat. 1438.
5 U. S. C. §§ 661-674; Supp. V, § 661 et seq.
Ante, pp. 216, 219.
- Ante*, p. 309.
- 38 Stat. 508.
- Purchase, etc., of passenger vehicles.** SEC. 16. (a) Section 5 of the Act of July 16, 1914 (5 U. S. C. 78), is amended to read as follows:
- "SEC. 5. (a) Unless specifically authorized by the appropriation concerned or other law, no appropriation shall be expended to purchase or hire passenger motor vehicles for any branch of the Government other than those for the use of the President of the United States, the secretaries to the President, or the heads of the executive departments enumerated in 5 U. S. C. 1.
- Aircraft.** "(b) Excepting appropriations for the Military and Naval Establishments, no appropriation shall be available for the purchase, maintenance, or operation of any aircraft unless specific authority for the purchase, maintenance, or operation thereof has been or is provided in such appropriation.
- Restrictions.** "(c) Unless otherwise specifically provided, no appropriation available for any department shall be expended—
- Purchase price of passenger vehicle.** "(1) to purchase any passenger motor vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of the maximum price therefor, if any, established pursuant to law by a Government agency and in no event more than such amount as may be specified in an appropriation or other Act, which shall be in addition to the amount required for transportation;
- Maintenance, etc.** "(2) for the maintenance, operation, and repair of any Government-owned passenger motor vehicle or aircraft not used exclusively for official purposes; and 'official purposes' shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department concerned. Any officer or employee of the Government who willfully uses or authorizes the use of any Government-owned passenger motor vehicle or aircraft,
- "Official purposes."**
- Violations.**

or of any passenger motor vehicle or aircraft leased by the Government, for other than official purposes or otherwise violates the provisions of this paragraph shall be suspended from duty by the head of the department concerned, without compensation, for not less than one month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant. The limitations of this paragraph shall not apply to any motor vehicles or aircraft for official use of the President, the heads of the executive departments enumerated in 5 U. S. C. 1, ambassadors, ministers, *chargés d'affaires*, and other principal diplomatic and consular officials.

Nonapplicability.

“(d) In the budgets for the fiscal year 1948 and subsequent fiscal years there shall be submitted in detail estimates for such necessary appropriations as are intended to be used for purchase or hire of passenger motor vehicles or for purchase, maintenance, or operation of aircraft, specifying the sums required, the public purposes for which said conveyances are intended, the number of currently owned conveyances to be continued in use, and the officials or employees by whom all of such conveyances are to be used.

Budget estimates.

“(e) The acquisition of aircraft or passenger motor vehicles by any agency by transfer from another department of the Government shall be considered as a purchase within the meaning hereof.”

Acquisition by transfer.

(b) The second paragraph of section 3 of the Act of March 18, 1904 (33 Stat. 142; 5 U. S. C. 77), is hereby repealed.

Repeal.

Section 4 of the Act of February 3, 1905 (33 Stat. 687; 5 U. S. C. 77), is hereby amended to read as follows:

“All motor vehicles acquired and used for official purposes of the departmental service in the District of Columbia shall have conspicuously imprinted thereon at all times the full name of the executive department or other branch of the public service to which the same belong and in the service of which the same are used.”

Imprint of department name on vehicle.

SEC. 17. (a) The following statutes or parts of statutes are hereby repealed:

Repeals.

Sections 1779 and 192, as amended, of the Revised Statutes (5 U. S. C. 102);

The Act of January 21, 1881 (44 U. S. C. 323);

21 Stat. 317.

Section 3 of the Act of March 15, 1898 (31 U. S. C. 678).

30 Stat. 316.

(b) That portion of the Act of July 31, 1876, (44 U. S. C. 321; 19 Stat. 105), reading as follows: “and in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia” is hereby amended by adding at the end thereof “or in the adjoining counties of Maryland or Virginia”.

Advertisement for contracts.

(c) That portion of the Act of June 23, 1906 (3 U. S. C. 43) reading as follows: “not exceeding \$25,000 per annum” is hereby amended to read, “not exceeding \$40,000 per annum”.

President's traveling expenses.
34 Stat. 454.

SEC. 18. The word “department” as used in this Act shall be construed to include independent establishments, other agencies, wholly owned Government corporations (the transactions of which corporations shall be subject to the authorizations and limitations of this Act, except that section 9 shall apply to their administrative transactions only), and the government of the District of Columbia, but shall not include the Senate, House of Representatives, or office of the Architect of the Capitol, or the officers or employees thereof. The words “continental United States” as used herein shall be construed to mean the forty-eight States and the District of Columbia. The word “Government” shall be construed to include the government

“Department.”

Ante, p. 509.

“Continental United States.”

“Government.”

"Appropriation."

59 Stat. 598.
31 U. S. C., Supp.
V, § 849.

Nonapplicability.
56 Stat. 359.
37 U. S. C., Supp.
V, §§ 101-120.
Ante, pp. 20, 343 *et*
seq.; *post*, pp. 858 *et*
seq., 868.
Effective date.

of the District of Columbia. The word "appropriation" shall be construed as including funds made available by legislation under section 104 of the Government Corporation Control Act, approved December 6, 1945.

SEC. 19. Sections 1, 3, 4, 5, 7, 14, and 15 of this Act shall not apply to persons whose pay and allowances are established by the Pay Readjustment Act of 1942.

SEC. 20. Sections 1 and 2 of this Act shall become effective on the first day of the third calendar month following the enactment hereof.

Approved August 2, 1946.

[CHAPTER 753]

AN ACT

To provide for increased efficiency in the legislative branch of the Government.

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

SHORT TITLE

That (a) this Act, divided into titles and sections according to the following table of contents, may be cited as the "Legislative Reorganization Act of 1946":

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 Committee on Foreign Affairs.
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 Committee on Interstate and Foreign Commerce.
 Committee on the Judiciary.
 Committee on Merchant Marine and Fisheries.
 Committee on Public Lands.
 Committee on Public Works.

August 2, 1946
[S. 2177]

[Public Law 601]

Legislative Reor-
ganization Act of 1946.
Post, pp. 911, 912.

Post, p. 814.

Post, p. 814.

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SEPARABILITY CLAUSE

(b) If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

TITLE I—CHANGES IN RULES OF SENATE AND HOUSE

RULE-MAKING POWER OF THE SENATE AND HOUSE

Sec. 101. The following sections of this title are enacted by the Congress:

(a) As an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

PART 1—STANDING RULES OF THE SENATE

STANDING COMMITTEES OF THE SENATE

Sec. 102. Rule XXV of the Standing Rules of the Senate is amended to read as follows:

"RULE XXV

"STANDING COMMITTEES

"(1) The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"(a) Committee on Agriculture and Forestry, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Committee on Agriculture and Forestry.

- "1. Agriculture generally.
- "2. Inspection of livestock and meat products.
- "3. Animal industry and diseases of animals.
- "4. Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.
- "5. Agricultural colleges and experiment stations.
- "6. Forestry in general, and forest reserves other than those created from the public domain.
- "7. Agricultural economics and research.
- "8. Agricultural and industrial chemistry.
- "9. Dairy industry.
- "10. Entomology and plant quarantine.
- "11. Human nutrition and home economics.
- "12. Plant industry, soils, and agricultural engineering.
- "13. Agricultural educational extension services.
- "14. Extension of farm credit and farm security.
- "15. Rural electrification.
- "16. Agricultural production and marketing and stabilization of prices of agricultural products.
- "17. Crop insurance and soil conservation.

"(b) Committee on Appropriations, to consist of twenty-one Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Committee on Appropriations.

- "1. Appropriation of the revenue for the support of the Government.

"(c) Committee on Armed Services, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Committee on Armed Services.

- "1. Common defense generally.
- "2. The War Department and the Military Establishment generally.
- "3. The Navy Department and the Naval Establishment generally.
- "4. Soldiers' and sailors' homes.
- "5. Pay, promotion, retirement, and other benefits and privileges of members of the armed forces.
- "6. Selective service.
- "7. Size and composition of the Army and Navy.
- "8. Forts, arsenals, military reservations, and navy yards.
- "9. Ammunition depots.
- "10. Maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone.
- "11. Conservation, development, and use of naval petroleum and oil shale reserves.
- "12. Strategic and critical materials necessary for the common defense.

"(d) Committee on Banking and Currency, to consist of thirteen Senators, to which committee shall be referred all proposed legislation,

Committee on Banking and Currency.

messages, petitions, memorials, and other matters relating to the following subjects:

"1. Banking and currency generally.

"2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.

"3. Deposit insurance.

"4. Public and private housing.

"5. Federal Reserve System.

"6. Gold and silver, including the coinage thereof.

"7. Issuance of notes and redemption thereof.

"8. Valuation and revaluation of the dollar.

"9. Control of prices of commodities, rents, or services.

Committee on
Civil Service.

"(e) Committee on Civil Service, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. The Federal civil service generally.

"2. The status of officers and employees of the United States, including their compensation, classification, and retirement.

"3. The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.

"4. Postal-savings banks.

"5. Census and the collection of statistics generally.

"6. The National Archives.

Committee on the
District of Columbia.

"(f) Committee on the District of Columbia, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. All measures relating to the municipal affairs of the District of Columbia in general, other than appropriations therefor, including—

"2. Public health and safety, sanitation, and quarantine regulations.

"3. Regulation of sale of intoxicating liquors.

"4. Adulteration of food and drugs.

"5. Taxes and tax sales.

"6. Insurance, executors, administrators, wills, and divorce.

"7. Municipal and juvenile courts.

"8. Incorporation and organization of societies.

"9. Municipal code and amendments to the criminal and corporation laws.

Committee on Ex-
penditures in the Ex-
ecutive Departments.

"(g) (1) Committee on Expenditures in the Executive Departments, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"(A) Budget and accounting measures, other than appropriations.

"(B) Reorganizations in the executive branch of the Government.

"(2) Such committee shall have the duty of—

"(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

"(B) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;

"(C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;

"(D) studying intergovernmental relationships between the United States and the States and municipalities, and between the

United States and international organizations of which the United States is a member.

“(h) Committee on Finance, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Committee on Finance.

- “1. Revenue measures generally.
- “2. The bonded debt of the United States.
- “3. The deposit of public moneys.
- “4. Customs, collection districts, and ports of entry and delivery.
- “5. Reciprocal trade agreements.
- “6. Transportation of dutiable goods.
- “7. Revenue measures relating to the insular possessions.
- “8. Tariffs and import quotas, and matters related thereto.
- “9. National social security.
- “10. Veterans’ measures generally.
- “11. Pensions of all the wars of the United States, general and special.
- “12. Life insurance issued by the Government on account of service in the armed forces.
- “13. Compensation of veterans.

“(i) Committee on Foreign Relations, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Committee on Foreign Relations.

- “1. Relations of the United States with foreign nations generally.
- “2. Treaties.
- “3. Establishment of boundary lines between the United States and foreign nations.
- “4. Protection of American citizens abroad and expatriation.
- “5. Neutrality.
- “6. International conferences and congresses.
- “7. The American National Red Cross.
- “8. Intervention abroad and declarations of war.
- “9. Measures relating to the diplomatic service.
- “10. Acquisition of land and buildings for embassies and legations in foreign countries.
- “11. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
- “12. United Nations Organization and international financial and monetary organizations.
- “13. Foreign loans.

“(j) Committee on Interstate and Foreign Commerce, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Committee on Interstate and Foreign Commerce.

- “1. Interstate and foreign commerce generally.
- “2. Regulation of interstate railroads, busses, trucks, and pipe lines.
- “3. Communication by telephone, telegraph, radio, and television.
- “4. Civil aeronautics.
- “5. Merchant marine generally.
- “6. Registering and licensing of vessels and small boats.
- “7. Navigation and the laws relating thereto, including pilotage.
- “8. Rules and international arrangements to prevent collisions at sea.
- “9. Merchant marine officers and seamen.
- “10. Measures relating to the regulation of common carriers by water and to the inspection of merchant marine vessels, lights and signals, life-saving equipment, and fire protection on such vessels.

"11. Coast and Geodetic Survey.

"12. The Coast Guard, including life-saving service, lighthouses, lightships, and ocean derelicts.

"13. The United States Coast Guard and Merchant Marine Academies.

"14. Weather Bureau.

"15. Except as provided in paragraph (c), the Panama Canal and interoceanic canals generally.

"16. Inland waterways.

"17. Fisheries and wildlife, including research, restoration, refuges, and conservation.

"18. Bureau of Standards including standarization of weights and measures and the metric system.

Committee on the
Judiciary.

"(k) Committee on the Judiciary, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Judicial proceedings, civil and criminal, generally.

"2. Constitutional amendments.

"3. Federal courts and judges.

"4. Local courts in the Territories and possessions.

"5. Revision and codification of the statutes of the United States.

"6. National penitentiaries.

"7. Protection of trade and commerce against unlawful restraints and monopolies.

"8. Holidays and celebrations.

"9. Bankruptcy, mutiny, espionage, and counterfeiting.

"10. State and Territorial boundary lines.

"11. Meetings of Congress, attendance of Members, and their acceptance of incompatible offices.

"12. Civil liberties.

"13. Patents, copyrights, and trade-marks.

"14. Patent Office.

"15. Immigration and naturalization.

"16. Apportionment of Representatives.

"17. Measures relating to claims against the United States.

"18. Interstate compacts generally.

Committee on
Labor and Public
Welfare.

"(l) Committee on Labor and Public Welfare, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Measures relating to education, labor, or public welfare generally.

"2. Mediation and arbitration of labor disputes.

"3. Wages and hours of labor.

"4. Convict labor and the entry of goods made by convicts into interstate commerce.

"5. Regulation or prevention of importation of foreign laborers under contract.

"6. Child labor.

"7. Labor statistics.

"8. Labor standards.

"9. School-lunch program.

"10. Vocational rehabilitation.

"11. Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.

"12. United States Employees' Compensation Commission.

"13. Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and Saint Elizabeth's Hospital.

"14. Public health and quarantine.

"15. Welfare of miners.

"16. Vocational rehabilitation and education of veterans.

"17. Veterans' hospitals, medical care and treatment of veterans.

"18. Soldiers' and sailors' civil relief.

"19. Readjustment of servicemen to civil life.

"(m) Committee on Public Lands, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Committee on
Public Lands.

"1. Public lands generally, including entry, easements, and grazing thereon.

"2. Mineral resources of the public lands.

"3. Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

"4. Forest reserves and national parks created from the public domain.

"5. Military parks and battlefields, and national cemeteries.

"6. Preservation of prehistoric ruins and objects of interest on the public domain.

"7. Measures relating generally to Hawaii, Alaska, and the insular possessions of the United States, except those affecting their revenue and appropriations.

"8. Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects.

"9. Interstate compacts relating to apportionment of waters for irrigation purposes.

"10. Mining interests generally.

"11. Mineral land laws and claims and entries thereunder.

"12. Geological survey.

"13. Mining schools and experimental stations.

"14. Petroleum conservation and conservation of the radium supply in the United States.

"15. Relations of the United States with the Indians and the Indian tribes.

"16. Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

"(n) The Committee on Public Works, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials and other matters relating to the following subjects:

Committee on
Public Works.

"1. Flood control and improvement of rivers and harbors.

"2. Public works for the benefit of navigation, and bridges and dams (other than international bridges and dams).

"3. Water power.

"4. Oil and other pollution of navigable waters.

"5. Public buildings and occupied or improved grounds of the United States generally.

"6. Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.

"7. Measures relating to the Capitol building and the Senate and House Office Buildings.

"8. Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

"9. Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.

"10. Measures relating to the construction or maintenance of roads and post roads.

Committee on
Rules and Adminis-
tration.

"(o) (1) Committee on Rules and Administration, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"(A) Matters relating to the payment of money out of the contingent fund of the Senate or creating a charge upon the same; except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

"(B) Except as provided in paragraph (n) 8, matters relating to the Library of Congress and the Senate Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.

"(C) Except as provided in paragraph (n) 8, matters relating to the Smithsonian Institution and the incorporation of similar institutions.

"(D) Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; Presidential succession.

"(E) Matters relating to parliamentary rules; floor and gallery rules; Senate Restaurant; administration of the Senate Office Building and of the Senate Wing of the Capitol; assignment of office space; and services to the Senate.

"(F) Matters relating to printing and correction of the Congressional Record.

Examination of
bills, etc.

"(2) Such committee shall also have the duty of examining all bills, amendments, and joint resolutions after passage by the Senate; and, in cooperation with the Committee on House Administration of the House of Representatives, of examining all bills and joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled; and when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person, and report the fact and date of such presentation to the Senate. Such committee shall also have the duty of assigning office space in the Senate Wing of the Capitol and in the Senate Office Building.

Presentation to
President.

Power to act.

"(3) Each standing committee shall continue and have the power to act until their successors are appointed.

Committee quorum.

"(3) Each standing committee is authorized to fix the number of its members (but not less than one-third of its entire membership) who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee, subject to the provisions of section 133 (d) of the Legislative Reorganization Act of 1946.

Post, p. 831.

Service of Senators.

"(4) Each Senator shall serve on two standing committees and no more; except that Senators of the majority party who are members of the Committee on the District of Columbia or of the Committee on Expenditures in the Executive Departments may serve on three standing committees and no more."

APPROPRIATIONS

SEC. 103. Rule XVI of the Standing Rules of the Senate is amended to read as follows:

"RULE XVI

"AMENDMENTS TO APPROPRIATION BILLS

"1. All general appropriation bills shall be referred to the Committee on Appropriations, and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or Act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law.

Increase of appropriation; new items.

"2. The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation or any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law if such restriction is to take effect or cease to be effective upon the happening of a contingency, and if an appropriation bill is reported to the Senate containing amendments proposing new or general legislation or any such restriction, a point of order may be made against the bill, and if the point is sustained, the bill shall be recommitted to the Committee on Appropriations.

Amendments proposing new legislation, etc.

"3. All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill no amendment proposing to increase the amount stated in such amendment shall be received; in like manner, amendments proposing new items of appropriation to river and harbor bills, establishing post roads, or proposing new post roads, shall, before being considered, be referred to the Committee on Public Works.

River and harbor bills, post roads, etc.

"4. No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; nor shall any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law be received if such restriction is to take effect or cease to be effective upon the happening of a contingency; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any such amendment or restriction to a general appropriation bill may be laid on the table without prejudice to the bill.

Amendment not relevant to subject matter, etc.

Submission of questions of relevancy to Senate.

"5. No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

Private claim.

"6. (a) Three members of the following-named committees, to be selected by their respective committees, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the annual appropriation bill making appropriations for the purposes

Ex officio members of Committee on Appropriations.

specified in the following table opposite the name of the committee is being considered by the Committee on Appropriations:

Name of Committee	Purpose of Appropriation
Committee on Agriculture and Forestry.	For the Department of Agriculture.
Committee on Civil Service-----	For the Post Office Department.
Committee on Armed Services-----	For the Department of War; for the Department of the Navy.
Committee on the District of Columbia.	For the District of Columbia.
Committee on Public Works-----	For Rivers and Harbors.
Committee on Foreign Relations-----	For the Diplomatic and Consular Service.

Conference committee.

“(b) At least one member of each committee enumerated in subparagraph (a), to be selected by his or their respective committees, shall be a member of any conference committee appointed to confer with the House upon the annual appropriation bill making appropriations for the purposes specified in the foregoing table opposite the name of his or their respective committee.

Point of order against designated restriction.

“7. When a point of order is made against any restriction on the expenditure of funds appropriated in a general appropriation bill on the ground that the restriction violates this rule, the rule shall be construed strictly and, in case of doubt, in favor of the point of order.”

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

SEC. 121. (a) Rule X of the Rules of the House of Representatives is amended to read as follows:

“RULE X

“STANDING COMMITTEES

“(a) There shall be elected by the House, at the commencement of each Congress, the following standing committees:

“1. Committee on Agriculture, to consist of twenty-seven Members.

“2. Committee on Appropriations, to consist of forty-three Members.

“3. Committee on Armed Services, to consist of thirty-three Members.

“4. Committee on Banking and Currency, to consist of twenty-seven Members.

“5. Committee on Post Office and Civil Service, to consist of twenty-five Members.

“6. Committee on the District of Columbia, to consist of twenty-five Members.

“7. Committee on Education and Labor, to consist of twenty-five Members.

“8. Committee on Expenditures in the Executive Departments, to consist of twenty-five Members.

“9. Committee on Foreign Affairs, to consist of twenty-five Members.

“10. Committee on House Administration, to consist of twenty-five Members.

“11. Committee on Interstate and Foreign Commerce, to consist of twenty-seven Members.

“12. Committee on the Judiciary, to consist of twenty-seven Members.

“13. Committee on Merchant Marine and Fisheries, to consist of twenty-five Members.

"14. Committee on Public Lands, to consist of twenty-five Members.

"15. Committee on Public Works, to consist of twenty-seven Members.

"16. Committee on Rules, to consist of twelve Members.

"17. Committee on Un-American Activities, to consist of nine Members.

"18. Committee on Veterans' Affairs, to consist of twenty-seven Members.

"19. Committee on Ways and Means, to consist of twenty-five Members.

"(b) (1) The Speaker shall appoint all select and conference committees which shall be ordered by the House from time to time.

"(2) At the commencement of each Congress, the House shall elect as chairman of each standing committee one of the Members thereof; in the temporary absence of the chairman, the Member next in rank in the order named in the election of the committee, and so on, as often as the case shall happen, shall act as chairman; and in case of a permanent vacancy in the chairmanship of any such committee the House shall elect another chairman.

"(3) All vacancies in standing committees in the House shall be filled by election by the House. Each Member shall be elected to serve on one standing committee and no more; except that Members who are elected to serve on the Committee on the District of Columbia or on the Committee on Un-American Activities may be elected to serve on two standing committees and no more, and Members of the majority party who are elected to serve on the Committee on Expenditures in the Executive Departments or on the Committee on House Administration may be elected to serve on two standing committees and no more."

(b) Rule XI of the Rules of the House of Representatives is amended to read as follows:

"RULE XI

"POWERS AND DUTIES OF COMMITTEES

"(1) All proposed legislation, messages, petitions, memorials, and other matters relating to the subjects listed under the standing committees named below shall be referred to such committees, respectively: *Provided*, That unless otherwise provided herein, any matter within the jurisdiction of a standing committee prior to January 2, 1947, shall remain subject to the jurisdiction of that committee or of the consolidated committee succeeding generally to the jurisdiction of that committee.

"(a) Committee on Agriculture.

"1. Agriculture generally.

"2. Inspection of livestock and meat products.

"3. Animal industry and diseases of animals.

"4. Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.

"5. Agricultural colleges and experiment stations.

"6. Forestry in general, and forest reserves other than those created from the public domain.

"7. Agricultural economics and research.

"8. Agricultural and industrial chemistry.

"9. Dairy industry.

"10. Entomology and plant quarantine.

"11. Human nutrition and home economics.

"12. Plant industry, soils, and agricultural engineering.

"13. Agricultural educational extension services.

Select and conference committees.

Election of chairmen.

Vacancies.

Election of Members to committees.

- "14. Extension of farm credit and farm security.
- "15. Rural electrification.
- "16. Agricultural production and marketing and stabilization of prices of agricultural products.
- "17. Crop insurance and soil conservation.
- "(b) **Committee on Appropriations.**
- "1. Appropriation of the revenue for the support of the Government.
- "(c) **Committee on Armed Services.**
- "1. Common defense generally.
- "2. The War Department and the Military Establishment generally.
- "3. The Navy Department and the Naval Establishment generally.
- "4. Soldiers' and sailors' homes.
- "5. Pay, promotion, retirement, and other benefits and privileges of members of the armed forces.
- "6. Selective service.
- "7. Size and composition of the Army and Navy.
- "8. Forts, arsenals, military reservations, and navy yards.
- "9. Ammunition depots.
- "10. Conservation, development, and use of naval petroleum and oil shale reserves.
- "11. Strategic and critical materials necessary for the common defense.
- "12. Scientific research and development in support of the armed services.
- "(d) **Committee on Banking and Currency.**
- "1. Banking and currency generally.
- "2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.
- "3. Deposit insurance.
- "4. Public and private housing.
- "5. Federal Reserve System.
- "6. Gold and silver, including the coinage thereof.
- "7. Issuance of notes and redemption thereof.
- "8. Valuation and revaluation of the dollar.
- "9. Control of prices of commodities, rents, or services.
- "(e) **Committee on Post Office and Civil Service.**
- "1. The Federal civil service generally.
- "2. The status of officers and employees of the United States, including their compensation, classification, and retirement.
- "3. The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.
- "4. Postal-savings banks.
- "5. Census and the collection of statistics generally.
- "6. The National Archives.
- "(f) **Committee on the District of Columbia.**
- "1. All measures relating to the municipal affairs of the District of Columbia in general, other than appropriations therefor, including—
- "2. Public health and safety, sanitation, and quarantine regulations.
- "3. Regulation of sale of intoxicating liquors.
- "4. Adulteration of food and drugs.
- "5. Taxes and tax sales.
- "6. Insurance, executors, administrators, wills, and divorce.
- "7. Municipal and juvenile courts.
- "8. Incorporation and organization of societies.
- "9. Municipal code and amendments to the criminal and corporation laws.

“(g) **Committee on Education and Labor.**

- “1. Measures relating to education or labor generally.
- “2. Mediation and arbitration of labor disputes.
- “3. Wages and hours of labor.
- “4. Convict labor and the entry of goods made by convicts into interstate commerce.
- “5. Regulation or prevention of importation of foreign laborers under contract.
- “6. Child labor.
- “7. Labor statistics.
- “8. Labor standards.
- “9. School-lunch program.
- “10. Vocational rehabilitation.
- “11. United States Employees' Compensation Commission.
- “12. Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and Saint Elizabeths Hospital.
- “13. Welfare of miners.

“(h) (1) **Committee on Expenditures in the Executive Departments.**

- “(A) Budget and accounting measures, other than appropriations.
- “(B) Reorganizations in the executive branch of the Government.
- “(2) Such committee shall have the duty of—
 - “(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the House as it deems necessary or desirable in connection with the subject matter of such reports;
 - “(B) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;
 - “(C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;
 - “(D) studying intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.
- “(i) **Committee on Foreign Affairs.**
 - “1. Relations of the United States with foreign nations generally.
 - “2. Establishment of boundary lines between the United States and foreign nations.
 - “3. Protection of American citizens abroad and expatriation.
 - “4. Neutrality.
 - “5. International conferences and congresses.
 - “6. The American National Red Cross.
 - “7. Intervention abroad and declarations of war.
 - “8. Measures relating to the diplomatic service.
 - “9. Acquisition of land and buildings for embassies and legations in foreign countries.
 - “10. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
 - “11. United Nations Organization and international financial and monetary organizations.
 - “12. Foreign loans.
- “(j) (1) **Committee on House Administration.**
 - “(A) Employment of persons by the House, including clerks for Members and committees, and reporters of debates.
 - “(B) Expenditure of the contingent fund of the House.
 - “(C) The auditing and settling of all accounts which may be charged to the contingent fund.
 - “(D) Measures relating to accounts of the House generally.
 - “(E) Appropriations from the contingent fund.
 - “(F) Measures relating to services to the House, including the

House Restaurant and administration of the House Office Buildings and of the House wing of the Capitol.

“(G) Measures relating to the travel of Members of the House.

“(H) Measures relating to the assignment of office space for Members and committees.

“(I) Measures relating to the disposition of useless executive papers.

“(J) Except as provided in paragraph (o) 8, matters relating to the Library of Congress and the House Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.

“(K) Except as provided in paragraph (o) 8, matters relating to the Smithsonian Institution and the incorporation of similar institutions.

“(L) Matters relating to printing and correction of the Congressional Record.

“(M) Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.

“(2) Such committee shall also have the duty of—

“(A) examining all bills, amendments, and joint resolution after passage by the House; and in cooperation with the Senate Committee on Rules and Administration, of examining all bills and joint resolutions which shall have passed both Houses, to see that they are correctly enrolled; and when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the House, to the President of the United States in person, and report the fact and date of such presentation to the House;

“(B) reporting to the Sergeant at Arms of the House the travel of Members of the House;

“(C) arranging a suitable program for each day observed by the House of Representatives as a memorial day in memory of Members of the Senate and House of Representatives who have died during the preceding period, and to arrange for the publication of the proceedings thereof.

“(k) **Committee on Interstate and Foreign Commerce.**

“1. Interstate and foreign commerce generally.

“2. Regulation of interstate and foreign transportation, except transportation by water not subject to the jurisdiction of the Interstate Commerce Commission.

“3. Regulation of interstate and foreign communications.

“4. Civil aeronautics.

“5. Weather bureau.

“6. Interstate oil compacts; and petroleum and natural gas, except on the public lands.

“7. Securities and exchanges.

“8. Regulation of interstate transmission of power, except the installation of connections between Government water power projects.

“9. Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.

“10. Public health and quarantine.

“11. Inland waterways.

“12. Bureau of Standards, standardization of weights and measures, and the metric system.

“(l) **Committee on the Judiciary.**

“1. Judicial proceedings, civil and criminal, generally.

“2. Constitutional amendments.

Examination of
bills, etc.

Presentation to
President.

- "3. Federal courts and judges.
- "4. Local courts in the Territories and possessions.
- "5. Revision and codification of the statutes of the United States.
- "6. National penitentiaries.
- "7. Protection of trade and commerce against unlawful restraints and monopolies.
- "8. Holidays and celebrations.
- "9. Bankruptcy, mutiny, espionage, and counterfeiting.
- "10. State and Territorial boundary lines.
- "11. Meetings of Congress, attendance of Members, and their acceptance of incompatible offices.
- "12. Civil liberties.
- "13. Patents, copyrights, and trade-marks.
- "14. Patent Office.
- "15. Immigration and naturalization.
- "16. Apportionment of Representatives.
- "17. Measures relating to claims against the United States.
- "18. Interstate compacts generally.
- "19. Presidential succession.
- "(m) **Committee on Merchant Marine and Fisheries.**
- "1. Merchant marine generally.
- "2. Registering and licensing of vessels and small boats.
- "3. Navigation and the laws relating thereto, including pilotage.
- "4. Rules and international arrangements to prevent collisions at sea.
- "5. Merchant marine officers and seamen.
- "6. Measures relating to the regulation of common carriers by water (except matters subject to the jurisdiction of the Interstate Commerce Commission) and to the inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.
- "7. The Coast Guard, including lifesaving service, lighthouses, lightships, and ocean derelicts.
- "8. United States Coast Guard and Merchant Marine Academies.
- "9. Coast and Geodetic Survey.
- "10. The Panama Canal and the maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone; and interoceanic canals generally.
- "11. Fisheries and wildlife, including research, restoration, refuges, and conservation.
- "(n) **Committee on Public Lands.**
- "1. Public lands generally, including entry, easements, and grazing thereon.
- "2. Mineral resources of the public lands.
- "3. Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.
- "4. Forest reserves and national parks created from the public domain.
- "5. Military parks and battlefields, and national cemeteries.
- "6. Preservation of prehistoric ruins and objects of interest on the public domain.
- "7. Measures relating generally to Hawaii, Alaska, and the insular possessions of the United States, except those affecting the revenue and appropriations.
- "8. Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects, and acquisition of private lands when necessary to complete irrigation projects.
- "9. Interstate compacts relating to apportionment of waters for irrigation purposes.
- "10. Mining interests generally.

"11. Mineral land laws and claims and entries thereunder.

"12. Geological survey.

"13. Mining schools and experimental stations.

"14. Petroleum conservation on the public lands and conservation of the radium supply in the United States.

"15. Relations of the United States with the Indians and the Indian tribes.

"16. Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

"(o) **Committee on Public Works.**

"1. Flood control and improvement of rivers and harbors.

"2. Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).

"3. Water power.

"4. Oil and other pollution of navigable waters.

"5. Public buildings and occupied or improved grounds of the United States generally.

"6. Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.

"7. Measures relating to the Capitol Building and the Senate and House Office Buildings.

"8. Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

"9. Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.

"10. Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefor; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road.

"(p) **Committee on Rules.**

"1. The rules, joint rules, and order of business of the House.

"2. Recesses and final adjournments of Congress.

"(q) (1) **Committee on Un-American Activities.**

"(A) Un-American activities.

Investigations of
propaganda activities.

"(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

"The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

"For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the

signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

“(r) **Committee on Veterans’ Affairs.**

- “1. Veterans’ measures generally.
- “2. Pensions of all the wars of the United States, general and special.
- “3. Life insurance issued by the Government on account of service in the armed forces.
- “4. Compensation, vocational rehabilitation, and education of veterans.

“5. Veterans’ hospitals, medical care, and treatment of veterans.

“6. Soldiers’ and sailors’ civil relief.

“7. Readjustment of servicemen to civil life.

“(s) **Committee on Ways and Means.**

“1. Revenue measures generally.

“2. The bonded debt of the United States.

“3. The deposit of public moneys.

“4. Customs, collection districts, and ports of entry and delivery.

“5. Reciprocal trade agreements.

“6. Transportation of dutiable goods.

“7. Revenue measures relating to the insular possessions.

“8. National social security.

“(2) (a) The following-named committees shall have leave to report at any time on the matters herein stated, namely: The Committee on Rules—on rules, joint rules, and order of business; the Committee on House Administration—on the right of a Member to his seat, enrolled bills, on all matters referred to it of printing for the use of the House or the two Houses, and on all matters of expenditure of the contingent fund of the House; the Committee on Ways and Means—on bills raising revenue; the Committee on Appropriations—on the general appropriation bills; the Committee on Public Works—on bills authorizing the improvement of rivers and harbors; the Committee on the Public Lands—on bills for the forfeiture of land grants to railroad and other corporations, bills preventing speculation in the public lands, bills for the reservation of the public lands for the benefit of actual and bona fide settlers, and bills for the admission of new States; the Committee on Veterans Affairs—on general pension bills.

Reports of designated committees.

“(b) It shall always be in order to call up for consideration a report from the Committee on Rules (except it shall not be called up for consideration on the same day it is presented to the House, unless so determined by a vote of not less than two-thirds of the Members voting, but this provision shall not apply during the last three days of the session), and, pending the consideration thereof, the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall not entertain any other dilatory motion until the said report shall have been fully disposed of. The Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of rule XXIV shall be set aside by a vote of less than two-thirds of the Members present; nor shall it report any rule or order which shall operate to prevent the motion to recommit being made as provided in paragraph 4 of rule XVI.

Reports from Committee on Rules.

“(c) The Committee on Rules shall present to the House reports concerning rules, joint rules, and order of business, within three legislative days of the time when ordered reported by the committee. If such rule or order is not considered immediately, it shall be referred to the calendar and, if not called up by the Member making the report within seven legislative days thereafter, any member of the Rules Committee may call it up as a question of privilege and the Speaker

Adverse reports.

shall recognize any member of the Rules Committee seeking recognition for that purpose. If the Committee on Rules shall make an adverse report on any resolution pending before the committee, providing for an order of business for the consideration by the House of any public bill or joint resolution, on days when it shall be in order to call up motions to discharge committees it shall be in order for any Member of the House to call up for consideration by the House any such adverse report, and it shall be in order to move the adoption by the House of said resolution adversely reported notwithstanding the adverse report of the Committee on Rules, and the Speaker shall recognize the Member seeking recognition for that purpose as a question of the highest privilege.

Contested-election cases.

“(d) The Committee on House Administration shall make final report to the House in all contested-election cases not later than six months from the first day of the first regular session of the Congress to which the contestee is elected except in a contest from the Territory of Alaska, in which case the time shall not exceed nine months.

Meetings of standing committees of House.

“(e) A standing committee of the House (other than the Committee on Appropriations) shall meet to consider any bill or resolution pending before it (A) on all regular meeting days selected by the committee; (B) upon the call of the chairman of the committee; (C) if the chairman of the committee, after three days' consideration, refuses or fails, upon the request of at least three members of the committee, to call a special meeting of the committee within seven calendar days from the date of said request, then, upon the filing with the clerk of the committee of the written and signed request of a majority of the committee for a called special meeting of the committee, the committee shall meet on the day and hour specified in said written request. It shall be the duty of the clerk of the committee to notify all members of the committee in the usual way of such called special meeting.

Rules of standing committees.

“(f) The rules of the House are hereby made the rules of its standing committees so far as applicable, except that a motion to recess from day to day is hereby made a motion of high privilege in said committees.”

DELEGATES AND RESIDENT COMMISSIONER

SEC. 122. Rule XII of the Standing Rules of the House of Representatives is amended to read as follows:

“RULE XII

“DELEGATES AND RESIDENT COMMISSIONER

“1. The Delegates from Hawaii and Alaska, and the Resident Commissioner to the United States from Puerto Rico, shall be elected to serve as additional members on the Committees on Agriculture, Armed Services, and Public Lands; and they shall possess in such committees the same powers and privileges as in the House, and may make any motion except to reconsider.”

Hawaii, Alaska,
Puerto Rico.

REFERENCE OF PRIVATE CLAIMS BILLS

SEC. 123. Paragraph 3 of rule XXI of the Standing Rules of the House of Representatives is amended to read as follows:

“3. No bill for the payment or adjudication of any private claim against the Government shall be referred, except by unanimous consent, to any other than the following committees, namely: To the Committee on Foreign Affairs and to the Committee on the Judiciary.”

PART 3—PROVISIONS APPLICABLE TO BOTH HOUSES

PRIVATE BILLS BANNED

SEC. 131. No private bill or resolution (including so-called omnibus claims or pension bills), and no amendment to any bill or resolution, authorizing or directing (1) the payment of money for property damages, for personal injuries or death for which suit may be instituted under the Federal Tort Claims Act, or for a pension (other than to carry out a provision of law or treaty stipulation); (2) the construction of a bridge across a navigable stream; or (3) the correction of a military or naval record, shall be received or considered in either the Senate or the House of Representatives.

Post, p. 842.

CONGRESSIONAL ADJOURNMENT

SEC. 132. Except in time of war or during a national emergency proclaimed by the President, the two Houses shall adjourn sine die not later than the last day (Sundays excepted) in the month of July in each year unless otherwise provided by the Congress.

COMMITTEE PROCEDURE

SEC. 133. (a) Each standing committee of the Senate and the House of Representatives (except the Committees on Appropriations) shall fix regular weekly, biweekly, or monthly meeting days for the transaction of business before the committee, and additional meetings may be called by the chairman as he may deem necessary.

Meeting days.

(b) Each such committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded.

Record of action.

(c) It shall be the duty of the chairman of each such committee to report or cause to be reported promptly to the Senate or House of Representatives, as the case may be, any measure approved by his committee and to take or cause to be taken necessary steps to bring the matter to a vote.

Report on approved measures.

(d) No measure or recommendation shall be reported from any such committee unless a majority of the committee were actually present.

Majority requirement.

(e) Each such standing committee shall, so far as practicable, require all witnesses appearing before it to file in advance written statements of their proposed testimony, and to limit their oral presentations to brief summaries of their argument. The staff of each committee shall prepare digests of such statements for the use of committee members.

Witnesses.

(f) All hearings conducted by standing committees or their subcommittees shall be open to the public, except executive sessions for marking up bills or for voting or where the committee by a majority vote orders an executive session.

Hearings.

COMMITTEE POWERS

SEC. 134. (a) Each standing committee of the Senate, including any subcommittee of any such committee, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony and to make such expenditures (not in excess of \$10,000 for each committee during any Congress) as it deems advisable. Each such

Hearings and investigations.

committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance at a cost not exceeding 25 cents per hundred words. The expenses of the committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Reports on staff members, expenditures, etc.

(b) Every committee and subcommittee serving the Senate and House of Representatives shall report the name, profession and total salary of each staff member employed by it, and shall make an accounting of funds appropriated to it and expended by it to the Secretary of the Senate and Clerk of the House of Representatives, as the case may be, at least once every six months, and such information shall be published periodically in the Congressional Directory when and as the same is issued and as Senate and House documents, respectively, every three months.

Restriction.

(c) No standing committee of the Senate or the House, except the Committee on Rules of the House, shall sit, without special leave, while the Senate or the House, as the case may be, is in session.

CONFERENCE RULES ON AMENDMENTS IN NATURE OF SUBSTITUTE

SEC. 135. (a) In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees, it shall be in order for the conferees to report a substitute on the same subject matter; but they may not include in the report matter not committed to them by either House. They may, however, include in their report in any such case matter which is a germane modification of subjects in disagreement.

(b) In any case in which the conferees violate subsection (a), the conference report shall be subject to a point of order.

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

DECISIONS ON QUESTIONS OF COMMITTEE JURISDICTION

SEC. 137. In any case in which a controversy arises as to the jurisdiction of any standing committee of the Senate with respect to any proposed legislation, the question of jurisdiction shall be decided by the presiding officer of the Senate, without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal.

LEGISLATIVE BUDGET

Report.

SEC. 138. (a) The Committee on Ways and Means and the Committee on Appropriations of the House of Representatives, and the Committee on Finance and the Committee on Appropriations of the Senate, or duly authorized subcommittees thereof, are authorized and directed to meet jointly at the beginning of each regular session

of Congress and after study and consultation, giving due consideration to the budget recommendations of the President, report to their respective Houses a legislative budget for the ensuing fiscal year, including the estimated over-all Federal receipts and expenditures for such year. Such report shall contain a recommendation for the maximum amount to be appropriated for expenditure in such year which shall include such an amount to be reserved for deficiencies as may be deemed necessary by such committees. If the estimated receipts exceed the estimated expenditures, such report shall contain a recommendation for a reduction in the public debt. Such report shall be made by February 15.

Recommendations.

(b) The report shall be accompanied by a concurrent resolution adopting such budget, and fixing the maximum amount to be appropriated for expenditure in such year. If the estimated expenditures exceed the estimated receipts, the concurrent resolution shall include a section substantially as follows: "That it is the sense of the Congress that the public debt shall be increased in an amount equal to the amount by which the estimated expenditures for the ensuing fiscal year exceed the estimated receipts, such amount being \$"

Concurrent resolution.

HEARINGS AND REPORTS BY APPROPRIATIONS COMMITTEES

SEC. 139. (a) No general appropriation bill shall be considered in either House unless, prior to the consideration of such bill, printed committee hearings and reports on such bill have been available for at least three calendar days for the Members of the House in which such bill is to be considered.

(b) The Committees on Appropriations of the two Houses are authorized and directed, acting jointly, to develop a standard appropriation classification schedule which will clearly define in concise and uniform accounts the subtotals of appropriations asked for by agencies in the executive branch of the Government. That part of the printed hearings containing each such agency's request for appropriations shall be preceded by such a schedule.

Standard appropriation classification schedule.

(c) No general appropriation bill or amendment thereto shall be received or considered in either House if it contains a provision reappropriating unexpended balances of appropriations; except that this provision shall not apply to appropriations in continuation of appropriations for public works on which work has commenced.

Reappropriations.

(d) The Appropriations Committees of both Houses are authorized and directed to make a study of (1) existing permanent appropriations with a view to limiting the number of permanent appropriations and to recommend to their respective Houses what permanent appropriations, if any, should be discontinued; and (2) the disposition of funds resulting from the sale of Government property or services by all departments and agencies in the executive branch of the Government with a view to recommending to their respective Houses a uniform system of control with respect to such funds.

Permanent appropriations.

Disposition of certain funds.

RECORDS OF CONGRESS

SEC. 140. (a) The Secretary of the Senate and the Clerk of the House of Representatives are authorized and directed, acting jointly, to obtain at the close of each Congress all of the noncurrent records of the Congress and of each committee thereof and transfer them to the National Archives for preservation, subject to the orders of the Senate or the House, respectively.

Transfer of noncurrent records.

(b) The Clerk of the House of Representatives is authorized and directed to collect all of the noncurrent records of the House of Representatives from the First to the Seventy-sixth Congress, inclusive,

and transfer such records to the National Archives for preservation, subject to the orders of the Senate or the House, respectively.

PRESERVATION OF COMMITTEE HEARINGS

SEC. 141. The Librarian of the Library of Congress is authorized and directed to have bound at the end of each session of Congress the printed hearings of testimony taken by each committee of the Congress at the preceding session.

EFFECTIVE DATE

SEC. 142. This title shall take effect on January 2, 1947; except that this section and sections 140 and 141 shall take effect on the date of enactment of this Act.

TITLE II—MISCELLANEOUS

PART 1—STATUTORY PROVISIONS RELATING TO CONGRESSIONAL PERSONNEL

INCREASE IN COMPENSATION FOR CERTAIN CONGRESSIONAL OFFICERS

Elected officers of Senate and House.

59 Stat. 301,
5 U. S. C., Supp. V,
§ 931.
Ante, p. 217.

Office of Vice President.

Office of Speaker.

Administrative assistants.

Appropriation authorized.

SEC. 201. (a) Effective January 1, 1947, the annual basic compensation of the elected officers of the Senate and the House of Representatives (not including the Presiding Officers of the two Houses) shall be increased by 50 per centum; and the provisions of section 501 of the Federal Employees Pay Act of 1945, as amended by section 5 of the Federal Employees Pay Act of 1946, shall not be applicable to the compensation of said elected officers.

(b) There is hereby authorized to be appropriated annually for the "Office of the Vice President" the sum of \$23,130; and there is hereby authorized to be appropriated annually for the "Office of the Speaker" the sum of \$20,025.

(c) The Speaker, the majority leader, and the minority leader of the House of Representatives are each authorized to employ an administrative assistant, who shall receive basic compensation at a rate not to exceed \$8,000 a year. There is hereby authorized to be appropriated such sums as may be necessary for the payment of such compensation.

COMMITTEE STAFFS

Professional staff members.

SEC. 202. (a) Each standing committee of the Senate and the House of Representatives (other than the Appropriations Committees) is authorized to appoint by a majority vote of the committee not more than four professional staff members in addition to the clerical staffs on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office; and said staff members shall be assigned to the chairman and ranking minority member of such committee as the committee may deem advisable. Each such committee is further authorized to terminate the services by a majority vote of the committee of any such professional staff member as it may see fit. Professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.

Staffs for Committees on Appropriations.

(b) Subject to appropriations which it shall be in order to include in appropriation bills, the Committee on Appropriations of each House is authorized to appoint such staff, in addition to the clerk thereof and assistants for the minority, as each such committee, by a majority vote, shall determine to be necessary, such personnel, other

than the minority assistants, to possess such qualifications as the committees respectively may prescribe, and the Committee on Appropriations of the House also is authorized to conduct studies and examinations of the organization and operation of any executive agency (including any agency the majority of the stock of which is owned by the Government of the United States) as it may deem necessary to assist it in connection with the determination of matters within its jurisdiction and in accordance with procedures authorized by the committee by a majority vote, including the rights and powers conferred by House Resolution Numbered 50, adopted January 9, 1945.

Studies and examinations.

(c) The clerical staff of each standing committee, which shall be appointed by a majority vote of the committee, shall consist of not more than six clerks, to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable; and the position of committee janitor is hereby abolished. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work.

Clerical staff.

Committee janitor.

(d) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the Congress and all members of the committee and the respective Houses shall have access to such records. Each committee is authorized to have printed and bound such testimony and other data presented at hearings held by the committee.

Separation of records, etc.

(e) The professional staff members of the standing committees shall receive annual compensation, to be fixed by the chairman, ranging from \$5,000 to \$8,000 and the clerical staff shall receive annual compensation ranging from \$2,000 to \$8,000.

Compensation of staff members.

(f) No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on Rules and Administration of the Senate or the Committee on House Administration of the House of Representatives, as the case may be.

Experts from departments, etc.

(g) No individual who is employed as a professional staff member of any committee as provided in this section shall be eligible for appointment to any office or position in the executive branch of the Government for a period of one year after he shall have ceased to be such a member.

Appointment to executive branch, restriction.

(h) Notwithstanding the foregoing provisions—

(1) The committee employees of the existing Committee on Appropriations of the Senate and of the existing Committee on Appropriations of the House of Representatives shall be continued on the rolls of the respective appropriations committees established under title I of this Act during the fiscal year 1947, unless sooner removed for cause.

Employees of existing Committees on Appropriations.

Ante, p. 814.

(2) Committee employees of all other existing standing committees of each House shall be continued on the pay rolls of the Senate and House of Representatives, respectively, through January 31, 1947, unless sooner removed for cause by the Secretary of the Senate or the Clerk of the House, as the case may be.

Other existing standing committees.

(3) The appropriations for the compensation of committee employees of standing committees of the Senate and of the House of Representatives contained in the Legislative Branch Appropriation Act, 1947, shall be available for the compensation of employees specified in paragraph (2) of this subsection and of employees of the standing committees of the Senate and House of Representatives succeeding to the jurisdiction of the standing committees specified in such Appropriation Act; and in any case in which the legislative jurisdiction

Appropriations for compensation.

Ante, p. 386.

Transfer of jurisdiction.

of any existing standing committee is transferred to two or more standing committees under title I of this Act, the Committee on Rules and Administration of the Senate with respect to standing committees of the Senate, and the Committee on House Administration, with respect to standing committees of the House, shall allocate such appropriations in an equitable manner.

LEGISLATIVE REFERENCE SERVICE

SEC. 203. (a) The Librarian of Congress is authorized and directed to establish in the Library of Congress a separate department to be known as the Legislative Reference Service. It shall be the duty of the Legislative Reference Service—

(1) upon request, to advise and assist any committee of either House or any joint committee in the analysis, appraisal, and evaluation of legislative proposals pending before it, or of recommendations submitted to Congress, by the President or any executive agency, and otherwise to assist in furnishing a basis for the proper determination of measures before the committee;

(2) upon request, or upon its own initiative in anticipation of requests, to gather, classify, analyze, and make available, in translations, indexes, digests, compilations and bulletins, and otherwise, data for a hearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, without partisan bias in selection or presentation;

(3) to prepare summaries and digests of public hearings before committees of the Congress, and of bills and resolutions of a public general nature introduced in either House.

(b) (1) A director and assistant director of the Legislative Reference Service and all other necessary personnel, shall be appointed by the Librarian of Congress without regard to the civil-service laws and without reference to political affiliations, solely on the ground of fitness to perform the duties of their office. The compensation of all employees shall be fixed in accordance with the provisions of the Classification Act of 1923, as amended: *Provided*, That the grade of senior specialists in each field enumerated in paragraph (2) of this subsection shall not be less than the highest grade in the executive branch of the Government to which research analysts and consultants without supervisory responsibility are currently assigned. All employees of the Legislative Reference Service shall be subject to the provisions of the civil-service retirement laws.

(2) The Librarian of Congress is further authorized to appoint in the Legislative Reference Service senior specialists in the following broad fields: Agriculture; American government and public administration; American public law; conservation; education; engineering and public works; full employment; housing; industrial organization and corporation finance; international affairs; international trade and economic geography; labor; mineral economics; money and banking; price economics; social welfare; taxation and fiscal policy; transportation and communications; and veterans' affairs. Such specialists, together with such other members of the staff as may be necessary, shall be available for special work with the appropriate committees of Congress for any of the purposes set out in section 203 (a) (1).

(c) There is hereby authorized to be appropriated for the work of the Legislative Reference Service the following sums: (1) For the fiscal year ending June 30, 1947, \$550,000; (2) for the fiscal year ending June 30, 1948, \$650,000; (3) for the fiscal year ending June 30, 1949, \$750,000; and (4) for each fiscal year thereafter such sums as may be necessary to carry on the work of the Service.

Ante, p. 814.

Duties.

Analysis of legislative proposals, etc.

Classification, etc., of data.

Preparation of digests.

Appointment of directors, etc.

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

Appointment of senior specialists.

Appropriations authorized.

OFFICE OF THE LEGISLATIVE COUNSEL

SEC. 204. There is hereby authorized to be appropriated for the work of the Office of the Legislative Counsel the following sums:

Appropriations authorized.

- (1) For the fiscal year ending June 30, 1947, \$150,000;
- (2) For the fiscal year ending June 30, 1948, \$200,000;
- (3) For the fiscal year ending June 30, 1949, \$250,000;
- (4) For the fiscal year ending June 30, 1950, \$250,000; and
- (5) For each fiscal year thereafter such sums as may be necessary to carry on the work of the Office.

STUDIES BY COMPTROLLER GENERAL

SEC. 205. The Comptroller General is authorized and directed to make a full and complete study of restrictions placed in general appropriation Acts limiting the expenditure of specified appropriations therein, with a view to determining the cost to the Government incident to complying with such restrictions, and to report to the Congress his estimate of the cost of complying with such restrictions and such other recommendations with respect thereto as he deems necessary or desirable.

EXPENDITURE ANALYSES BY COMPTROLLER GENERAL

SEC. 206. The Comptroller General is authorized and directed to make an expenditure analysis of each agency in the executive branch of the Government (including Government corporations), which, in the opinion of the Comptroller General, will enable Congress to determine whether public funds have been economically and efficiently administered and expended. Reports on such analyses shall be submitted by the Comptroller General, from time to time, to the Committees on Expenditures in the Executive Departments, to the Appropriations Committees, and to the legislative committees having jurisdiction over legislation relating to the operations of the respective agencies, of the two Houses.

CORRECTION OF MILITARY AND NAVAL RECORDS

SEC. 207. The Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury with respect to the Coast Guard, respectively, under procedures set up by them, and acting through boards of civilian officers or employees of their respective departments, are authorized to correct any military or naval record where in their judgment such action is necessary to correct an error or to remove an injustice.

PART 2—STATUTORY PROVISIONS RELATING TO COMMITTEES OF CONGRESS

IMPROVEMENT OF CONGRESSIONAL RECORD

SEC. 221. The Joint Committee on Printing is authorized and directed to provide for printing in the Daily Record the legislative program for the day, together with a list of congressional committee meetings and hearings, and the place of meeting and subject matter; and to cause a brief résumé of congressional activities for the previous day to be incorporated in the Record, together with an index of its contents. Such data shall be prepared under the supervision of the Secretary of the Senate and the Clerk of the House of Representatives, respectively.

JOINT COMMITTEE ON PRINTING

44 U. S. C. § 1.

SEC. 222. Section 1 of the Act entitled "An Act Providing for the public printing and binding and the distribution of public documents", approved January 12, 1895 (28 Stat. 601), is amended to read as follows: "That there shall be a Joint Committee on Printing, consisting of the chairman and two members of the Committee on Rules and Administration of the Senate and the chairman and two members of the Committee on House Administration of the House of Representatives, who shall have the powers hereinafter stated."

JOINT COMMITTEE ON THE LIBRARY

SEC. 223. The Joint Committee of Congress on the Library shall hereafter consist of the chairman and four members of the Committee on Rules and Administration of the Senate and the chairman and four members of the Committee on House Administration of the House of Representatives.

TRANSFER OF FUNCTIONS

SEC. 224. The functions, powers, and duties imposed by statute, resolution, or rule of either House of Congress on the effective date of this section on a standing committee of the Senate or the House of Representatives (or the chairman thereof) are, insofar as they are consistent with this Act, hereby transferred to that standing committee created by this Act (or the chairman thereof) to which is transferred the legislative jurisdiction over the subject matter to which such functions, powers, and duties relate; except that the chairman of the Committee on Civil Service of the Senate and the chairman of the Committee on Post Office and Civil Service of the House created by this Act shall be members of the National Archives Council.

National Archives Council.

JOINT COMMITTEE ON THE ECONOMIC REPORT

Ante, p. 25.

SEC. 225. Section 5 (b) (3) (relating to the time for filing the report of the Joint Committee on the Economic Report) of the Employment Act of 1946 is amended by striking out "May 1" and inserting in lieu thereof "February 1".

ECONOMIC REPORT OF THE PRESIDENT

Ante, p. 24.

SEC. 226. Section 3 (a) (relating to the time for filing the economic report of the president) of the Employment Act of 1946 is amended by striking out "within 60 days after the beginning of each regular session" and inserting in lieu thereof "at the beginning of each regular session".

PART 3—PROVISIONS RELATING TO CAPITOL AND PAGES

REMODELING OF CAUCUS ROOMS AND RESTAURANTS

SEC. 241. The Architect of the Capitol is authorized and directed to prepare plans and submit them to Congress at the earliest practicable date for the remodeling (a) of the caucus rooms in the Senate and House Office Buildings to provide improved acoustics and seating facilities and for the presentation of motion picture or other visual displays on matters of national interest; and (b) of the Senate and House Restaurants to provide for more convenient dining facilities.

ASSIGNMENT OF CAPITOL SPACE

SEC. 242. The President pro tempore of the Senate and the Speaker of the House of Representatives shall cause a survey to be made of available space within the Capitol which could be utilized for joint committee meetings, meetings of conference committees, and other meetings, requiring the attendance of both Senators and Members of the House of Representatives; and shall recommend the reassignment of such space to accommodate such meetings.

Meetings of joint committees, etc.

SENATE AND HOUSE PAGES

SEC. 243. (a) The Secretary of the Senate and the Clerk of the House of Representatives, acting jointly, are authorized and directed to enter into an arrangement with the Board of Education of the District of Columbia for the education of Congressional pages and pages of the Supreme Court in the public school system of the District. Such arrangement shall include provision for reimbursement to the District of Columbia for any additional expenses incurred by the public school system of the District in carrying out such arrangement.

Education.

(b) There are hereby authorized to be appropriated such sums as may be necessary to reimburse the District of Columbia in accordance with the arrangement referred to in subsection (a).

Reimbursement to D. C.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, said page or pages may elect to attend a private or parochial school of their own choice: *Provided, however,* That such private or parochial school shall be reimbursed by the Senate and House of Representatives only in the same amount as would be paid if the page or pages were attending a public school under the provisions of paragraphs (a) and (b) of this section.

Appropriation authorized.

Election of private or parochial school.

AUTHORIZATION OF APPROPRIATIONS AND PERSONNEL

SEC. 244. All necessary funds required to carry out the provisions of this Act, by the Secretary of the Senate and the Clerk of the House, are hereby authorized to be appropriated, and the Secretary of the Senate and the Clerk of the House are hereby further authorized to employ such administrative assistants as may be necessary in order to carry out the provisions of this Act under their respective jurisdictions.

Post, pp. 911, 912.

EFFECTIVE DATE

SEC. 245. This title shall take effect on the date of its enactment; except that sections 202 (a), (b), (c), (e), (f), and (h), 222, 223, 224, and 243 shall take effect on the day on which the Eightieth Congress convenes.

Ante, pp. 834, 835, 838; *supra*.

TITLE III—REGULATION OF LOBBYING ACT

SHORT TITLE

SEC. 301. This title may be cited as the "Federal Regulation of Lobbying Act".

DEFINITIONS

SEC. 302. When used in this title—

(a) The term "contribution" includes a gift, subscription, loan, advance, or deposit of money or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution.

(b) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

(c) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons.

(d) The term "Clerk" means the Clerk of the House of Representatives of the United States.

(e) The term "legislation" means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House.

DETAILED ACCOUNTS OF CONTRIBUTIONS

SEC. 303. (a) It shall be the duty of every person who shall in any manner solicit or receive a contribution to any organization or fund for the purposes hereinafter designated to keep a detailed and exact account of—

(1) all contributions of any amount or of any value whatsoever;

(2) the name and address of every person making any such contribution of \$500 or more and the date thereof;

(3) all expenditures made by or on behalf of such organization or fund; and

(4) the name and address of every person to whom any such expenditure is made and the date thereof.

(b) It shall be the duty of such person to obtain and keep a receipted bill, stating the particulars, for every expenditure of such funds exceeding \$10 in amount, and to preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items.

RECEIPTS FOR CONTRIBUTIONS

SEC. 304. Every individual who receives a contribution of \$500 or more for any of the purposes hereinafter designated shall within five days after receipt thereof rendered to the person or organization for which such contribution was received a detailed account thereof, including the name and address of the person making such contribution and the date on which received.

STATEMENTS TO BE FILED WITH CLERK OF HOUSE

SEC. 305. (a) Every person receiving any contributions or expending any money for the purposes designated in subparagraph (a) or (b) of section 307 shall file with the Clerk between the first and tenth day of each calendar quarter, a statement containing complete as of the day next preceding the date of filing—

(1) the name and address of each person who has made a contribution of \$500 or more not mentioned in the preceding report; except that the first report filed pursuant to this title shall contain the name and address of each person who has made any contribution of \$500 or more to such person since the effective date of this title;

(2) the total sum of the contributions made to or for such person during the calendar year and not stated under paragraph (1);

(3) the total sum of all contributions made to or for such person during the calendar year;

(4) the name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of \$10 or more has been made by or on behalf of such person, and the amount, date, and purpose of such expenditure;

(5) the total sum of all expenditures made by or on behalf of such person during the calendar year and not stated under paragraph (4);

(6) the total sum of expenditures made by or on behalf of such person during the calendar year.

(b) The statements required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

Cumulative statements.

STATEMENT PRESERVED FOR TWO YEARS

SEC. 306. A statement required by this title to be filed with the Clerk—

(a) shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk of the House of Representatives of the United States, Washington, District of Columbia, but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the Clerk of its nonreceipt;

(b) shall be preserved by the Clerk for a period of two years from the date of filing, shall constitute part of the public records of his office, and shall be open to public inspection.

PERSONS TO WHOM APPLICABLE

SEC. 307. The provisions of this title shall apply to any person (except a political committee as defined in the Federal Corrupt Practices Act, and duly organized State or local committees of a political party), who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally to aid, or the principal purpose of which person is to aid, in the accomplishment of any of the following purposes:

(a) The passage or defeat of any legislation by the Congress of the United States.

(b) To influence, directly or indirectly, the passage or defeat of any legislation by the Congress of the United States.

43 Stat. 1070.
2 U. S. C. §§ 241-
256; Supp. V, § 251; 18
U. S. C. § 208.

REGISTRATION WITH SECRETARY OF THE SENATE AND CLERK OF THE HOUSE

SEC. 308. (a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Congress of the United States shall, before doing anything in furtherance of such object, register with the Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers in writing and under oath, his name and business address, the name and address of the person by whom he is employed, and in whose interest he appears or works, the duration of such employment, how much he is paid and is to receive, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. Each such person so registering shall, between the first and tenth day of each calendar quarter, so long as his activity continues, file with the Clerk and Secretary a detailed report under oath of all money received and expended by him during the preceding calendar quarter in carrying on his work; to whom paid; for what purposes; and the names

Report of money received and expended.

Nonapplicability.

of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials; and the proposed legislation he is employed to support or oppose. The provisions of this section shall not apply to any person who merely appears before a committee of the Congress of the United States in support of or opposition to legislation; nor to any public official acting in his official capacity; nor in the case of any newspaper or other regularly published periodical (including any individual who owns, publishes, or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisements, which directly or indirectly urge the passage or defeat of legislation, if such newspaper, periodical, or individual, engages in no further or other activities in connection with the passage or defeat of such legislation, other than to appear before a committee of the Congress of the United States in support of or in opposition to such legislation.

Compilation and printing of information.

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the Congressional Record.

REPORTS AND STATEMENTS TO BE MADE UNDER OATH

SEC. 309. All reports and statements required under this title shall be made under oath, before an officer authorized by law to administer oaths.

PENALTIES

SEC. 310. (a) Any person who violates any of the provisions of this title, shall, upon conviction, be guilty of a misdemeanor, and shall be punished by a fine of not more than \$5,000 or imprisonment for not more than twelve months, or by both such fine and imprisonment.

(b) In addition to the penalties provided for in subsection (a), any person convicted of the misdemeanor specified therein is prohibited, for a period of three years from the date of such conviction, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Congress in support of or opposition to proposed legislation; and any person who violates any provision of this subsection shall, upon conviction thereof, be guilty of a felony, and shall be punished by a fine of not more than \$10,000, or imprisonment for not more than five years, or by both such fine and imprisonment.

EXEMPTION

SEC. 311. The provisions of this title shall not apply to practices or activities regulated by the Federal Corrupt Practices Act nor be construed as repealing any portion of said Federal Corrupt Practices Act.

43 Stat. 1070.
2 U. S. C. §§ 241-
256; Supp. V, § 251; 18
U. S. C. § 208.

TITLE IV—FEDERAL TORT CLAIMS ACT

PART 1—SHORT TITLE AND DEFINITIONS

SHORT TITLE

SEC. 401. This title may be cited as the "Federal Tort Claims Act".

DEFINITIONS

SEC. 402. As used in this title, the term—

(a) "Federal agency" includes the executive departments and independent establishments of the United States, and corporations

whose primary function is to act as, and while acting as, instrumentalities or agencies of the United States, whether or not authorized to sue and be sued in their own names: *Provided*, That this shall not be construed to include any contractor with the United States.

Contractor.

(b) "Employee of the Government" includes officers or employees of any Federal agency, members of the military or naval forces of the United States, and persons acting on behalf of a Federal agency in an official capacity, temporarily or permanently in the service of the United States, whether with or without compensation.

(c) "Acting within the scope of his office or employment", in the case of a member of the military or naval forces of the United States, means acting in line of duty.

PART 2—ADMINISTRATIVE ADJUSTMENT OF TORT CLAIMS AGAINST THE UNITED STATES

CLAIMS OF \$1,000 OR LESS

SEC. 403. (a) Subject to the limitations of this title, authority is hereby conferred upon the head of each Federal agency, or his designee for the purpose, acting on behalf of the United States, to consider, ascertain, adjust, determine, and settle any claim against the United States for money only, accruing on and after January 1, 1945, on account of damage to or loss of property or on account of personal injury or death, where the total amount of the claim does not exceed \$1,000, caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death, in accordance with the law of the place where the act or omission occurred.

(b) Subject to the provisions of part 3 of this title, any such award or determination shall be final and conclusive on all officers of the Government, except when procured by means of fraud, notwithstanding any other provision of law to the contrary.

Finality of award.

(c) Any award made to any claimant pursuant to this section, and any award, compromise, or settlement of any claim cognizable under this title made by the Attorney General pursuant to section 413, shall be paid by the head of the Federal agency concerned out of appropriations that may be made therefor, which appropriations are hereby authorized.

Payments.

(d) The acceptance by the claimant of any such award, compromise, or settlement shall be final and conclusive on the claimant, and shall constitute a complete release by the claimant of any claim against the United States and against the employee of the Government whose act or omission gave rise to the claim, by reason of the same subject matter.

Appropriations authorized.

Release of claim.

REPORT

SEC. 404. The head of each Federal agency shall annually make a report to the Congress of all claims paid by such Federal agency under this part. Such report shall include the name of each claimant, a statement of the amount claimed and the amount awarded, and a brief description of the claim.

PART 3—SUITS ON TORT CLAIMS AGAINST THE UNITED STATES

JURISDICTION

SEC. 410. (a) Subject to the provisions of this title, the United States district court for the district wherein the plaintiff is resident or wherein the act or omission complained of occurred, including the

United States district courts for the Territories and possessions of the United States, sitting without a jury, shall have exclusive jurisdiction to hear, determine, and render judgment on any claim against the United States, for money only, accruing on and after January 1, 1945, on account of damage to or loss of property or on account of personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death in accordance with the law of the place where the act or omission occurred. Subject to the provisions of this title, the United States shall be liable in respect of such claims to the same claimants, in the same manner, and to the same extent as a private individual under like circumstances, except that the United States shall not be liable for interest prior to judgment, or for punitive damages. Costs shall be allowed in all courts to the successful claimant to the same extent as if the United States were a private litigant, except that such costs shall not include attorneys' fees.

Liability of U. S.

Costs.

Judgment as bar to action against employee of Government.

Withdrawal of claim.

(b) The judgment in such an action shall constitute a complete bar to any action by the claimant, by reason of the same subject matter, against the employee of the Government whose act or omission gave rise to the claim. No suit shall be instituted pursuant to this section upon a claim presented to any Federal agency pursuant to part 2 of this title unless such Federal agency has made final disposition of the claim: *Provided*, That the claimant may, upon fifteen days' notice given in writing, withdraw the claim from consideration of the Federal agency and commence suit thereon pursuant to this section: *Provided further*, That as to any claim so disposed of or so withdrawn, no suit shall be instituted pursuant to this section for any sum in excess of the amount of the claim presented to the Federal agency, except where the increased amount of the claim is shown to be based upon newly discovered evidence not reasonably discoverable at the time of presentation of the claim to the Federal agency or upon evidence of intervening facts, relating to the amount of the claim. Disposition of any claim made pursuant to part 2 of this title shall not be competent evidence of liability or amount of damages in proceedings on such claim pursuant to this section.

PROCEDURE

SEC. 411. In actions under this part, the forms of process, writs, pleadings, and motions, and the practice and procedure, shall be in accordance with the rules promulgated by the Supreme Court pursuant to the Act of June 19, 1934 (48 Stat. 1064); and the same provisions for counterclaim and set-off, for interest upon judgments, and for payment of judgments, shall be applicable as in cases brought in the United States district courts under the Act of March 3, 1887 (24 Stat. 505).

28 U. S. C. §§ 723b, 723c; Supp. V, § 723c.

28 U. S. C. §§ 250 note, 258 note, 761-766.

REVIEW

SEC. 412. (a) Final judgments in the district courts in cases under this part shall be subject to review by appeal—

(1) in the circuit courts of appeals in the same manner and to the same extent as other judgments of the district courts; or

(2) in the Court of Claims of the United States: *Provided*, That the notice of appeal filed in the district court under rule 73 of the Rules of Civil Procedure shall have affixed thereto the written consent on behalf of all the appellees that the appeal be taken to the Court of Claims of the United States. Such appeals to the Court of Claims of the United States shall be taken within

Circuit courts of appeal.

Court of Claims.

28 U. S. C. foll. § 723c.

three months after the entry of the judgment of the district court, and shall be governed by the rules relating to appeals from a district court to a circuit court of appeals adopted by the Supreme Court pursuant to the Act of June 19, 1934 (48 Stat. 1064). In such appeals the Court of Claims of the United States shall have the same powers and duties as those conferred on a circuit court of appeals in respect to appeals under section 4 of the Act of February 13, 1925 (43 Stat. 939).

(b) Sections 239 and 240 of the Judicial Code, as amended, shall apply to cases under this part in the circuit courts of appeals and in the Court of Claims of the United States to the same extent as to cases in a circuit court of appeals therein referred to.

28 U. S. C. §§ 723b,
723c; Supp. V, § 723c.

28 U. S. C. § 226.

36 Stat. 1157.
28 U. S. C. §§ 346,
347.

COMPROMISE

SEC. 413. With a view to doing substantial justice, the Attorney General is authorized to arbitrate, compromise, or settle any claim cognizable under this part, after the institution of any suit thereon, with the approval of the court in which such suit is pending.

PART 4—PROVISIONS COMMON TO PART 2 AND PART 3

ONE-YEAR STATUTE OF LIMITATIONS

SEC. 420. Every claim against the United States cognizable under this title shall be forever barred, unless within one year after such claim accrued or within one year after the date of enactment of this Act, whichever is later, it is presented in writing to the Federal agency out of whose activities it arises, if such claim is for a sum not exceeding \$1,000; or unless within one year after such claim accrued or within one year after the date of enactment of this Act, whichever is later, an action is begun pursuant to part 3 of this title. In the event that a claim for a sum not exceeding \$1,000 is presented to a Federal agency as aforesaid, the time to institute a suit pursuant to part 3 of this title shall be extended for a period of six months from the date of mailing of notice to the claimant by such Federal agency as to the final disposition of the claim or from the date of withdrawal of the claim from such Federal agency pursuant to section 410 of this title, if it would otherwise expire before the end of such period.

EXCEPTIONS

SEC. 421. The provisions of this title shall not apply to—

(a) Any claim based upon an act or omission of an employee of the Government, exercising due care, in the execution of a statute or regulation, whether or not such statute or regulation be valid, or based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a Federal agency or an employee of the Government, whether or not the discretion involved be abused.

Act, etc., in execution of statute.

(b) Any claim arising out of the loss, miscarriage, or negligent transmission of letters or postal matter.

Loss of letters, etc.

(c) Any claim arising in respect of the assessment or collection of any tax or customs duty, or the detention of any goods or merchandise by any officer of customs or excise or any other law-enforcement officer.

Assessment of tax, etc.

(d) Any claim for which a remedy is provided by the Act of March 9, 1920 (U. S. C., title 46, secs. 741-752, inclusive), or the Act of March 3, 1925 (U. S. C., title 46, secs. 781-790, inclusive), relating to claims or suits in admiralty against the United States.

Suits in admiralty.
41 Stat. 525.
46 U. S. C., Supp.
V, § 745.
43 Stat. 1112.

40 Stat. 411.
50 U. S. C. app.
§§ 1-31; Supp. V, § 3
et seq.
Ante, pp. 50, 54, 182,
418; post, pp. 925, 944.
Quarantine.

Injury to vessels,
etc.

Assault, etc.

Fiscal operations of
Treasury.

Combatant activi-
ties.

Foreign country.

TVA.

(e) Any claim arising out of an act or omission of any employee of the Government in administering the provisions of the Trading with the Enemy Act, as amended.

(f) Any claim for damages caused by the imposition or establishment of a quarantine by the United States.

(g) Any claim arising from injury to vessels, or to the cargo, crew, or passengers of vessels, while passing through the locks of the Panama Canal or while in Canal Zone waters.

(h) Any claim arising out of assault, battery, false imprisonment, false arrest, malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights.

(i) Any claim for damages caused by the fiscal operations of the Treasury or by the regulation of the monetary system.

(j) Any claim arising out of the combatant activities of the military or naval forces, or the Coast Guard, during time of war.

(k) Any claim arising in a foreign country.

(l) Any claim arising from the activities of the Tennessee Valley Authority.

ATTORNEYS' FEES

SEC. 422. The court rendering a judgment for the plaintiff pursuant to part 3 of this title, or the head of the Federal agency or his designee making an award pursuant to part 2 of this title, or the Attorney General making a disposition pursuant to section 413 of this title, as the case may be, may, as a part of the judgment, award, or settlement, determine and allow reasonable attorney's fees, which, if the recovery is \$500 or more, shall not exceed 10 per centum of the amount recovered under part 2, or 20 per centum of the amount recovered under part 3, to be paid out of but not in addition to the amount of judgment, award, or settlement recovered, to the attorneys representing the claimant. Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this section, if recovery be had, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to a fine of not more than \$2,000 or imprisonment for not more than one year, or both.

EXCLUSIVENESS OF REMEDY

SEC. 423. From and after the date of enactment of this Act, the authority of any Federal agency to sue and be sued in its own name shall not be construed to authorize suits against such Federal agency on claims which are cognizable under part 3 of this title, and the remedies provided by this title in such cases shall be exclusive.

CERTAIN STATUTES INAPPLICABLE

SEC. 424. (a) All provisions of law authorizing any Federal agency to consider, ascertain, adjust, or determine claims on account of damage to or loss of property, or on account of personal injury or death, caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, are hereby repealed in respect of claims cognizable under part 2 of this title and accruing on and after January 1, 1945, including, but without limitation, the provisions granting such authorization now contained in the following laws:

Public Law Numbered 375, Sixty-seventh Congress, approved December 28, 1922 (42 Stat. 1066; U. S. C., title 31, secs. 215-217).

Public Law Numbered 267, Sixty-sixth Congress, approved June 5, 1920 (41 Stat. 1054; U. S. C., title 33, sec. 853).

Public Law Numbered 481, Seventy-fourth Congress, approved March 20, 1936 (49 Stat. 1184; U. S. C., title 31, sec. 224b).

Public Law Numbered 112, as amended, Seventy-eighth Congress, approved July 3, 1943 (57 Stat. 372; U. S. C., title 31, secs. 223b, 223c, and 223d).

Public Law Numbered 182, as amended, Sixty-fifth Congress, approved July 1, 1918 (40 Stat. 705; U. S. C., title 34, sec. 600).

Section 4 of Public Law Numbered 18, Sixty-seventh Congress, approved June 16, 1921 (42 Stat. 63), as amended by Public Law Numbered 456, Seventy-third Congress, approved June 22, 1934 (48 Stat. 1207; U. S. C., title 31, sec. 224c).

(b) Nothing contained herein shall be deemed to repeal any provision of law authorizing any Federal agency to consider, ascertain, adjust, settle, determine, or pay any claim on account of damage to or loss of property or on account of personal injury or death, in cases in which such damage, loss, injury, or death was not caused by any negligent or wrongful act or omission of an employee of the Government while acting within the scope of his office or employment, or any other claim not cognizable under part 2 of this title.

31 U. S. C., Supp. V, § 224b note.

31 U. S. C., Supp. V, §§ 215-217 notes, 223b, 223c.
Ante, pp. 332, 333.

Cases not caused by negligence, etc.

Ante, p. 843.

TITLE V—GENERAL BRIDGE ACT

SHORT TITLE

SEC. 501. This title may be cited as the "General Bridge Act of 1946".

CONSENT OF CONGRESS

SEC. 502. (a) The consent of Congress is hereby granted for the construction, maintenance, and operation of bridges and approaches thereto over the navigable waters of the United States, in accordance with the provisions of this title.

Construction, etc.

(b) The location and plans for such bridges shall be approved by the Chief of Engineers and the Secretary of War before construction is commenced, and, in approving the location and plans of any bridge, they may impose any specific conditions relating to the maintenance and operation of the structure which they may deem necessary in the interest of public navigation, and the conditions so imposed shall have the force of law.

Location and plans.

(c) Notwithstanding the provisions of subsections (a) and (b), it shall be unlawful to construct or commence the construction of any privately owned highway toll bridge until the location and plans thereof shall also have been submitted to and approved by the highway department or departments of the State or States in which the bridge and its approaches are situated; and where such bridge shall be between two or more States and the highway departments thereof shall be unable to agree upon the location and plans therefor, or if they, or either of them, shall fail or refuse to act upon the location and plans submitted, such location and plans then shall be submitted to the Public Roads Administration and, if approved by the Public Roads Administration, approval by the highway departments shall not be required.

Privately owned toll bridge.

TOLLS

SEC. 503. If tolls shall be charged for the transit over any interstate bridge of engines, cars, street cars, wagons, carriages, vehicles, animals, foot passengers, or other passengers, such tolls shall be reasonable and just, and the Secretary of War may, at any time, and from time to time, prescribe the reasonable rates of toll for such transit over

such bridge, and the rates so prescribed shall be the legal rates and shall be the rates demanded and received for such transit.

ACQUISITION BY PUBLIC AGENCIES

SEC. 504. After the completion of any interstate toll bridge constructed by an individual, firm, or corporation, as determined by the Secretary of War, either of the States in which the bridge is located, or any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual costs of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

STATEMENTS OF COST

SEC. 505. Within ninety days after the completion of a privately owned interstate toll bridge, the owner shall file with the Secretary of War and with the highway departments of the States in which the bridge is located, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of a highway department shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge. For the purpose of such investigation the said individual, firm, or corporation, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 504 of this title subject only to review in a court of equity for fraud or gross mistake.

SINKING FUND

SEC. 506. If tolls are charged for the use of an interstate bridge constructed or taken over or acquired by a State or States or by any municipality or other political subdivision or public agency thereof, under the provisions of this title, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of constructing or acquiring the same. After a sinking fund sufficient for

such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

APPLICABILITY OF TITLE

SEC. 507. The provisions of this title shall apply only to bridges over navigable waters of the United States, the construction of which is hereafter approved under the provisions of this title; and the provisions of the first proviso of section 9 of the Act of March 3, 1899 (30 Stat. 1151; U. S. C., title 33, sec. 401), and the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, shall not apply to such bridges.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

INTERNATIONAL BRIDGES

SEC. 508. This title shall not be construed to authorize the construction of any bridge which will connect the United States, or any Territory or possession of the United States, with any foreign country.

EMINENT DOMAIN

SEC. 509. There are hereby conferred upon any individual, his heirs, legal representatives, or assigns, any firm or corporation, its successors or assigns, or any State, political subdivision, or municipality authorized in accordance with the provisions of this title to build a bridge between two or more States, all such rights and powers to enter upon lands and acquire, condemn, occupy, possess, and use real estate and other property in the respective States needed for the location, construction, operation, and maintenance of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

PENALTIES

SEC. 510. Any person who fails or refuses to comply with any lawful order of the Secretary of War or the Chief of Engineers issued under the provisions of this title, or who fails to comply with any specific condition imposed by the Chief of Engineers and the Secretary of War relating to the maintenance and operation of bridges, or who refuses to produce books, papers, or documents in obedience to a subpoena or other lawful requirement under this title, or who otherwise violates any provisions of this title, shall, upon conviction thereof, be punished by a fine of not to exceed \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

RIGHTS RESERVED

SEC. 511. The right to alter, amend, or repeal this title is hereby expressly reserved as to any and all bridges which may be built under authority hereof.

TITLE VI—COMPENSATION AND RETIREMENT PAY OF MEMBERS OF CONGRESS

COMPENSATION OF MEMBERS OF CONGRESS

SEC. 601. (a) Effective on the day on which the Eightieth Congress convenes, the compensation of Senators, Representatives in Congress, Delegates from the Territories, and the Resident Commissioner from Puerto Rico shall be at the rate of \$12,500 per annum each; and the compensation of the Speaker of the House of Representatives and the Vice President of the United States shall be at the rate of \$20,000 per annum each.

Expense allowance.

(b) Effective on the day on which the Eightieth Congress convenes there shall be paid to each Senator, Representative in Congress, Delegate from the Territories, Resident Commissioner from Puerto Rico, an expense allowance of \$2,500 per annum to assist in defraying expenses relating to, or resulting from the discharge of his official duties, for which no tax liability shall incur, or accounting be made; such sum to be paid in equal monthly installments.

Repeal.
59 Stat. 244.
2 U. S. C., Supp. V,
§ 31a.

(c) The sentence contained in the Legislative Branch Appropriation Act, 1946, which reads as follows: "There shall be paid to each Representative and Delegate, and to the Resident Commissioner from Puerto Rico, after January 2, 1945, an expense allowance of \$2,500 per annum to assist in defraying expenses related to or resulting from the discharge of his official duties, to be paid in equal monthly installments.", is hereby repealed, effective on the day on which the Eightieth Congress convenes.

Repeal.
Ante, p. 386.

(d) The sentence contained in the Legislative Branch Appropriation Act, 1947, which reads as follows: "There shall be paid to each Senator after January 1, 1946, an expense allowance of \$2,500 per annum to assist in defraying expenses related to or resulting from the discharge of his official duties, to be paid in equal monthly installments.", is hereby repealed, effective on the day on which the Eightieth Congress convenes.

RETIREMENT PAY OF MEMBERS OF CONGRESS

SEC. 602. (a) Section 3 (a) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting after the words "elective officers" the words "in the executive branch of the Government".

56 Stat. 147.
5 U. S. C., Supp. V,
§ 693(a).
Ante, p. 659.

(b) Such Act, as amended, is further amended by adding after section 3 the following new section:

46 Stat. 470.
5 U. S. C. § 693;
Supp. V, § 693.

"SEC. 3A. Notwithstanding any other provision of this Act—

Notice in writing.

"(1) This Act shall not apply to any Member of Congress until he gives notice in writing, while serving as a Member of Congress, to the disbursing officer by whom his salary is paid of his desire to come within the purview of this Act. Such notice may be given by a Member of Congress within six months after the date of enactment of the Legislative Reorganization Act of 1946 or within six months after any date on which he takes an oath of office as a Member of Congress.

Required deposit.

"(2) In the case of any Member of Congress who gives notice of his desire to come within the purview of this Act, the amount required to be deposited for the purposes of section 9 with respect to services rendered after the date of enactment of the Legislative Reorganization Act of 1946, shall be a sum equal to 6 per centum of his basic salary, pay, or compensation for such services, together

46 Stat. 475.
5 U. S. C. § 736b;
Supp. V, § 736b.

with interest computed at the rate of 4 per centum per annum compounded on December 31 of each year; and the amount to be deducted and withheld from the basic salary, pay, or compensation of each such Member of Congress for the purposes of section 10 shall be a sum equal to 6 per centum of such basic salary, pay, or compensation.

“(3) No person shall be entitled to receive an annuity as provided in this section until he shall have become separated from the service after having had at least six years of service as a Member of Congress and have attained the age of sixty-two years, except that any such Member who shall have had at least five years of service as a Member of Congress, may, subject to the provisions of section 6 and of paragraph (4) of this section, be retired for disability, irrespective of age, and be paid an annuity computed in accordance with paragraph (5) of this section.

“(4) No Member of Congress shall be entitled to receive an annuity under this Act unless there shall have been deducted and withheld from his basic salary, pay, or compensation for the last five years of his service as a Member of Congress, or there shall have been deposited under section 9 with respect to such last five years of service, the amounts specified in paragraph (2) of this section with respect to so much of such five years of service as was performed after the date of enactment of the Legislative Reorganization Act of 1946 and the amounts specified in section 9 with respect to so much of such five years of service as was performed prior to such date.

“(5) Subject to the provisions of section 9 and of subsections (c) and (d) of section 4, the annuity of a Member of Congress shall be an amount equal to 2½ per centum of his average annual basic salary, pay, or compensation as a Member of Congress multiplied by his years of service as a Member of Congress, but no such annuity shall exceed an amount equal to three-fourths of the salary, pay, or compensation that he is receiving at the time he becomes separated from the service.

“(6) In the case of a Member of Congress who becomes separated from the service before he completes an aggregate of six years of service as a Member of Congress, and who is not retired for disability, the total amount deducted from his basic salary, pay, or compensation as a Member of Congress, together with interest at 4 per centum compounded as of December 31 of each year shall be returned to such Member of Congress. No such Member of Congress shall thereafter become eligible to receive an annuity as provided in this section unless the amounts so returned are redeposited with interest at 4 per centum compounded on December 31 of each year, but interest shall not be required covering any period of separation from the service.

“(7) If any person takes office as a Member of Congress while receiving an annuity as provided in this section, the payment of such annuity shall be suspended during the period for which he holds such office; but, if he gives notice as provided in paragraph (2) of this section, his service as a Member of Congress during such period shall be credited in determining the amount of his subsequent annuity.

“(8) Nothing contained in this Act shall be construed to prevent any person eligible therefor from simultaneously receiving an annuity computed in accordance with this section and an annuity computed in accordance with section 4, but in computing the annuity under section 4 in the case of any person who (A) has had at least six years' service as a Member of Congress, and (B) has served as a Member of Congress at any time after the date of enactment of the Legislative Reorganization Act of 1946, service as a Member of Congress shall not be credited.

46 Stat. 475.
5 U. S. C. §§ 719,
721, 722; Supp. V,
§ 719.

Years of service; age.

Disability.

46 Stat. 472.
5 U. S. C. §§ 710-
714; Supp. V, §§ 713,
714.

Deductions from
salary, etc.

46 Stat. 475.
5 U. S. C. § 736b;
Supp. V, § 736b.

Amount of annuity.
Supra.
53 Stat. 1201.
5 U. S. C. § 698 (c),
(d).

Refunds.

Annuitant taking
office as Member of
Congress.

46 Stat. 471.
5 U. S. C. §§ 698,
706; Supp. V, §§ 698,
706.

Automatic separation.

"(9) No provision of this or any other Act relating to automatic separation from the service shall be applicable to any Member of Congress.

"Member of Congress."

"(10) As used in this section, the term 'Member of Congress' means a Senator, Representative in Congress, Delegate from a Territory, or the Resident Commissioner from Puerto Rico; and the term 'service as a Member of Congress' shall include the period from the date of the beginning of the term for which a Member of Congress is elected or appointed to the date on which he takes office as such a Member."

"Service as a Member of Congress."

Approved August 2, 1946.

[CHAPTER 754]

AN ACT

August 2, 1946
[S. 1235]

[Public Law 602]

To authorize the use of the funds of any tribe of Indians for insurance premiums.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the use of the funds of any tribe of Indians for payments of insurance premiums for protection of the property of the tribe against fire, theft, tornado, and hail", approved April 13, 1926 (44 Stat. 242), is amended to read as follows:

25 U. S. C. § 123a.

Indian funds.
Use for insurance premiums.

"That hereafter the funds of any tribe of Indians under the control of the United States may be used for payments of insurance premiums for protection of the property of the tribe against fire, theft, tornado, hail, earthquake, or other elements and forces of nature, and for protection against liability on account of injuries or damages to persons or property and other like claims."

Approved August 2, 1946.

[CHAPTER 755]

AN ACT

August 2, 1946

[S. 1602]

[Public Law 603]

To confirm title to certain railroad-grant lands located in the county of Kern, State of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the land hereinafter described, which was patented by the United States to the Southern Pacific Railroad Company on December 1, 1891, recorded at Kern County, California, January 15, 1892, and is now held and occupied by the Summit Lime Company, a California corporation, as successor in interest of the said railroad company through successive conveyances, and as grantee in a quitclaim deed from the said company executed December 21, 1937, is hereby released, relinquished, and confirmed to the said Summit Lime Company, the said land, situate, lying, and being in the east half of section 21, township 32 south, range 33 east, Mount Diablo base line and meridian, county of Kern, State of California, described as follows:

Summit Lime Co.,
Calif.
Release of title to
railroad lands.

Commencing at a point in the west line of the east half of said section 21, distant fifty feet northerly measured at right angles from the center line of the Southern Pacific Railroad Company's eastward main tract; thence south eighty degrees twenty-three minutes east parallel with said center line a distance of one hundred and thirty-six and three-tenths feet to the point of beginning of the parcel of land to be described; thence continuing south eighty degrees twenty-three minutes east parallel with said center line a distance of two hundred and sixty feet; thence north nine degrees thirty-seven

minutes east fifty feet to a point in the northerly line of the right-of-way of said railroad company; thence north eighty degrees twenty-three minutes west along said northerly line of right-of-way a distance of two hundred and sixty feet; thence south nine degrees thirty-seven minutes west a distance of fifty feet to point of beginning, containing an area of two hundred and ninety-eight one-thousandths of an acre, more or less: *Provided*, That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

Mineral rights.

Approved August 2, 1946.

[CHAPTER 756]

AN ACT

To enact certain provisions now included in the Naval Appropriation Act, 1946, and for other purposes.

August 2, 1946

[S. 1917]

[Public Law 604]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when authorized by the Secretary of the Navy, and when in his opinion it will be of benefit to the conduct of the work of the Navy Department, personnel of the Naval Establishment may attend meetings of technical, professional, scientific, and other similar organizations and may be reimbursed for their expenses at the rates authorized by law.

Navy.
Attendance at meetings.

SEC. 2. The Secretary of the Navy may provide for the physical examination by civilians of employees engaged in hazardous occupations where the professional services of the Medical Department are not available, and may compensate such civilians on a contract or fee basis for such professional services at the rates customary in the locality.

Physical examinations by civilians.

SEC. 3. In addition to all other allowances authorized by law, the following amounts may be paid annually, out of the naval appropriations available for pay, to the officers serving in the following capacities, such amounts to be expended in their respective discretions for the contingencies of such offices: Director of Naval Intelligence, \$5,200; President of Naval War College, \$1,000; Superintendent of Naval Academy, \$5,200; Commandant of Midshipmen at the Naval Academy, \$800; Head of the Postgraduate School at the Naval Academy, \$400.

Additional allowances for contingencies.

SEC. 4. Under such regulations as the Secretary of the Navy may prescribe, there may be allowed and paid out of naval appropriations the cost of installation and use (other than for personal long distance calls) of extension telephones connecting public quarters occupied by naval personnel with the switchboards of their official stations.

Extension telephones.

SEC. 5. The third paragraph under the head "Navy Department" in the Act of March 18, 1904 (33 Stat. 117; 5 U. S. C. 415), is hereby repealed.

Repeal.

SEC. 6. Within the limits of appropriations made therefor, the Secretary of the Navy is authorized to provide for all emergencies and extraordinary expenses arising in the Naval Establishment, but impossible to be anticipated or classified, and when so specified in an appropriation such funds may be expended on the approval or authority of the Secretary of the Navy and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government, and he may make a certificate of the amount of such expenditures as he may think it advisable not to specify and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Emergencies and extraordinary expenses.

Naval War College
and Naval Academy.
Instructors, etc.

SEC. 7. (a) The Secretary of the Navy is authorized to employ such civilian professors, lecturers, and instructors as he may deem necessary for the proper instruction of naval personnel at the Naval War College and the Naval Academy, and the professors, lecturers, and instructors so employed shall be paid out of naval appropriations such compensation as he may prescribe.

Repeals.

(b) The first paragraph under the head "Naval Academy" in the Act of August 29, 1916 (39 Stat. 607), as amended (34 U. S. C. 1071), and section 1528, Revised Statutes (34 U. S. C. 1072), are hereby repealed.

Medals, cash prizes,
etc.

SEC. 8. The Secretary of the Navy is authorized to award medals, trophies, badges, and cash prizes to naval personnel or groups thereof (including personnel of the reserve components thereof whether or not on active duty), for excellence in accomplishments related to naval service, to incur such expenses as may be required to enter such personnel in competitions, and to provide badges or buttons in recognition of special service, good conduct, and discharge under conditions other than dishonorable.

Uniforms, etc., for
Naval R. O. T. C.

SEC. 9. Uniforms and other equipment or material issued to the Naval Reserve Officers' Training Corps in accordance with law may be furnished from surplus or reserve stocks of the Navy without payment.

Reserve personnel.
Pay while drawing
pension, etc.

SEC. 10. Officers and enlisted personnel of the Naval Reserve or Marine Corps Reserve on active duty shall not be entitled to receive pay, allowances, travel, or other expenses while drawing a pension, disability allowance, disability compensation, or retired pay (other than as members of the Fleet Reserve or Fleet Marine Corps Reserve or as members on the honorary retired list of such Reserve forces) from the Government of the United States.

Naval Home.

SEC. 11. The Secretary of the Navy is authorized to provide for the maintenance and operation of the Naval Home, including the transportation, admission, entertainment, support, and care of beneficiaries, hospitalization of beneficiaries in naval hospitals, transportation and subsistence of attendants of beneficiaries where required, and the burial and care of graves of deceased beneficiaries.

Naval prisons.

SEC. 12. The Secretary of the Navy is authorized to provide for the maintenance and operation of naval prisons and prison farms and for the subsistence, welfare, recreation, and education of all naval prisoners.

Support of schools.

SEC. 13. The Secretary of the Navy may, out of funds specifically appropriated for that purpose, contribute to the support of schools in localities where naval activities are located if he finds that the schools, if any, available in the locality are not adequate for the welfare of dependents of personnel of the Naval Establishment stationed at the activity, and may provide for the transportation of such dependents between the schools and the activities when such schools are not accessible to such dependents by regular means of transportation.

Messmen, pay.

SEC. 14. Under such regulations as the Secretary of the Navy may prescribe, enlisted naval personnel may receive additional compensation at the rate of \$5 per month while assigned to duty as messmen.

Public quarters.

SEC. 15. (a) Within such regulations as may be prescribed by the Secretary of the Navy, naval personnel, including members of the Nurse Corps, may be furnished public quarters, including heat, light, water, and refrigeration.

Lodging accommo-
dations.

(b) Where sufficient quarters are not possessed by the United States, the Secretary of the Navy is authorized to provide lodging accommodations for naval personnel, including naval personnel on sea duty at such times as they may be deprived of their quarters on board ship

due to repairs or other conditions which may render them uninhabitable: *Provided*, That such accommodations shall not be occupied by the dependents of naval personnel.

SEC. 16. (a) No table linen, dishes, glassware, silver, and kitchen utensils shall be furnished for use in the residence or quarters occupied by officers with their dependents except for messes temporarily set up on shore for bachelor officers and officers attached to seagoing or district defense vessels, to aviation units based on seagoing vessels, to the fleet air bases, to the submarine bases, or to landing forces and expeditions.

(b) Enlisted naval personnel may be assigned to duty in a service capacity in officers' messes and public quarters, under such regulations as the Secretary of the Navy may prescribe, where the Secretary finds that the use of such personnel for such work is desirable for military reasons. No provision of law shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted person or a transferred member of the Fleet Reserve without additional expense to the Government.

(c) The sale of meals by general messes afloat and ashore is authorized under such regulations as the Secretary of the Navy may prescribe.

SEC. 17. (a) All enlisted naval personnel while on active duty or on authorized leave or furlough therefrom, midshipmen and cadets shall be allowed a ration, or commutation thereof in money, under such regulations as the Secretary of the Navy may prescribe. Such regulations shall establish rates at which rations shall be commuted in money. Active duty enlisted personnel, active and inactive retired enlisted personnel and members of the Fleet Reserve when sick and in hospitals, and enlisted personnel on duty in hospitals may be subsisted in kind in hospital messes and, when so subsisted, the appropriation chargeable with the maintenance of the hospital mess shall be credited, when applicable, at such rate as may be prescribed by the Secretary of the Navy as the value of the hospital ration. Members of the Nurse Corps may be subsisted in hospital messes under such regulations as the Secretary of the Navy may prescribe, and nurses so subsisted shall pay therefor at rates to be fixed by such regulations: *Provided*, That nothing herein contained shall deprive such nurses of allowances for subsistence now or hereafter provided by law.

(b) The proviso in the first paragraph under the head "Bureau of Provisions and Clothing" in the Act of January 30, 1885 (23 Stat. 291; 34 U. S. C. 901); the proviso in the first paragraph under the head "Maintenance, Quartermaster's Department, Marine Corps" in the Act of July 11, 1919 (41 Stat. 154; 34 U. S. C. 976); and section 1585 of the Revised Statutes, as amended (34 U. S. C. 907) are hereby repealed.

SEC. 18. During the existence of war or national emergency as declared by the President, there may be transported and subsisted on naval vessels at Government expense such persons as the Secretary of the Navy may authorize by regulation.

SEC. 19. Until September 1, 1946, enlisted men of the Navy and the Marine Corps and the Reserve components thereof, if otherwise eligible, shall be eligible for appointment to the Naval Academy by the Secretary of the Navy if they will have completed nine months' active service on the date of entrance.

SEC. 20. (a) Candidates for appointment as midshipmen at the Naval Academy or as cadets at the Coast Guard Academy shall receive a mileage allowance at the rate of 5 cents per mile for travel performed while proceeding from their homes or duty stations to the Naval Academy or the Coast Guard Academy for examination and appointment.

Dependents.

Kitchen, etc., ware for officers' quarters.

Assignment of enlisted personnel to officers' messes, etc.

Sale of meals.

Rations.

Nurse Corps.

Repeals.

Subsistence, etc., of persons during emergency.

Appointment of enlisted men to Naval Academy.

Mileage allowance for candidates as midshipmen or cadets.

Transportation, etc., of discharged cadets, etc.

(b) Midshipmen and cadets discharged or dismissed from the Naval Academy or the Coast Guard Academy shall be furnished transportation in kind and subsistence from the place of discharge to their homes.

39 Stat. 217.
10 U. S. C., Supp. V, § 752; 34 U. S. C., Supp. V, § 895.
Travel allowance for discharged personnel.

SEC. 21. Section 126 of the Act of June 3, 1916, as amended (10 U. S. C. 752; 34 U. S. C. 895), is hereby further amended to read as follows:

“An enlisted person of the Army, Navy, Marine Corps, or Coast Guard, including Reserve components thereof, upon discharge except by way of punishment for an offense, retirement, or relief from active duty, shall, under such regulations as the head of the department concerned may prescribe for personnel under his jurisdiction, receive a money allowance of 5 cents per mile for the distance from the place of discharge or release from active duty to his home, or place of acceptance for active duty, or place from which ordered to active duty, or such other place as may be determined to be most appropriate by the head of the department concerned. For sea travel involved in travel between place of discharge or release from active duty and place to which travel is authorized only transportation in kind and subsistence en route shall be allowed.”

Apprehension of deserters, etc.

SEC. 22. The Secretary of the Navy is authorized to make such expenditures out of available naval appropriations as he may deem necessary for the apprehension and delivery of deserters, stragglers, and prisoners and for the operation of shore patrols.

Ferry tolls, etc.

SEC. 23. Naval appropriations chargeable for transportation or travel shall be available for the payment or reimbursement of ferry, bridge, and similar tolls and streetcar, bus, and similar fares.

Scientific investigations, etc.

SEC. 24. (a) The Secretary of the Navy is authorized to make such expenditures as he may deem appropriate for scientific investigations and research out of and in accordance with naval appropriations available for such purposes.

Promotion of health, etc.

(b) The Secretary of the Navy is authorized to make such expenditures as he may deem appropriate for promotion and maintenance of the safety and occupational health of, and the prevention of accidents affecting, personnel of the Naval Establishment, including the purchase of clothing, equipment and other materials necessary thereto, and naval appropriations available for the activities in which such personnel are engaged shall be available for the foregoing purposes.

Use of receipts from sales, etc.

SEC. 25. Without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Navy, Marine Corps, and Coast Guard on disbursing duty and charged in their official accounts may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts.

Minor construction.

SEC. 26. The Secretary of the Navy is authorized to expend out of naval appropriations available for construction or maintenance such amounts as may be required for minor construction (except living quarters), extensions to existing structures, and improvements at naval activities, but the cost of any project authorized under this section which is not otherwise authorized shall not exceed \$20,000.

Materials for products of patients.

SEC. 27. The Secretary of the Navy is authorized to furnish materials for the manufacture or production by patients of products incident to the convalescence and rehabilitation of such patients in naval hospitals and other naval medical facilities, and ownership thereof shall be vested in the patients manufacturing or producing such products, except that the ownership of items manufactured or produced specifically for the use of a naval hospital or other naval medical facility shall be vested in the Government and such items shall be accounted for and disposed of accordingly.

Ownership.

SEC. 28. The annual appropriations for the pay of the Marine Corps shall be available for the payment of post exchange indebtedness of deserters and personnel discharged or sentenced to terms of imprisonment while in debt to the United States, under such regulations as the Secretary of the Navy may prescribe.

Post exchange indebtedness of deserters, etc.

SEC. 29. Proceeds from the sale by the Coast Guard of rations, supplies, uniforms, and other clothing shall be credited to the current appropriations from which purchase of these articles are authorized.

Sale of rations, etc., by Coast Guard.

SEC. 30. When personnel of the Navy, Marine Corps, and Coast Guard are ordered to make any permanent change of station motor vehicles owned by them for their personal use not to exceed one vehicle per person, may be transported to their new posts of duty on Government-owned vessels.

Transportation of personally owned vehicles.

SEC. 31. The first sentence of section 10 (a) of the Act of June 6, 1940 (54 Stat. 248; 14 U. S. C. 135), is hereby amended by inserting in the first line thereof the words "working parties in the field," after the words "enlisted men of the Coast Guard."

SEC. 32. The Coast Guard may pay rewards for the apprehension and conviction, or for information helpful therein, of persons found interfering in violation of law with aids to navigation maintained by the Coast Guard.

Coast Guard. Rewards for convictions, etc.

SEC. 33. Existing limitations on the number of enlisted personnel of the Coast Guard who may be detailed for duty in the District of Columbia or at Coast Guard headquarters shall not apply while the Coast Guard is operating as a part of the Navy.

Personnel detailed for duty in D. C., etc.

SEC. 34. The Secretary of the Navy is authorized to provide, out of naval appropriations available for the purchase or manufacture of equipment or material, for the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent that pertain to the equipment or material for which the appropriations are made.

Purchase of letters patent.

SEC. 35. (a) The Secretary of the Navy is authorized, in his discretion and under such rules and regulations as he may prescribe, to pay cash rewards to civilian personnel of the Naval Establishment or other persons in civil life when, due to a suggestion or series of suggestions by them, there results an improvement or economy in manufacturing process or plant or naval material, or in efficiency or economy in the operation or administration of the Navy Department or the Naval Establishment. Such sums as may be awarded to employees in accordance with this section shall be paid them out of naval appropriations in addition to their usual compensation. No employee or other person in civil life shall be paid a reward under this section until he has properly executed an agreement to the effect that the use by the United States of the suggestion or series of suggestions made by him shall not form the basis of a further claim of any nature against the United States by him, his heirs, or assigns.

Rewards to civilians.

(b) Except as provided in subsection (a) hereof, civilian personnel of the Naval Establishment shall not be paid any premium or bonus or cash reward in addition to their regular salaries.

Agreement.

Premiums, etc., in addition to salaries.

(c) The last paragraph appearing on page 718 of volume 40 of the Statutes at Large (5 U. S. C. 416) which is a part of the Act of July 1, 1918 (40 Stat. 704), is hereby repealed.

Repeal.

(d) The provisions of section 12 of title 22, United States Code, together with the provisions of regulations prescribed thereunder, are hereby made applicable to civilian officers and employees of the Navy Department who are citizens of the United States and who are permanently stationed in foreign countries.

Employees in foreign countries. 43 Stat. 142. 22 U. S. C., Supp. V, § 12. Post, p. 1038.

SEC. 36. The Secretary of the Navy, in requesting competitive bids for the construction of naval vessels, shall require each bidder to file with its bid the estimates on which the bid is based.

Bids for construction of vessels.

Repairs, etc., of vessels.

SEC. 37. The Secretary of the Navy is authorized in time of war and until the end of the first fiscal year thereafter to exceed the statutory limit on repairs and alterations of vessels, whenever he deems it necessary.

Administration of liberated areas, etc.

SEC. 38. The Secretary of the Navy is authorized, out of any naval appropriation made therefor, to provide for (1) the administration by the Navy of liberated and occupied areas; (2) expenses for special compensation and for travel and subsistence of officers and students of Latin American countries, and other expenses deemed necessary by the Secretary for Latin American cooperation; and (3) payment of rewards, not to exceed \$500 in any one instance, for information leading to the discovery of missing naval property or the recovery thereof.

Students, etc., of Latin America.

Missing property, rewards.

Delegation of authority.

56 Stat. 359.
37 U. S. C., Supp. V, §§ 101-120.
Ante, pp. 20, 343 *et seq.*; *infra*, *post*, p. 868.

SEC. 39. The authority conferred upon the Secretary of the Navy in this Act or in the Pay Readjustment Act of 1942, as now or hereafter amended, except the authority to prescribe regulations, may be delegated by him to such persons in the Naval Establishment and to such extent as he may deem proper, with or without authority to make successive redelegations.

"Naval Establishment."

"Naval personnel."

SEC. 40. As used in this Act (a) the term "Naval Establishment" includes the Navy Department, the Marine Corps, and the Coast Guard while operating as a part of the Navy; (b) the term "naval personnel" includes all personnel of the Navy, the Marine Corps, and the Coast Guard while operating as a part of the Navy, including personnel of the Reserve components while on active duty, and personnel of the Coast and Geodetic Survey when serving with the Navy; (c) the term "personnel of the Naval Establishment" includes both civilian (departmental and field) and naval personnel; and (d) the term "Naval appropriations" includes all appropriations for the Naval Establishment, including those made for departmental purposes.

"Personnel of the Naval Establishment."

"Naval appropriations."

Graduates of schools of osteopathy.

SEC. 41. The President, in his discretion, is authorized to appoint, by and with the advice and consent of the Senate, graduates of reputable schools of osteopathy as commissioned medical officers in the Navy, in such numbers as the President should determine to be necessary to meet the needs of the naval service for officers trained and qualified in osteopathy.

TITLE II—AMENDMENTS TO THE PAY READJUSTMENT ACT

56 Stat. 364.
37 U. S. C., Supp. V, § 110.

Ante, p. 20.
Enlisted men.
Allowances while in hospital.

SEC. 201. The third paragraph of section 10 of the Pay Readjustment Act of 1942 is amended to read as follows:

"Enlisted men entitled to receive allowances for quarters or subsistence shall continue, while their permanent stations remain unchanged, to receive such allowances while sick in hospital or absent from their permanent-duty stations in a pay status: *Provided*, That allowances for subsistence shall not accrue to such an enlisted man while he is in fact being subsisted at Government expense. Enlisted personnel not receiving allowances for subsistence shall be entitled to commutation in lieu of rations while on furlough or authorized leave or when authorized to mess separately, under such regulations and at such rates as may be prescribed by the head of the executive department concerned."

Nonaccrual.

Commutation.

56 Stat. 364; 58 Stat. 730.
37 U. S. C., Supp. V, § 112.

Mileage allowance for officers.

SEC. 202. The first paragraph of section 12 of the Pay Readjustment Act of 1942, as amended by section 9 of the Act of September 7, 1944 (37 U. S. C. 112), is amended to read as follows:

"Officers of any of the services mentioned in the title of this Act, including active and retired personnel of the Regular Establishments and members of the Reserve components thereof and the National Guard, while on active duty in the Federal service, when traveling

under competent orders without troops, including travel from home to first station in connection with their appointment or call to active duty and from last station to home in connection with relief from active duty or discharge not the result of their own misconduct, shall receive a mileage allowance at the rate of 8 cents per mile, distance to be computed by the shortest usually traveled route and existing laws providing for the issue of transportation requests to officers of the Army traveling under competent orders, and for deduction to be made from mileage accounts when transportation is furnished by the United States, are hereby made applicable to all the services mentioned in the title of this Act: *Provided*, That the head of the executive department concerned may, in his discretion, direct that, in lieu of mileage, actual and necessary expenses shall be allowed to officers traveling on official business and away from their designated posts of duty, without regard to the length of time away from such posts. Actual expenses only shall be paid for travel under order in Alaska and outside the limits of the United States in North America."

SEC. 203. The second paragraph of section 12 of the Pay Readjustment Act of 1942 is amended to read as follows:

"Unless otherwise expressly provided by law, no officer of the services mentioned in the title of this Act shall be allowed or paid any sum in excess of expenses actually incurred for subsistence while traveling on duty away from his designated post of duty, nor any sum for such expenses actually incurred in excess of \$8 per day. The heads of the executive departments concerned are authorized to prescribe per diem rates of allowance, not exceeding \$7, in lieu of subsistence to officers traveling on official business and away from their designated posts of duty, without regard to the length of time away from such posts. Officers, midshipmen, and cadets of the Navy, Marine Corps, and Coast Guard when absent from a vessel or designated post of duty while assigned to shore patrol duty may be paid their actual expenses, and naval personnel on duty with or under training for the Naval Air Transport Service and away from their permanent stations may be paid their actual expenses, or per diem in lieu thereof, at rates not exceeding those prescribed for naval officers in a travel status, without in either case the issuance of orders for specific travel: *Provided*, That for travel by air under competent orders on duty without troops, under regulations to be prescribed respectively by the heads of the departments concerned, members (including officers, warrant officers, contract surgeons, enlisted men, aviation cadets, and members of the Nurse Corps) of the services mentioned in the title of this Act, and of the legally constituted Reserves of said services while on active duty, and of the National Guard while in Federal service, or while participating in exercises, or performing duties under sections 92, 94, 97, or 99 of the National Defense Act, shall, in lieu of mileage or other travel allowances, be allowed and paid their actual and necessary traveling expenses not to exceed \$8 per day, or, in lieu of subsistence, per diem allowances at rates not to exceed \$7 per day. Without regard to the monetary limitations in this Act, and in accordance with regulations prescribed by the President, the heads of the departments concerned may authorize the payment to members of the services mentioned in the title of this Act on duty outside continental United States or in Alaska, whether or not in a travel status, of actual and necessary expenses or per diem in lieu thereof, considering all elements of cost of living, including cost of quarters, subsistence, and other necessary incidental expenses."

Expenses in lieu of mileage.

Payment of actual expenses.

56 Stat. 365.
37 U. S. C., Supp. V, § 112.

Payments in excess of subsistence expenses.

Per diem rates in lieu of subsistence.

Travel by air.

39 Stat. 206, 207.
32 U. S. C. §§ 62-65.
144-146.

Duty in Alaska, etc.

56 Stat. 365.
37 U. S. C., Supp.
V, § 112.

Money allowance in lieu of transportation.

Applicants for enlistment.

Insane patients.

56 Stat. 366.
37 U. S. C., Supp.
V, § 112.

Transportation of household effects, etc.

56 Stat. 365.
37 U. S. C., Supp.
V, § 112.

SEC. 204. Section 12 of the Pay Readjustment Act of 1942 is amended by inserting between the fourth and fifth paragraphs thereof the following new paragraph:

"Under regulations prescribed by the head of the department concerned, (1) officers entitled to transportation (as distinguished from mileage) and enlisted personnel of any of the services mentioned in the title of this Act may be paid, in advance or otherwise, a money allowance of 3 cents per mile in lieu of transportation, regardless of the mode of travel; (2) applicants for enlistment (including rejected applicants) in such services may be furnished or reimbursed for transportation and subsistence incident to recruitment of such personnel; and (3) insane patients may be furnished transportation and subsistence from military hospitals to other hospitals or their homes."

SEC. 205. (a) Section 12 of the Pay Readjustment Act of 1942 is amended by inserting between the fifth and sixth paragraphs thereof the following new paragraph:

"Upon changes of station, members of the services mentioned in the title of this Act shall be entitled to transportation (including packing, crating, drayage, temporary storage, and unpacking) of baggage and household goods and effects, or reimbursement therefor, as authorized by regulations prescribed by the heads of the department concerned, which shall be uniform for the services mentioned and shall be approved by the President. Such transportation may be by rail, water, or van, without regard to comparative costs."

(b) The fifth paragraph of section 12 of the Pay Readjustment Act of 1942 is amended by striking out the following proviso: "Provided further, That the personnel of all the services mentioned in the title of this Act shall have the benefit of all existing laws applying to the Army and Marine Corps for the transportation of household effects:"

Approved August 2, 1946.

[CHAPTER 757]

AN ACT

August 2, 1946
[S. 2310]
[Public Law 605]

To further extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Mississippi, and Helena, Arkansas.

Bridge.
Mississippi River.

53 Stat. 747; 54
Stat. 222; 55 Stat.
590; 58 Stat. 11; 59
Stat. 467.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Mississippi, and Helena, Arkansas, authorized to be built by the Arkansas-Mississippi Bridge Commission and its successors and assigns by an Act of Congress, approved May 17, 1939, heretofore extended by Acts of Congress, approved May 27, 1940, and July 14, 1941, and revived and reenacted by Acts of Congress, approved February 12, 1944, and July 14, 1945, are hereby further extended one and three years, respectively, from the date of approval of this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 2, 1946.

[CHAPTER 758]

AN ACT

August 2, 1946
[S. 2356]
[Public Law 606]

To close the Office of the Recorder of Deeds on Saturdays.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of any other Act, the Office of the Recorder of

Deeds for the District of Columbia shall be closed on every Saturday.

SEC. 2. Any writing, the time for recording of which expires on a Saturday, or on a Sunday, shall be deemed to have been recorded within the time prescribed if such writing be recorded on the first day thereafter other than Sunday or a legal holiday.

Approved August 2, 1946.

[CHAPTER 759]

AN ACT

To change the name of the Chemical Warfare Service to the Chemical Corps.

August 2, 1946
[S. 2375]
[Public Law 607]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chemical Warfare Service, created by the Act of June 4, 1920 (41 Stat. 768), shall hereafter be known as the Chemical Corps.

10 U. S. C. §§ 221, 222; Supp. V, § 221.

Approved August 2, 1946.

[CHAPTER 760]

AN ACT

To provide authorization for the village of Cahokia, Illinois, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cahokia, Illinois, and for other purposes.

August 2, 1946
[H. R. 6004]
[Public Law 608]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for the military and other purposes, the village of Cahokia, Illinois, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Cahokia, Illinois, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Bridge.
Mississippi River.

SEC. 2. There is hereby conferred upon the village of Cahokia, Illinois, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

34 Stat. 84.
33 U. S. C. §§ 491-498.
Rights to acquire property, etc.

SEC. 3. The said village of Cahokia, Illinois, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Proceedings.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches,

Tolls.

Supra.
Maintenance, etc.

Records.

the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Right to assign, etc.

Sec. 5. The right to sell, assign, transfer, and mortgage to the States of Illinois or Missouri or public agencies or political subdivision thereof all of the rights, powers, and privileges conferred by this Act is hereby granted to said village of Cahokia, Illinois, and such States or public agencies, or political subdivision thereof, to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such States or public agencies or political subdivision thereof.

Sec. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 2, 1946.

[CHAPTER 761]

AN ACT

Authorizing the State of Texas, acting through the State Highway Commission of Texas, or the successors thereof, to acquire, construct, maintain, and operate a free bridge across the Rio Grande at or near Del Rio, Texas.

August 2, 1946
[H. R. 6406]
[Public Law 606]

Bridge.
Rio Grande.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, the State of Texas, by and through its State highway commission, or successors of said commission be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Rio Grande, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at or near Del Rio, Texas, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act, and subject to the approval of the International Boundary and Water Commission, United States and Mexico. Construction of said bridge shall not be undertaken until an agreement relating to the bridge shall have been effected between the Government of the United States and the Government of the United Mexican States.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Agreement between
U. S. and Mexico.

Time limitation.

Sec. 2. The authority granted herein for construction of the bridge shall cease and be null and void unless the actual construction be commenced within three years and completed within five years from the date of the passage of this Act unless otherwise authorized by the Congress of the United States.

Acquisition of toll
bridge.

Sec. 3. Authority is hereby granted to permit the State of Texas, through its State highway commission, in its discretion, to acquire the existing toll bridge across the Rio Grande at or near Del Rio, Texas, upon such terms and at such time as may be mutually agreed upon as equitable to the present owners of such bridge and to the State of Texas.

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

Approved August 2, 1946.

[CHAPTER 763]

AN ACT

To authorize the coinage of 50-cent pieces to commemorate the life and perpetuate the ideals and teachings of Booker T. Washington.

August 7, 1946
[H. R. 6528]
[Public Law 610]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to commemorate the life and perpetuate the ideals and teachings of Booker T. Washington, a great American, there shall be coined by the Director of the Mint not to exceed five million silver 50-cent pieces of standard size, weight, and fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury; but the United States shall not be subject to the expense of making the models for master dies or other preparations for this coinage.

Booker T. Washington.
Commemorative coinage.

Expense of preparations.

SEC. 2. The coins herein authorized shall be issued at par, and only upon the request of the Booker T. Washington Birthplace Memorial established at his birthplace in Franklin County, Virginia.

Issuance.

SEC. 3. Such coins may be disposed of at par or at a premium by banks or trust companies selected by the Booker T. Washington Birthplace Memorial of Franklin County, Virginia, and all proceeds therefrom shall be used to purchase, construct, and maintain suitable memorials to the memory of Booker T. Washington, deceased, as may be decided upon by the Booker T. Washington Birthplace Memorial of Virginia.

Disposal.

Use of proceeds to purchase memorials, etc.

SEC. 4. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

Applicability of coinage laws.

SEC. 5. The coins authorized herein shall be issued in such numbers, and at such times as shall be requested by the Booker T. Washington Birthplace Memorial and upon payment to the United States of the face value of such coins: *Provided*, That none of such coins shall be issued after the expiration of the five-year period immediately following the enactment of this Act.

Payment to U. S., etc.

Restriction on issuance.

Approved August 7, 1946.

[CHAPTER 764]

AN ACT

To grant increased service pensions in certain Spanish-American War cases not included in recent legislation providing increases to other Spanish-American War veterans and their dependents, and for other purposes.

August 7, 1946
[H. R. 6900]
[Public Law 611]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the monthly rates of pension payable to veterans of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, under service pension laws reenacted by the Act of August 13, 1935 (49 Stat. 614; U. S. C., title 38, sec. 368, Public Law 269, Seventy-fourth Congress); not included in the Act of May 24, 1938 (52 Stat. 440; U. S. C., title 38, sec. 370, Public Law 541, Seventy-fifth Congress); or the Act of March 1, 1944 (58 Stat. 107; U. S. C., title 38, secs. 365, 370, Public Law 242, Seventy-eighth Congress); or sections 2 and 3 of this Act, are hereby increased by 20 per centum.

Spanish-American War veterans.
Increase in pension rates.

38 U. S. C. §§ 370-370d; Supp. V, §§ 364a, 364g, 364h, 365, 370, 370c.

SEC. 2. That the rate of pension for total disability under section 3 of the Act of June 2, 1930 (46 Stat. 492; U. S. C., title 38, sec. 365b,

Total disability.

- Service pension.** Public Law 299, Seventy-first Congress), is hereby increased by striking out "\$30" and inserting in lieu thereof "\$50": *Provided*, That all persons entitled to service pension under the said section 3 of the Act of June 2, 1930, upon reaching the age of sixty-five years, shall, upon making proof of such fact, be entitled to receive a pension of \$50 per month.
- Blind, etc.** **38 U. S. C., Supp. V, § 365c.** **Widows.** **38 U. S. C., Supp. V, § 364a.** **Effective date.**
- SEC. 3.** Section 4 of the Act approved June 2, 1930 (46 Stat. 493; U. S. C., title 38, sec. 365c, Public Law 299, Seventy-first Congress), is hereby amended by striking out "\$50" and inserting in lieu thereof "\$65".
- SEC. 4.** The \$30 monthly rate of service pension payable to widows and former widows under the provisions of section 2 of the Act of May 1, 1926, as amended (44 Stat. 382; 58 Stat. 107; U. S. C., title 38, sec. 364a), is hereby increased to \$40 monthly.
- SEC. 5.** The increases provided by this Act shall be made effective the first day of the first calendar month following the date of enactment hereof.
- Approved August 7, 1946.

[CHAPTER 767]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the one-hundredth anniversary of the admission of Iowa into the Union as a State.

August 7, 1946
[H. R. 2377]
[Public Law 612]

- Iowa. Commemorative coinage.** *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in commemoration of the one-hundredth anniversary of the admission of Iowa into the Union as a State, there shall be coined not to exceed one hundred thousand silver 50-cent pieces of standard size, weight, and composition, and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury; but the United States shall not be subject to the expense of making the necessary dies and other preparations for such coinage.
- Expense of preparations.** **Issuance, etc.** **Disposal.** **Applicability of coinage laws.**
- SEC. 2.** The coins herein authorized shall bear the date of the year in which they are minted, shall be legal tender to the amount of their face value, and shall be issued only upon the request of a duly authorized representative of the State of Iowa, upon the payment by it of the par value of such coins. Such coins shall be issued in such numbers and at such times during the calendar year 1946 as shall be requested by such State of Iowa and may be disposed of at par or at a premium, and the net proceeds shall be used for the observation of the centennial as directed by the Governor of the State of Iowa.
- SEC. 3.** All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purpose, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved August 7, 1946.

[CHAPTER 768]

AN ACT

To amend the law relating to the authority of certain employees of the Immigration and Naturalization Service to make arrests without warrant in certain cases and to search vehicles within certain areas.

August 7, 1946
[H. R. 386]
[Public Law 613]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth proviso of the second paragraph of the section entitled "Bureau of Immigration" of the Act entitled "An Act making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1926, and for other purposes", approved February 27, 1925 (43 Stat. 1049), as amended (8 U. S. C. 110), be, and it is hereby, amended to read as follows:

Immigration and
Naturalization Serv-
ice.

"Any employee of the Immigration and Naturalization Service authorized so to do under regulations prescribed by the Commissioner of Immigration and Naturalization with the approval of the Attorney General, shall have power without warrant (1) to arrest any alien who in his presence or view is entering or attempting to enter the United States in violation of any law or regulation made in pursuance of law regulating the admission, exclusion, or expulsion of aliens, or any alien who is in the United States in violation of any such law or regulation and is likely to escape before a warrant can be obtained for his arrest, but the person arrested shall be taken without unnecessary delay for examination before an officer of the Immigration and Naturalization Service having authority to examine aliens as to their right to enter or remain in the United States; (2) to board and search for aliens any vessel within the territorial waters of the United States, railway car, aircraft, conveyance, or vehicle, within a reasonable distance from any external boundary of the United States; and (3) to make arrests for felonies which have been committed and which are cognizable under any law of the United States regulating the admission, exclusion, or expulsion of aliens, if the person making the arrest has reason to believe that the person so arrested is guilty of such felony and if there is likelihood of the person escaping before a warrant can be obtained for his arrest, but the person arrested shall be taken without unnecessary delay before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States; and such employee shall have power to execute any warrant or other process issued by any officer under any law regulating the admission, exclusion, or expulsion of aliens."

Arrest of aliens with-
out warrant.

Search of vessels,
etc.

Arrests for felonies.

Power to execute
warrant.

Approved August 7, 1946.

[CHAPTER 769]

AN ACT

To provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through voting in a political election in a country not at war with the United States during the Second World War.

August 7, 1946
[H. R. 434]
[Public Law 614]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 323 of the Act of October 14, 1940 (54 Stat. 1149), entitled "An Act to revise and codify the nationality laws of the United States into a comprehensive nationality Code", as heretofore amended, is hereby further amended by adding thereto the following paragraph:

8 U. S. C. § 723;
Supp. V, § 723.

"A person who, while a citizen of the United States and prior to the effective date of this amendment, has lost citizenship of the United States by voting in a political election in a foreign state other than

Naturalization of
certain former U. S.
citizens.

a state at war with the United States during the Second World War may, if he so desires, be naturalized by taking, prior to one year from the enactment of this amendment, before any naturalization court specified in subsection (a) of section 301, or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335. Certified copies of such oath shall be sent by such diplomatic or consular officer or such court to the Department of State and to the Department of Justice. Such persons shall have, from and after naturalization under this section, the same citizenship status as that which existed immediately prior to its loss."

Approved August 7, 1946.

[CHAPTER 770]

AN ACT

To discontinue certain reports now required by law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following reports or statements now required by law are hereby discontinued, and all Acts or parts of Acts herein cited as requiring the submission of such reports or statements are hereby repealed to the extent of such requirement:

THE QUARTERLY REPORT OF THE HEAD OF EACH EXECUTIVE DEPARTMENT TO THE PRESIDENT

1. The quarterly report of the head of each executive department or other Government establishment at the seat of government not under an executive department as to the condition of the public business in said department or establishment and whether any branch thereof is in arrears (30 Stat. 316).

REPORTS UNDER THE DEPARTMENT OF AGRICULTURE

2. Report to the Congress on forest roads and trails required of the Secretary of Agriculture on or before the first Monday in January of each year, giving a detailed statement of the work done, the status of each project undertaken, the allocation of appropriations, an itemized statement of the expenditures and receipts during the preceding fiscal year, an itemized statement of the travel and other expenses, including a list of employees, their duties, salaries and travel expenses, and his recommendations, if any, for new legislation amending or supplementing existing law (42 Stat. 216; 48 Stat. 995).

3. Annual report to the Congress required of the Secretary of Agriculture of Agricultural Adjustment Administration payments in excess of \$1,000, and showing the names of persons to whom payments were made during the preceding year (52 Stat. 68).

REPORTS UNDER THE DEPARTMENT OF COMMERCE

4. Report showing the names for whom work has been performed, the nature of the services rendered, the price charged for services, and the manner in which the money received was deposited or used (49 Stat. 292).

5. Report of the Coast and Geodetic Survey, showing as nearly as possible the configuration of the coasts and showing in lines the probable limits of the Gulf Stream, and so forth, accompanied by a general chart of the whole coast of the United States (sec. 4690 of the Revised Statutes).

54 Stat. 1140, 1157.
8 U. S. C. §§ 701,
735; Supp. V, § 701
note.

August 7, 1946
[H. R. 2504]
[Public Law 615]

Discontinuance of
certain reports.

Repeals.

5 U. S. C. § 32.

Forest roads, etc.

23 U. S. C. § 20.

AAA payments.

7 U. S. C. § 1364.

5 U. S. C. § 601d.

Coast and Geodetic
Survey.

33 U. S. C. § 888.

REPORTS UNDER THE DEPARTMENT OF THE INTERIOR

6. Investigation to determine whether any dams, water works, or other projects have been constructed in Clear Lake watershed, in the State of California, in violation of the water rights of the United States in California, and to render a report thereon (49 Stat. 1975).

Clear Lake watershed, Calif.

7. Examinations and surveys, and to locate and construct irrigation works for storage, diversion, and development of waters, including artesian wells, and to report the results of such examinations and surveys, giving estimates of cost of all contemplated works, the quantity and location of the lands which can be irrigated therefrom, and all facts relative to the practicability of each irrigation project; also, the cost of works in process of construction, as well as those which have been completed (32 Stat. 388).

Irrigation works.

43 U. S. C. § 411.

8. Cost account of all moneys expended on each irrigation project (36 Stat. 270; 38 Stat. 583).

25 U. S. C. § 385.

9. Report of expenditures made during the fiscal year for relief of destitution of natives of Alaska (50 Stat. 584).

10. Annual report of the operations of the Geological Survey (20 Stat. 395).

11. Statement showing amount expended from the appropriation "Mineral leasing (year), Geological Survey", for the benefit of Indian tribes and Indian allottees (44 Stat. 487).

43 U. S. C. § 47.

12. Report all temporary details to the District of Columbia of field employees of the Bureau made during each fiscal year (50 Stat. 603).

13. Report of all operations under section 5 of the Act of March 2, 1919, including receipts and disbursements (40 Stat. 1272).

40 Stat. 1274.

14. Detailed information as to projects and expenditures under the "Federal aid to wildlife restoration fund" (50 Stat. 919).

16 U. S. C. § 669j.

REPORTS UNDER THE DEPARTMENT OF LABOR

15. Report giving data relating to special statistical studies made by the Department of Labor for others upon payment of the cost thereof (48 Stat. 583; 53 Stat. 581).

Special statistical studies.

29 U. S. C. § 9b.

16. The Secretary of Labor shall make a report to Congress, at the beginning of each regular session, giving a detailed statement showing (1) the name of every person for whom work has been performed under authority of this statute, (2) the nature of the services rendered to him, (3) the price charged for these services by the Department of Labor, and (4) the manner in which the moneys received were deposited or used (48 Stat. 582; 50 Stat. 259).

Supra.

REPORTS UNDER THE DEPARTMENTS OF THE NAVY AND WAR

17. Detailed report of the Navy and War Departments' operations under section 10 of the Act entitled "An Act to provide more effectively for the national defense by increasing the efficiency of the Air Corps of the Army, and for other purposes" (44 Stat. 787).

Aviation.

18. Report required of the Secretary of the Navy or the Secretary of War, as the case may be, of exemptions on account of contracts or subcontracts for scientific equipment used for communication, target detection, navigation, and fire control, under the Act of March 27, 1934, as amended, relating to excess profits in connection with the construction of naval vessels or the procurement of aircraft (48 Stat. 505; 49 Stat. 1926; 53 Stat. 560).

10 U. S. C. § 310; Supp. V, § 310 notes. Post, p. 868.

34 U. S. C. § 496.

19. That part of the report required of the Secretary of the Navy or the Secretary of War with respect to contracts in excess of \$150,000 undertaken during the fiscal year for the expenditure of funds appropriated by the Sixth Supplemental National Defense Act, 1942, or any other Act requiring the names of the persons who approved the specifications, consummated the making, or concluded the negotiations

of any such contract on behalf of the Government, and of all persons who participated in the negotiations on behalf of the contractor, and information in cases where such contract was awarded without competitive bidding as to the principal or controlling reason for the selection of the contractor (55 Stat. 686; 56 Stat. 244).

5 U. S. C., Supp. V, §§ 219a, 470.

37 U. S. C., Supp. V, § 120.

20. Report required by the Secretary of the Navy or the Secretary of War of persons commissioned from civilian life (56 Stat. 369).

REPORTS UNDER THE DEPARTMENT OF THE NAVY

21. Report of disbursing officers relieved of responsibility on account of loss or deficiency of Government funds, vouchers, records, or papers (41 Stat. 132).

31 U. S. C. § 105.

22. Report of expenditures in excess of \$450,000 for repairs to any one naval vessel for any eighteen consecutive months (49 Stat. 482).

34 U. S. C. § 486; Supp. V, § 486 note.

23. Report of all contracts entered into under authority of section 4 of the Act approved April 25, 1939, authorizing the Secretary of the Navy to proceed with the construction of certain public works (53 Stat. 590).

34 U. S. C. §§ 491, 544.

24. Report of vessels whose names have been stricken from the Navy Register (22 Stat. 296).

50 U. S. C., Supp. V, app. § 1151.

25. Report of the advance payments made to contractors under authority of section 1 of the Act of June 28, 1940 (54 Stat. 676).

26. Report of contracts entered into without competition under the authority of section 2 of the Act of June 28, 1940 (54 Stat. 676, 677).

50 U. S. C., Supp. V, app. § 1152.

27. Report of the cost of special additional equipment and facilities to be borne by the Government under each contract negotiated under authority of section 4 of the Act of June 28, 1940 (54 Stat. 678).

50 U. S. C., Supp. V, app. § 1154.

28. Report of the contracts entered into under authority of section 8 (b) of the Act of June 28, 1940, as amended (54 Stat. 680).

50 U. S. C., Supp. V, app. § 1158.

29. Submission to the respective chairmen of the Committees on Naval Affairs of the Senate and House of Representatives of copies of each contract, order, or agreement covering the exchange or other disposition of surplus naval equipment (54 Stat. 681).

10 U. S. C. § 1262a; Supp. V, § 1262a. Post, p. 871.

30. List of all contracts in excess of \$10,000 in value, including contracts for the purchase of land, together with a summary of the subject matter of such contracts, the names of the contractors and of the persons who negotiated any such contract either on behalf of the Government or of the contractor, and, if any such contract was awarded without competitive bidding, a statement of the reasons for the selection of the contractor (55 Stat. 686).

31. Report every three months of the contracts entered into under authority, title III, priorities powers, section 2 of the Act of March 27, 1942 (56 Stat. 178).

50 U. S. C., Supp. V, app. §§ 1152, 633.

32. Report every three months of the contracts entered into under the provisions of section 1 of the Act of December 17, 1942 (56 Stat. 1053).

50 U. S. C., Supp. V, app. § 1201.

33. Report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department (44 Stat. 787).

10 U. S. C. § 310; Supp. V, § 310 notes. Ante, p. 867.

REPORTS UNDER THE POST OFFICE DEPARTMENT

34. The report covering data setting forth special contracts with railroad companies (39 Stat. 427).

30 U. S. C. § 565.

REPORTS UNDER THE DEPARTMENT OF STATE

35. The Secretary of State shall annually lay before Congress a statement, in a compendious form, of all such changes and modifications in the commercial systems of other nations, whether by treaties, duties on imports and exports, or other regulations, as shall have been communicated to the Department, including all commercial information contained in the official publications of other governments which he shall deem sufficiently important (section 208 of the Revised Statutes).

Changes in commercial systems of other nations.

5 U. S. C. § 163.
Post, p. 1035.

36. The Secretary of State shall annually lay before Congress a synopsis of so much of the information which may have been communicated to him by diplomatic and consular officers during the preceding year as he may deem valuable for public information, specifying the names of any consuls or commercial agents who may have been remiss in transmitting commercial information (section 208 of the Revised Statutes).

Material for public information.

Supra.

37. The Secretary of State shall annually lay before Congress a statement of the lists of passengers arriving in the United States from foreign places, returned to him quarter yearly by the collectors of customs (section 208 of the Revised Statutes).

Passengers arriving in U. S.

Supra.

Seamen.

38. The Secretary of State shall lay before Congress, within ten days after the commencement of each regular session, a statement containing an abstract of all the returns made to him pursuant to law, by the collectors of the different ports, of the seamen registered by them, together with an account of such impressments and detentions as shall appear by the protests of the masters to have taken place (section 207 of the Revised Statutes).

46 U. S. C. § 579.

REPORTS UNDER THE DEPARTMENT OF THE TREASURY

39. That part of the annual report to the Congress required of the Comptroller of the Currency to exhibit (1) a summary of the state and condition of every national bank from which reports have been received the preceding year, at the several dates to which such reports refer, together with detailed information concerning its resources and liabilities; (2) a statement of the national banks whose business has been closed during the year; (3) proposed amendments to the banking laws; (4) information concerning the resources, liabilities, and condition of the banks organized under the laws of the several States and Territories; and (5) the names and compensation of the clerks employed in the Comptroller's Office and the amount of the expenses of the Bureau; also the requirement that the Comptroller's report to Congress shall be made "at the commencement of its session" (section 333 of the Revised Statutes, as amended).

National banks, etc.

12 U. S. C. § 14.

40. Statement to the Speaker of the House of Representatives, required to be included in the Comptroller of the Currency's annual report, of expenses incurred during each year, in liquidation of each failed national bank separately (32 Stat. 138).

12 U. S. C. § 15.

41. Report of officers and administrative departments and offices of the Government delinquent in rendering or transmitting accounts to the proper offices in Washington, and such officers as were found upon final settlements of their accounts to have been indebted to the Government and who have failed to pay the amount of such indebtedness into the Treasury of the United States (28 Stat. 209, as amended).

5 U. S. C. § 267.

42. Submission of reports which may be made to the Secretary of the Treasury by the officers charged with the examination of the accounts of the Department of War and the Department of the Navy, respectively, showing the application of the money appropriated for those departments for the preceding year (section 260 of the Revised Statutes).

5 U. S. C. § 268.

43. Tabular statement required of the Secretary of the Treasury showing in detail the receipts and expenditures in the naval service under each appropriation, as made up and determined by the General Accounting Office, upon the accounts of disbursing officers rendered for settlement (20 Stat. 167).
- 5 U. S. C. § 272.
44. Report required of the Secretary of the Treasury to be appended to the tabular statement mentioned above of accounts and balances in the hands of disbursing agents at the close of each fiscal year, and a report of any amounts lost or unaccounted for by voucher (20 Stat. 167).
- 5 U. S. C. § 273.
45. Transmission of accounts kept by certain officials of the Treasury Department of amounts expended under the head of contingent expenses for the several bureaus of the Department, and of all amounts paid for furniture and repairs of furniture and of the disposal of old furniture (section 262 of the Revised Statutes).
- 5 U. S. C. § 260.
46. Report required by the Secretary of the Treasury of administration of the functions with which he is charged under the Federal Alcohol Administration Act, which report shall include the names and compensation of all persons employed under the provisions of that Act (49 Stat. 977).
- 27 U. S. C. § 202.
47. Report of the number of persons employed, other than workmen and adjusters, and the compensation paid to each, at each mint and assay office, out of appropriations made for wages of workmen, adjusters, and other employees (33 Stat. 657).
- 31 U. S. C. § 599.
48. An abstract, in tabular form, of the separate accounts required to be kept of moneys received from internal duties or taxes in each of the respective States, Territories, and collection districts, and of the amount of each species of duty and tax that shall accrue (sections 239 and 261 of the Revised Statutes, as amended).
- 5 U. S. C. § 259.
49. Report required of the Secretary of the Treasury relative to leases of unoccupied and unproductive property of the United States under his control, for the leasing of which there is no authority under existing law (20 Stat. 383).
- 40 U. S. C. § 303a.
50. Annual report of the Comptroller of the Currency (32 Stat. 138).
- 12 U. S. C. § 15.

REPORTS UNDER THE DEPARTMENT OF WAR

51. Report of all inspections made by the inspection department of the Army as to the necessity, economy, and propriety of all disbursements made by disbursing officers of the Army; also whether the disbursing officers of the Army comply with the law in keeping their accounts and making their deposits (18 Stat. 33).
- 10 U. S. C. § 175.
52. Statement of the cost of all types and experimental manufacture of guns and other articles and the average cost of the several classes of guns and the other articles manufactured by the Government (26 Stat. 320).
- 50 U. S. C. § 54.
53. Report of the activities and expenditures of the Council of National Defense (39 Stat. 650).
- 50 U. S. C. § 6.
54. Statement of expenditures at the Springfield Armory, Massachusetts, and the Rock Island Arsenal, Illinois, and of arms, components of arms, and appendages fabricated, altered, and repaired, during the fiscal year ended June 30 (26 Stat. 320).
- 50 U. S. C. § 54.
55. A detailed report of sales of any war supplies, material, lands, factories, or buildings, showing character of articles sold, price received, and purpose for which sold (40 Stat. 850).
- 40 U. S. C. § 314.
56. Hereafter the Secretary of War shall, within the limits of appropriations made from time to time by Congress, and in accordance with reasonable rules and regulations approved by him upon the recommendation of the National Board for the Promotion of Rifle Practice, in connection with the promotion and encouragement

of rifle practice, authorize and provide for: Construction work, equipment, maintenance, and operation of rifle ranges; issues of ordnance; sales of arms, procurement of supplies; expenses of the National Board; transportation of certain officials; procurement of badges, prizes, and so forth; and transportation of supplies, and so forth. Full report of all things done hereunder to be made annually to Congress (43 Stat. 510).

32 U. S. C. § 181.

57. Submission to the respective chairmen of the Committees on Military Affairs of the Senate and House of Representatives of copies of each contract, order, or agreement (not later than twenty-four hours after made), covering the exchange or other disposition of military equipment, munitions, or supplies (54 Stat. 681).

10 U. S. C. § 1262a;
Supp. V, § 1262a.
Ante, p. 868.

58. Report to the Congress each month of the number of men in active training and service in the land forces under section 3 (b) of the Selective Training and Service Act of 1940 (55 Stat. 628).

50 U. S. C., Supp.
V, app. § 359.

REPORTS UNDER THE FEDERAL SECURITY AGENCY

59. Annual report at the beginning of each regular session of Congress to be made by the Superintendent of Saint Elizabeths Hospital showing in detail the receipts and expenditures for all purposes connected with the hospital for the fiscal year preceding such session (21 Stat. 156; 39 Stat. 309).

24 U. S. C. § 179.

60. Annual report of the affairs of Howard University (45 Stat. 1021).

20 U. S. C. § 123.

61. Report of all expenditures made by virtue of any appropriations by Congress to the Columbia Institution for the Deaf, including the amounts and rates paid to the superintendent and for teachers (Sec. 4867 of the Revised Statutes).

D. C. Code § 31-1016.

REPORTS UNDER THE GOVERNMENT PRINTING OFFICE

62. Annual report to the Public Printer by the Superintendent of Documents of all sales made by him (28 Stat. 610).

44 U. S. C. § 71.

Approved August 7, 1946.

[CHAPTER 771]

AN ACT

To amend paragraph (l) of section 73 of the Hawaiian Organic Act, as amended.

August 7, 1946
[H. R. 3301]

[Public Law 616]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (l) of section 73 of the Hawaiian Organic Act, as amended, is amended by inserting before the period at the end thereof a colon and the following: "Provided further, That in case any lands have been or shall be sold pursuant to the provisions of this paragraph for any purpose above set forth and/or subject to any conditions with respect to the improvement thereof or otherwise, and in case any said lands have been or shall be used by the United States of America, including any department or agency thereof, whether under lease or license from the owner thereof or otherwise, for any purpose relating to war or the national defense and such use has been or shall be for a purpose other than that for which said lands were sold and/or has prevented or shall prevent the performance of any conditions of the sale of said lands with respect to the improvement thereof or otherwise, then, notwithstanding the provisions of this paragraph or of any agreement, patent, grant, or deed issued upon the sale of said lands, such use of said lands by the United States of America, including any department or agency thereof, shall not result in the forfeiture of said lands and shall result in the extension

Hawaiian Organic
Act, amendment.
42 Stat. 118.
48 U. S. C. § 673.

Sale of lands used
by U. S.

of the period during which any conditions of the sale of said lands may be complied with for an additional period equal to the period of the use of said lands by the United States of America, including any department or agency thereof".

Approved August 7, 1946.

[CHAPTER 772]

AN ACT

Relating to the disposition of public lands of the United States situated in the State of Oklahoma between the Cimarron base line and the north boundary of the State of Texas.

August 7, 1946
[H. R. 3593]
[Public Law 617]

Oklahoma.
Patents for certain
public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever it shall be shown, under such regulations as the Secretary of the Interior may prescribe, that public land situated south of the Cimarron base line in Oklahoma and north of the north line of Texas has been used, improved, or cultivated in connection with abutting land, and has been held in good faith, in peaceful, open, adverse possession by a citizen or citizens of the United States, his or their ancestors, or grantors, for a period not less than twenty years prior to the passage of this Act, such citizen or citizens shall be entitled to receive a patent therefor upon payment of \$1.25 per acre: *Provided*, That oil, gas, or other mineral deposits contained therein are hereby reserved to the United States; that said minerals shall be and remain subject to sale or disposal by the United States under applicable laws; and that permittees, lessees, grantees, or agents of the United States shall have a right to enter upon said lands for the purpose of prospecting for and mining said minerals: *And provided further*, That any person entitled to patent under this Act shall present his application within one year from the official filing of the township plat.

Mineral deposits.

Application.

Title of U. S. to
town lots, relinquish-
ment.

SEC. 2. That where any land included within said area has been included in townsite plats recorded on the county records in Texas or Oklahoma, and the lots, blocks, streets, alleys, and highways, have been shown on the official United States township plats, according to such townsite plats, the title of the United States to town lots shown on such plats is hereby relinquished to and confirmed in those persons, their heirs, assigns, or successors, who would be the true and lawful owners if the lands had been owned in fee simple at the time of the recordation of such townsite plats. The township plats representing streets and alleys of any townsite shall be considered as executed under the townsite laws, and shall constitute a dedication of the streets, alleys, and public highways shown thereon: *Provided*, That the oil, gas, or other mineral deposits in the land relinquished, confirmed, or dedicated by this section, are hereby reserved to the United States for disposal as provided in section 1 hereof.

Mineral deposits.

Approved August 7, 1946.

[CHAPTER 773]

AN ACT

For the relief of the city and county of San Francisco.

August 7, 1946
[H. R. 3703]
[Public Law 618]

San Francisco, Calif.
Settlement of claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city and county of San Francisco, a municipal corporation, of San Francisco, California, the sum of \$422.64, in full settlement of all claims against the United States for reimbursement of expenses incurred in rebuilding and

restoring a power transmission line and loss of power revenue in Calaveras County, California, near Sunol, which transmission line was damaged by the crashing of a United States Army plane, on February 26, 1941, while the said plane was engaged in making a flight over the area indicated: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 774]

AN ACT

To amend an Act entitled "An Act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal", approved May 29, 1944.

August 7, 1946
[H. R. 3748]
[Public Law 619]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal", approved May 29, 1944, be, and the same is, hereby amended, effective May 29, 1944, by adding to the last paragraph of said section 2 the following sentence: "The terms 'citizens of the United States' and 'a citizen of the United States', as used in this Act, shall be so construed as to include those who, through naturalization, became citizens of the United States on or before December 7, 1941."

Panama Canal.
Recognition of civilian services.

58 Stat. 258.
48 U. S. C., Supp.
V, § 1373a.

Approved August 7, 1946.

[CHAPTER 775]

AN ACT

To authorize the Commissioner of Patents to designate examiners to serve temporarily as examiners in chief.

August 7, 1946
[H. R. 4080]
[Public Law 620]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 476 of the Revised Statutes (U. S. C., title 35, sec. 2), the Commissioner of Patents is authorized to designate examiners of the principal examiner grade or higher, having the requisite ability, to serve as examiners in chief and such examiners so designated shall be fully qualified to act as members of the board of appeals constituted by section 482 of the Revised Statutes (U. S. C., title 35, sec. 7): *Provided*, That no such examiner shall so serve for more than ninety days in any calendar year but thereafter they shall have authority to act and sign decisions and papers necessary to complete action on cases heard during such ninety days: *And provided further*, That not more than one such examiner shall be among the members of the board of appeals hearing an appeal.

Commissioner of Patents.
Authority to designate examiners.
Ante, p. 445.

Service on board of appeals.

Ante, p. 445.

Effective term.

SEC. 2. This Act shall take effect on the date of approval and shall expire three years after such date.

Approved August 7, 1946.

[CHAPTER 776]

AN ACT

Granting the consent of Congress to The Pennsylvania Railroad Company to construct, maintain, and operate a railroad bridge across the Allegheny River at or near Warren, Pennsylvania.

August 7, 1946
[H. R. 4190]
[Public Law 621]

Bridge.
Allegheny River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to The Pennsylvania Railroad Company, its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto for the purpose of carrying its line of railroad which runs between Erie, Pennsylvania, and Ridgway, Pennsylvania, across the Allegheny River, at a point suitable to the interests of navigation, at or near Warren, Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-498.

Right to assign, etc.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to The Pennsylvania Railroad Company, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 7, 1946.

[CHAPTER 777]

AN ACT

To provide for the payment of pension or other benefits withheld from persons for the period they were residing in countries occupied by the enemy forces during World War II.

August 7, 1946
[H. R. 5148]
[Public Law 622]

Veterans' Administration.
Payment of benefits.

57 Stat. 555; 54 Stat. 1086; 56 Stat. 1023.
38 U. S. C., Supp. V, § 729; 31 U. S. C. §§ 123-128; Supp. V, § 123.

57 Stat. 555.
38 U. S. C., Supp. V, § 728.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 5 of Public Law Numbered 144, Seventy-eighth Congress (the Act of July 13, 1943), or Public Law Numbered 828, Seventy-sixth Congress (Act of October 9, 1940, as amended), or Public Law Numbered 783, Seventy-seventh Congress (Act of December 2, 1942), any person who, but for such provisions, was entitled to benefits under any law administered by the Veterans' Administration, and who was not guilty of any of the offenses stated in section 4 of said Public Law Numbered 144, shall be paid out of currently available appropriations of the Veterans' Administration the full amount of any benefits not paid because of the provisions of section 5 of Public Law 144, or withheld, including the amount of any checks covered on his account into the Treasury as miscellaneous receipts together with any amount to his credit in the special-deposit account pursuant to the provisions of said Public Law Numbered 828, as amended; or, in the event of the death of such person prior to receipt of the amount herein authorized, payment shall be made under the provisions, except the one-year limitation, of section 12 of said Public Law Numbered 144, if claim therefor, together with satisfactory evidence that neither the claimant nor the person deceased was guilty of any of the offenses stated in said section 4, shall have been filed with the Veterans' Administration within one year after the effective date of this Act: *Provided,* That the Administrator of Veterans' Affairs shall certify to the Secretary of the Treasury the amounts of payments which, except for the provisions of this Act, would have

57 Stat. 557.
38 U. S. C., Supp. V, note foll. § 735.

Certification of amounts.

been made from the special deposit account, and the Secretary of the Treasury, as directed by the Administrator of Veterans' Affairs, shall reimburse from the special deposit account the appropriations of the Veterans' Administration, or cover into the Treasury as miscellaneous receipts, the amounts so certified: *Provided further*, That no payments shall be made to German or Japanese citizens or subjects residing in Germany or Japan.

Reimbursement.

German or Japanese citizens.

Approved August 7, 1946.

[CHAPTER 778]

AN ACT

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at a point between the Borough of Plymouth, in Plymouth Township, and Hanover Township, in the county of Luzerne, and in the Commonwealth of Pennsylvania.

August 7, 1946
[H. R. 5637]
[Public Law 623]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Susquehanna River, at a point suitable to the interests of navigation, between the Borough of Plymouth, in Plymouth Township and Hanover Township, in the county of Luzerne, and in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Bridge.
Susquehanna River.

34 Stat. 84.
33 U. S. C. §§ 401-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 7, 1946.

[CHAPTER 779]

AN ACT

For the retirement of public-school teachers in the District of Columbia.

August 7, 1946
[H. R. 5756]
[Public Law 624]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That beginning as the 1st day of the September following the effective date of this Act, there shall be deducted and withheld from the annual salary of every teacher in the public schools of the District of Columbia an annual amount computed to the nearest tenth of a dollar equal to 5 per centum of the teacher's annual salary. The Commissioners of the District of Columbia shall cause to be filed with the Board of Education on September 10 of each year a certificate showing the amount of deduction to be made from the salary of each teacher during the year, said deduction to be made in equal amounts, one to be deducted for each school month. A similar certificate shall be filed not later than the 15th day of each calendar month to cover cases of new entrants. No deduction shall be made from less than an entire month's salary. The amounts deducted and withheld from the annual salary of each teacher, including amounts so deducted and withheld prior to the effective date of this Act under the Act entitled "An Act for the retirement of public-school teachers in the District of Columbia", approved January 15, 1920 (41 Stat. 387), as amended, shall be credited to an individual account of the teacher from whose salary the deduction is made, together with interest at 4 per centum per annum, compounded annually up to the effective date of this Act and thereafter at 3 per centum per annum,

Retirement of public-school teachers, D. C. Deductions.

Filing of certificates.

Interest-bearing accounts.

D. C. Code §§ 31-701 to 31-710, 31-712 to 31-720.

compounded annually from June 30 of the year in which the deductions are made. These individual interest-bearing accounts shall be kept by the Auditor of the District of Columbia.

Optional deposits.

Any teacher may at his option and under such regulations as may be prescribed by the Commissioners of the District of Columbia deposit with the Collector of Taxes, District of Columbia, additional sums in multiples of \$25 but not to exceed 10 per centum per annum of his annual salary, pay, or compensation, for services rendered since March 1, 1920, which amount together with interest thereon at 3 per centum per annum compounded as of June 30 of each year, shall, at the date of his retirement, be available to purchase an annuity as he shall elect in accordance with such rules and regulations as may be prescribed by the Commissioners of the District of Columbia, in addition to the annuity provided by this Act; the purchase price of such annuity shall be based upon an interest rate of 3 per centum per annum compounded annually and upon such table of mortality as shall from time to time be prescribed by the Commissioners of the District of Columbia. In the event of death or separation from the service of such teacher before becoming eligible for retirement on annuity, the amounts so deposited with interest at 3 per centum compounded annually from June 30 of the year in which the deposits are made shall be refunded in accordance with the provisions of sections 9 and 10, respectively, of this Act. A separate individual account shall be kept by the Auditor of the District of Columbia with respect to the voluntary deposits and interest of each teacher.

Refunds.

Post, p. 890.

Retirement and annuity fund.

SEC. 2. The amounts so deducted and withheld from the annual salary of every teacher, and the amounts of additional voluntary deposits, shall be deposited in the Treasury of the United States to the credit of the teachers' retirement and annuity fund. As of the effective date of this Act, there shall be transferred and credited to such fund the balances of funds held for the retirement of teachers under the provisions of sections 2 and 7 of the Act of January 15, 1920, as amended. The fund thus created shall be held and invested by the Secretary of the Treasury until paid out as hereinafter provided, and the income derived from such investment shall constitute a part of said fund for the purpose of carrying out the provisions of this Act. Separate accounts shall be maintained by the Treasury with respect to (1) the regular operations of the retirement system, exclusive of those incident to the voluntary deposits; and (2) the voluntary deposits and the supplementary annuities and refunds resulting from such deposits.

41 Stat. 387, 388.
D. C. Code §§ 31-702, 31-707.

Separate accounts.

Voluntary retirement.

SEC. 3. (a) Any teacher to whom this Act applies who shall have attained or shall hereafter attain the age of sixty years and has rendered at least thirty years of service computed as prescribed in section 8 of this Act, or shall hereafter attain the age of sixty-two years and has rendered at least fifteen years of service computed as prescribed in section 8 of this Act, may voluntarily retire and shall be eligible for retirement on an annuity computed as provided in section 5 of this Act.

(b) Any teacher to whom this Act applies who shall have attained or shall hereafter attain the age of fifty-five years and has rendered at least thirty years of service computed as prescribed in section 8 of this Act, may voluntarily retire and shall be paid an immediate life annuity beginning on the first day of the month following the date of separation from the service having a value equal to the present worth of a deferred annuity at the age of sixty years computed as prescribed in section 5 of this Act or may elect to receive a deferred annuity beginning at the age of sixty years computed as prescribed in section 5 of this Act.

(c) Any teacher who shall have attained or shall hereafter attain

the age of sixty-two years and is eligible for retirement under the provisions of this Act, may be retired by the Board of Education upon written recommendation of the Superintendent of Schools. Any teacher who shall have attained, or shall hereafter attain the age of seventy years, shall be retired unless upon written recommendation of the Superintendent of Schools two-thirds of the members of the Board of Education vote to retain such teacher in the public schools for the good of the service. No sum shall be paid to any teacher upon his retirement under the provisions of this section unless he shall have been employed as a teacher on active duty in the public schools of the District of Columbia for a total period of not less than ten years.

Retirement at age 70.

Minimum period of service.

Disability.

SEC. 4. Any teacher to whom this Act applies who shall have served on active duty in the public schools of the District of Columbia for a total period of not less than ten years, and who, before becoming eligible for retirement under the conditions defined in the preceding sections hereof, becomes physically or mentally disabled and incapable of satisfactorily performing the duties of his position, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the teacher, shall upon his own application or upon order of the Board of Education as provided later in this section be retired on an annuity computed in accordance with the provisions of section 5 and 6 hereof: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than five years next prior to becoming so disabled for useful and efficient service shall not be required in any case. No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within six months thereafter. No teacher shall be retired under the provisions of this section unless examined under the direction of the Health Officer of the District of Columbia, and as a result of said examination, in his judgment, or in the judgment of the Superintendent of Schools concurred in by two-thirds of the members of the Board of Education, shall have been found to be physically or mentally incapacitated for efficient service.

Application.

Examination.

Annual examination.

Every annuitant retired under the provisions of this section, unless the disability for which retired be permanent in character, shall at the expiration of one year from the date of such retirement and annually thereafter, until reaching retirement age as defined in section 3 hereof, be examined under the direction of the Health Officer of the District of Columbia in order to ascertain the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching retirement age he shall be reappointed by the Board of Education in accordance with such rules and regulations as the said Board may prescribe to the first position, equal or similar to any position in the public schools occupied by the annuitant before retirement, which becomes vacant after the date the Board of Education receives written notification from the Health Officer of the District of Columbia that the annuitant has recovered and is able to discharge his duties as a teacher in the public schools of the District of Columbia. Payment of the annuity shall be continued until the date of reappointment by the Board of Education. In the event that the annuitant refuses to accept the employment prescribed in this section no annuity shall be paid after the date of such refusal. Should the annuitant fail to appear for examination as required under this section payment of the annuity shall be suspended until continuance of the disability shall have been satisfactorily established. Upon written recommendation of the Superintendent of Schools the Board of Education may order or direct at any time such medical or other examination as it shall deem necessary to determine the facts relative to the nature and degree of disability of any teacher retired on an annuity under this section.

Reappointment.

Discontinued annuity.

In all cases where the annuity is discontinued under the provisions of this section, the annuity payments made under (1) of section 5 hereof shall be charged against his individual account and, unless he shall become reemployed in a position under the purview of this Act, he shall be considered as having been separated from the service for other than retirement purposes and entitled to the benefits of section 9 hereof: *Provided, however,* That if such teacher were also receiving an annuity because of voluntary deposits made under the provisions of section 1 hereof, such annuity may be continued or, at the option of the teacher, the actuarial reserve value of such annuity may be withdrawn in cash unless the teacher is reemployed in a position within the purview of this Act, in which case the amount of such reserve value shall be treated as a voluntary deposit under the provisions of section 1 hereof.

Annuity because of voluntary deposits.

Computation of annuity.

SEC. 5. That following the effective date of this Act every teacher who shall be retired under the provisions of section 3 or section 4 of this Act shall receive an annuity composed of (1) a sum equal to 1 per centum of his average annual salary received during any five consecutive years of allowable service in the public schools of the District of Columbia, at the option of the teacher, for each year of his whole term of service, but in no event shall the amount of the average annual salary used to determine this portion of the annuity be less than the maximum salary for class 1, group A, established by the District of Columbia Teachers' Salary Act of 1945, as amended; and (2) an additional sum of \$20 for each year of his whole term of service, not exceeding forty. The total annuity shall be fixed at the nearest multiple of 12 cents, and shall be payable monthly. Annuities payable to any retired teacher who has become eligible for retirement because of age as defined in section 3 of this Act shall be payable during the lifetime of the annuitant. Annuities payable to any teacher retired on account of disability shall be subject to the conditions set forth under section 4 of this Act.

50 Stat. 488.
D. C. Code, Supp.
V, §§ 31-638 to 31-658.
Ante, p. 717.

Options.

Any teacher retiring under the provisions of this Act may, at the time of his retirement, elect one of the following options: (1) He may elect to receive in lieu of the life annuity described herein a reduced annuity of equivalent value providing that, in the event the annuitant shall die without having received in annuities purchased by his contributions accumulated with interest to the date of his retirement an aggregate sum equal to the total amount to his credit at time of retirement, the difference shall be paid in accordance with the provisions of section 10 of this Act; or (2) he may elect to receive in lieu of the life annuity as described herein a reduced annuity of equivalent value providing for a life-insurance benefit payable in a lump sum at the time of the annuitant's death. The face amount of such life insurance may be in any amount which the retiring teacher shall designate at the time of retirement but shall not exceed his contributions accumulated with interest to the date of retirement. Payment of such insurance shall be made in accordance with the provisions of section 10 of this Act. Any annuitant who elects to receive the reduced annuity with fixed life-insurance benefits may reconvert the value of the life insurance to an additional annuity of equivalent value on any anniversary of the retirement date of said annuitant prior to reaching age seventy.

Minimum credit.

SEC. 6. That in calculating, as provided in section 5, the second part of the annuity of a teacher retired under the provisions of section 4 of this Act, a minimum credit of twenty years shall be used in determining the sum allowable to a teacher with less than twenty years of service: *Provided,* That such minimum credit shall not exceed the total number of years of service which the teacher might have served

Restriction.

if continuously employed as a teacher in the public schools of the District of Columbia to age sixty.

SEC. 7. The amount of each year's appropriation shall be calculated, on an actuarial basis, as a level percentage of the pay roll of all participants which shall be adequate to cover the liability normally accrued plus a further level amount computed to be sufficient to liquidate the unfunded accrued liability within a period of approximately twenty years after the effective date of this Act.

SEC. 8. The whole term of service which forms the basis for determining the amount of the annuity provided in section 5 of this Act shall be computed from the date of original employment as a teacher, other than temporary, in the public schools of the District of Columbia, plus any service credit that may be allowed under the provisions of this section. In computing the length of service of retiring teachers credit may be given, year for year, for (a) public-school service or its equivalent outside the District of Columbia but not to exceed ten years; (b) continuous temporary service in the public schools of the District of Columbia immediately prior to probationary appointment; (c) service in the government of the District of Columbia or the Government of the United States allowable under the Civil Service Act of 1920, as amended; (d) periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States in time of war; (e) all educational leaves of absence with part pay authorized by the Board of Education in accordance with the Act of June 12, 1940 (54 Stat. 349); and the first ten-year period to begin on the date of the first probationary appointment as a teacher in the public schools of the District of Columbia: *Provided, however,* That that portion of the annuity which results from credit for service allowable under (a) and (c) of this section shall be reduced by the amount of any annuity which the retired teacher is entitled to receive under any Federal, State, or municipal retirement or pension system in respect to such service, except that such portion of the annuity after reduction shall not be less than the annuity purchasable with the deposit which the teacher is required to make under the provisions of this section in order to obtain credit for such service: *Provided further,* That no credit for service prescribed in this section, with the exception of periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States in time of war and all educational leaves of absence with part pay authorized by the Board of Education in accordance with the Act of June 12, 1940 (54 Stat. 349), shall be given to any teacher entering the said public schools after June 30, 1926, until he shall have deposited to the credit of the teachers' retirement and annuity fund of the District of Columbia a sum equal to the accumulated contributions and interest which he would have had credited to his individual account if such service had been rendered on active duty in the public schools of the District of Columbia, said contributions to be based on the average annual salary of the class to which the teacher is appointed: *Provided further,* That all contributions to the retirement fund made by any teacher on educational leave with part pay shall be determined in accordance with the provisions of section 1 of this Act, but otherwise no provision of this Act shall be interpreted to deprive any teacher employed by the Board of Education of any rights or benefits allowable under the Act of June 12, 1940 (54 Stat. 349): *Provided further,* That if the teacher so elects, he may deposit the required sum in the fund in any number of monthly installments not exceeding fifty with interest at 3 per centum per annum compounded annually, upon making claim with the Auditor, District of Columbia, within one year of the effective date of this Act, or within one year after the original probational appointment or reinstatement in the school service, or within two years

Calculation of appropriation.

Computation of term of service.

Service outside D. C., etc.

41 Stat. 614.
5 U. S. C. § 691 *et seq.*; Supp. V, § 691 *et seq.*

Ante, pp. 339, 658, 659, 705, 706, 850 *post*, p. 939.

D. C. Code §§ 31-632 to 31-637.

Reduction of annuity.

Deposit of sum equal to accumulated contributions, etc.

Supra.

Contributions made while on leave.

Supra.
Monthly deposits.

- Limitation. after the date of honorable discharge from the military service: *And provided further*, That nothing contained herein shall be construed to allow any teacher more than one year's credit for all services rendered in any one fiscal year.
- Election of deferred annuity. **SEC. 9.** Should any teacher to whom this Act applies, after having served in the public schools of the District of Columbia for a total period of not less than ten years and before becoming eligible for retirement, become separated from the service, such teacher may elect to receive a deferred annuity beginning at the age of sixty-two years computed as provided in section 5 of this Act: *Provided*, That any teacher who becomes separated from the public schools of the District of Columbia for other than retirement purposes and who does not elect to receive a deferred annuity as provided for in this section, shall receive as soon as practicable after separation the refund of deductions, deposits, or redeposits with interest thereon, or any voluntary contributions made under the provisions of section 1 of this Act, with interest: *Provided further*, That no teacher who shall withdraw the amount of his deductions, deposits, or redeposits under this section shall, after reinstatement, be entitled to credit for previous service unless he shall deposit in the fund the amount so withdrawn by him: *And provided further*, That the amount required to be so deposited may be paid by the teacher, if he so elects, in any number of monthly installments, not exceeding one hundred, with interest at 3 per centum compounded annually.
- Refunds. **SEC. 10.** Any teacher from whose salary retirement deductions are made in accordance with this Act may designate in writing a beneficiary or beneficiaries to whom the amount of his deductions, together with interest then credited thereon, shall be payable, as hereinafter provided, in the event of the death of the teacher before or after retirement.
- Deposit of amount withdrawn. In the event any teacher shall die before retirement the total amount of his deductions with interest thereon shall be paid, upon the establishment of a valid claim therefor, provided the claim be filed with the Auditor of the District of Columbia within three years after the death of such teacher, to the beneficiary or beneficiaries, if a beneficiary or beneficiaries be designated in writing by the teacher and recorded on his individual account, or, if there be no such beneficiary or beneficiaries designated, then to the duly appointed executor or administrator of the estate of the teacher, or, if the amount payable be less than \$1,000 and no executor or administrator is appointed, to such person or persons as the Auditor, in his judgment, may determine is or are legally entitled thereto.
- Beneficiaries. On the death of a retired teacher who elected to receive a reduced annuity with death benefits, the amount payable, if any, shall be determined according to the terms of the option so elected, and such amount shall be paid upon the establishment of a valid claim therefor, provided the claim be filed with the Auditor of the District of Columbia within three years after the death of such teacher, to the beneficiary or beneficiaries, if a beneficiary or beneficiaries be designated in writing by the teacher and recorded on his individual account, or, if there be no such beneficiary or beneficiaries designated, then to the duly appointed executor or administrator of the estate of the teacher, or, if the amount payable be less than \$1,000 and no executor or administrator is appointed, to such person or persons as the Auditor, in his judgment, may determine is or are legally entitled thereto.
- Death before retirement. **SEC. 11.** That every teacher who shall continue in the service of the public schools of the District of Columbia after the passage of this Act, as well as every person who hereafter may be appointed to a
- Consent to deductions.

position as teacher in the public schools of the District of Columbia, shall be deemed to consent and agree to the deductions made and provided for herein; and the salary, pay, or compensation, which may be paid monthly or at any other time, shall be full and complete discharge and acquittance of all claims and demands whatsoever for all services rendered by such teacher during the period covered by such payment, except his claim for the benefits to which he may be entitled under the provisions of this Act, notwithstanding the provisions of the Act of June 20, 1906 (34 Stat. 316), and of any other law, rule, or regulation affecting the salary, pay, or compensation of the teachers employed in the service of the public schools of the District of Columbia.

SEC. 12. That nothing in this Act shall be construed to prevent the discharge of any teacher at any time in the discretion of the Board of Education of the District of Columbia under the provisions of law.

SEC. 13. That the term "teacher", under this Act, shall include all teachers permanently employed by the Board of Education in the public day schools of the District of Columbia, including other educational employees whose salaries are established in the District of Columbia Teachers' Salary Act of 1945, as amended, except the employees of the Department of School Attendance and Work Permits; whenever the pronoun "his" occurs in this Act it shall be construed to mean both male and female; and the term "annual salary" shall be construed to mean the total annual income received during the fiscal year for service rendered in the public day schools (not including summer schools) of the District of Columbia, including basic salary, automatic increases, and longevity allowances, provided for in the District of Columbia Teachers' Salary Act of 1945, as amended, and all wartime additional compensation or bonus, and this definition of "annual salary" shall not be construed to affect any deductions which have been made prior to the effective date of this Act from any teacher's "annual salary" as defined in the Act of January 15, 1920, as amended.

SEC. 14. That the Commissioners of the District of Columbia shall prepare and keep all needful tables, records, and accounts required for carrying out the provisions of this Act. The records to be kept shall include data showing the mortality experience of the teachers in the service of the public schools of the District of Columbia and the rate of withdrawal from such service, and any other information pertaining to such service that may be of value and may serve as a guide for future valuations and adjustments of the plan for the retirement of teachers. The Commissioners of the District of Columbia shall make a detailed comparative report annually to Congress showing all receipts and disbursements under the provisions of this Act, together with the total number of persons receiving annuities and the amounts paid them. And the Treasury Department shall prepare the estimates of the annual appropriations required to be made to the teachers' retirement and annuity fund, and shall make actuarial valuations of such fund at intervals of five years, or oftener if deemed necessary by the Secretary of the Treasury.

SEC. 15. That the Commissioners of the District of Columbia shall include in their annual estimates of appropriations a sum sufficient to carry out the provisions of this Act and Acts amendatory thereof. Appropriations made for the purposes of this Act shall be transferred to the credit of the teachers' retirement and annuity fund established under section 2 hereof.

SEC. 16. That the Commissioners of the District of Columbia are hereby authorized to perform, or cause to be performed, any or all acts and to make such rules and regulations as may be necessary and

D. C. Code §§ 31-101 *et seq.*, 31-601 *et seq.*, 31-1101 *et seq.*; Supp. V, § 31-109 *et seq.*

Discharge of teacher.

"Teacher."

59 Stat. 488.
D. C. Code, Supp. V, §§ 31-638 to 31-658.
Ante, p. 717.
"His."
"Annual salary."

Supra.

41 Stat. 387.
D. C. Code §§ 31-701 to 31-710, 31-712 to 31-720.

Records, etc.

Report to Congress.

Appropriation estimates.

Transfer of appropriations.

Ante, p. 876.

Rules and regulations.

proper for the purpose of carrying the provisions of this Act into full force and effect.

Nonassignability, etc., of funds.

SEC. 17. That none of the money mentioned in this Act shall be assignable, either in law or equity, or be subject to execution or levy by attachment, garnishment, or other legal process.

Applicability.

SEC. 18. The provisions of this Act shall apply to all teachers on the rolls of the public schools of the District of Columbia for the month of June 1946, or thereafter, if otherwise eligible: *Provided*, That nothing in this Act shall require the reduction of any annuity any teacher on the rolls of the public schools of the District of Columbia for the month of June 1946, would be entitled to receive, under the provisions of the Act of January 15, 1920, as amended, upon retirement. The said Act of 1920, as amended, shall not otherwise apply to teachers on the rolls of the public schools of the District of Columbia for the month of June 1946, or thereafter, but such Act shall remain in force and effect with respect to teachers retired prior to the effective date of this Act, subject to the provisions of section 19.

41 Stat. 337.
D. C. Code §§ 31-701 to 31-710, 31-712 to 31-720.

Prior retirements.

SEC. 19. The annuities of all teachers retired prior to the effective date of this Act shall be recomputed in accordance with the provisions of section 5 of this Act within ninety days after the approval of this Act retroactive to the effective date of this Act, and no recomputation shall be made which will reduce the annuity received by any retired teacher: *Provided*, That the average annual salary during any five consecutive years, specified in section 5, upon which the annuity is based shall be within the last ten years of allowable service in the public schools of the District of Columbia: *Provided further*, That the increased amount of the annuity resulting therefrom shall be a straight life annuity without any insurance or death benefits of any kind.

Ante, p. 878.

Salary basis.

Straight life annuity.

Effective date.

SEC. 20. The provisions of this Act shall take effect July 1, 1946. Approved August 7, 1946.

[CHAPTER 780]

AN ACT

August 7, 1946
[H. R. 5923]
[Public Law 625]

To name the bridge located on New Hampshire Avenue, Washington, District of Columbia, over the Baltimore and Ohio Railroad tracks "The Charles A. Langley Bridge".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge located on New Hampshire Avenue in Washington, District of Columbia, over the Baltimore and Ohio Railroad tracks shall be known and designated as "The Charles A. Langley Bridge".

Approved August 7, 1946.

[CHAPTER 781]

AN ACT

August 7, 1946
[H. R. 5970]
[Public Law 626]

To permit the members and stockholders of charitable, educational, and religious associations incorporated in the District of Columbia to vote by proxy or by mail.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601 of the Act entitled "An Act to establish a Code of Laws in the District of Columbia", approved March 3, 1901, as amended (D. C. Code, 1940 edition, title 29, sec. 603) is hereby amended to read as follows:

"SEC. 601. TRUSTEES.—Such incorporated society may elect its trustees, directors, or managers at such time and place and in such manner as may be specified in its bylaws, who shall have the control

Charitable, etc., societies in D. C.

31 Stat. 1234.
D. C. Code, Supp. V, § 29-603.

and management of the affairs and funds of the society, and a majority of whom shall be a quorum for the transaction of business, unless a less number be specified as a quorum in the bylaws, and whenever any vacancy shall happen in such board of trustees, directors, or managers the vacancies shall be filled in such manner as shall be provided by the bylaws of the society. The bylaws of a society incorporated under the provisions of this subchapter may provide that stockholders, if the same be a stock corporation, or members or delegates, if the same be not a stock corporation, may vote by proxy or by mail. The bylaws may restrict such method of voting to the election of trustees, directors, or managers, or to other matters specified in the bylaws, and may prescribe the form or forms of proxy or of mail ballot to be used and the procedure to be followed in the casting and recording of such votes."

Vote by proxy or
mail.

Approved August 7, 1946.

[CHAPTER 782]

AN ACT

To amend the Act of July 11, 1919 (41 Stat. 132), relating to the interchange of property between the Army and the Navy, so as to include the Coast Guard within its provision.

August 7, 1946
[H. R. 6057]
[Public Law 627]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision contained in the Act of July 11, 1919 (41 Stat. 132; U. S. C., title 10, sec. 1274), relating to the interchange of property between the Army and the Navy, is hereby amended to read as follows:

"The interchange, without compensation therefor, of military stores, supplies, and equipment of every character, including real estate owned by the Government, is hereby authorized between the Army, Navy, and Coast Guard upon the request of the head of one service and with the approval of the head of the other service."

Army, Navy, Coast
Guard.
Interchange of sup-
plies.

Approved August 7, 1946.

[CHAPTER 783]

AN ACT

To exempt certain vessels from filing passenger lists.

August 7, 1946
[H. R. 6148]
[Public Law 628]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of law to the contrary, no collector of customs shall require the master or owner of a vessel arriving, otherwise than by sea, at a port or place in the United States on the Great Lakes, or their connecting or tributary waters, from a port or place in the Dominion of Canada to furnish a list of passengers on board such vessel.

Approved August 7, 1946.

[CHAPTER 784]

AN ACT

To authorize the highway departments of the States of Kentucky and West Virginia to construct, maintain, and operate a free highway bridge across the Tug Fork of the Big Sandy River at or near Williamson, West Virginia.

August 7, 1946
[H. R. 623]
[Public Law 629]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Highway Commission of the States of Kentucky and West Virginia to construct, maintain, and operate a free bridge and approaches thereto across the Tug Fork

Bridge.
Big Sandy River.

of the Big Sandy River at a point suitable to the interests of navigation at or near Williamson, Mingo County, West Virginia, and on the Pikeville-Williamson Road in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 7, 1946.

[CHAPTER 785]

AN ACT

To authorize the War Shipping Administration and the Maritime Commission to make available certain surplus property to certain maritime academies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the War Shipping Administration and the Maritime Commission are authorized to make available or transfer to any State or municipality maintaining a marine school or nautical branch in accordance with the Act of July 29, 1941 (Public Law 191, Seventy-seventh Congress, 55 Stat. 607), excess or surplus material, supplies, and equipment for use in connection with the teaching and training of cadet-midshipmen, at such ports or other localities as may be designated by such State, without charge except for transportation and delivery of such material, supplies, or equipment.

Approved August 7, 1946.

[CHAPTER 786]

AN ACT

To amend the Act to provide for the issuance of devices in recognition of services of merchant sailors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of May 10, 1943 (57 Stat. 81), as amended by the Act of July 31, 1945 (59 Stat. 511; 50 U. S. C., App. 753f), be, and it is hereby, amended by inserting after the comma following the citation "(9 F. R. 10613)" the words "as amended by Executive Order 9692 of February 5, 1946 (11 F. R. 1421)".

Approved August 7, 1946.

[CHAPTER 787]

AN ACT

To waive certain restrictions of the Hawaiian Organic Act, relating to land exchanges, for the acquisition of certain lands at Hilo, Hawaii.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 73 (1) of the Hawaiian Organic Act, prohibiting exchanges by which the Territory of Hawaii shall convey lands exceeding either forty acres in area or \$5,000 in value, and the like provisions contained in section 4533 of the Revised Laws of Hawaii 1945, shall not apply to any exchanges made for the acquisition by the Territory of land at Hilo, island of Hawaii, within the area bounded on the north by the sea, on the south by Kamehameha Avenue, on the east by Wailoa River, and on the west by Wailuku River.

Approved August 7, 1946.

34 Stat. 84.
33 U. S. C. §§ 491-498.

August 7, 1946
[H. R. 6408]
[Public Law 630]

Surplus property for State, etc., nautical schools.

34 U. S. C., Supp. V, §§ 1122-1123e.

August 7, 1946
[H. R. 6488]
[Public Law 631]

50 U. S. C., Supp. V, app. § 753f.

August 7, 1946
[H. R. 6610]
[Public Law 632]

Ante, p. 871.

[CHAPTER 788]

AN ACT

To provide basic authority for the performance of certain functions and activities of the National Park Service.

August 7, 1946
[H. R. 6629]
[Public Law 633]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations for the National Park Service are authorized for—

(a) Necessary protection of the area of federally owned land in the custody of the National Park Service known as the Ocean Strip and Queets Corridor, adjacent to Olympic National Park, Washington; necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of Glacier National Park, Montana, and the international boundary; repair and maintenance of approximately two and seventy-seven one-hundredths miles of road leading from United States Highway 187 to the north entrance of Grand Teton National Park, Wyoming; maintenance of approach roads through the Lassen National Forest leading to Lassen Volcanic National Park, California; maintenance and repair of the Generals Highway between the boundaries of Sequoia National Park, California, and the Grant Grove section of Kings Canyon National Park, California; maintenance of approximately two and one-fourth miles of roads comprising those portions of the Fresno-Kings Canyon approach road, Park Ridge Lookout Road, and Ash Mountain-Advance truck trail, necessary to the administration and protection of the Sequoia and Kings Canyon National Parks; maintenance of the roads in the national forests leading out of Yellowstone National Park, Wyoming, Idaho, and Montana; maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetchy Road near Mather Station, Yosemite National Park, California; and maintenance and repair of the approach road to the Custer Battlefield National Monument and the road connecting the said monument with the Reno Monument site, Montana.

National Park Service.
Appropriations authorized.

Roads.

(b) Administration, protection, improvement, and maintenance of areas, under the jurisdiction of other agencies of the Government, devoted to recreational use pursuant to cooperative agreements.

Recreational areas.

(c) Necessary local transportation and subsistence in kind of persons selected for employment or as cooperators, serving without other compensation, while attending fire-protection training camps.

Transportation for cooperators, etc.

(d) Administration, protection, maintenance, and improvement of the Chesapeake and Ohio Canal.

Chesapeake and Ohio Canal.

(e) Educational lectures in or in the vicinity of and with respect to the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service; and services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary of the Interior may designate.

Educational lectures, etc.

(f) Travel expenses of employees attending Government camps for training in forest-fire prevention and suppression and the Federal Bureau of Investigation National Police Academy, and attending Federal, State, or municipal schools for training in building fire prevention and suppression.

Travel expenses of employees in training schools, etc.

(g) Investigation and establishment of water rights in accordance with local custom, laws, and decisions of courts, including the acquisition of water rights or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in the administration and public use of the national parks and monuments.

Investigation, etc., of water rights.

Water supply line.

(h) Acquisition of rights-of-way and construction and maintenance of a water supply line partly outside the boundaries of Mesa Verde National Park.

Telephone service.

(i) Official telephone service in the field in the case of official telephones installed in private houses when authorized under regulations established by the Secretary.

Approved August 7, 1946.

[CHAPTER 789]

AN ACT

For the relief of certain postmasters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to allow credit for payments of per diem made by postmasters acting under direction of the First Assistant Postmaster General to postal employees detailed to postal units at camps, posts, or stations to handle military mail or at civilian plants devoted to war production at rates not to exceed that provided and authorized by the Act of December 7, 1945, Public Law 249, the credit to be allowed notwithstanding that the payments were made on orders issued retroactively by the Postmaster General.

Approved August 7, 1946.

[CHAPTER 790]

AN ACT

To clarify the rights of former owners of real property to reacquire such property under the Surplus Property Act of 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 (a) (1) of the Surplus Property Act of 1944 is amended to read as follows:

"(1) The term 'real property' means property consisting of land, together with any fixtures and improvements thereon (including hotels, apartment houses, hospitals, office buildings, stores, and other commercial structures) located outside the District of Columbia, but does not include (A) commercial structures constructed by, at the direction of, or on behalf of any Government agency, (B) commercial structures which the Administrator determines have been made an integral part of a functional or economic unit which should be disposed of as a whole, and (C) war housing, industrial plants, factories, airports, airport facilities, or similar structures and facilities, or the sites thereof, or land which the Administrator determines essential to the use of any of the foregoing; and"

SEC. 2. Section 23 (c) of the Surplus Property Act of 1944 is amended by adding at the end thereof the following:

"The classification of property by the Administrator (including the determination of whether property is 'real property' as defined in this section) shall be based on the highest and best use of the property at the time it is reported as surplus property regardless of its former character or use."

SEC. 3. The Secretary of War and the War Assets Administration are authorized and directed to take such action as may be necessary (A) to reinstate the leasehold covering the Chamberlin Hotel, Fort Monroe, Old Point Comfort, Virginia, and its appurtenant land, buildings, utilities, and facilities, which leasehold, with all the furnishings and equipment used in connection therewith, was acquired

August 7, 1946

[H. R. 6642]

[Public Law 634]

Credit for per diem payments.

59 Stat. 603.
39 U. S. C., Supp.
V, § 133 note.

August 7, 1946

[H. R. 6702]

[Public Law 635]

Surplus Property Act of 1944, amendment.

58 Stat. 777.
50 U. S. C., Supp.
V, app. § 1632.
"Real property."

Supra.

Classification of property.

Reinstatement of leasehold covering Chamberlin Hotel.

on December 30, 1941, by the Department of the Navy, and on December 20, 1945, declared by the Department of the Navy to be surplus to its needs and responsibilities; and (B) to convey and sell, to the former owner or owners authorized under this section to be the lessee under the reinstated leasehold, all of the right, title, and interest in and to such hotel, land, buildings, utilities, furnishings, and equipment, which existed in the person who was the lessee prior to such acquisition by the Department of the Navy. The former owner or owners for the purposes of this section shall be either (i) those persons who on December 30, 1941, owned bonds to secure payment of which the property was then held by a trustee, and who, within sixty days after the date of first publication of notice in a newspaper of general circulation in the county in which the property is situated, as hereinafter provided, commit themselves, in such manner as the War Assets Administrator may prescribe, to participate in the acquisition of the property, the participation by each such person to be in the proportion which the face amount of the bonds owned by such person on December 30, 1941, is of the aggregate face amount of such bonds owned by all of the participants, or (ii) a corporation all of the shares of which (except qualifying shares) are owned in like proportion by the persons making such commitments. Notice of the right of such persons to have the benefits of this section shall be given by publication in the Federal Register, publication in a newspaper of general circulation in the county in which the property is situated, and by any other means which may be deemed appropriate by the War Assets Administrator. The leasehold shall contain the same terms and conditions as that which was in effect immediately prior to the acquisition of the property by the Department of the Navy, and upon the reinstatement thereof shall be subject to all of the provisions of Public Resolution 71, Sixty-seventh Congress (42 Stat. 843), as if such acquisition by the Department of the Navy had not taken place. The consideration to be paid to the United States for reinstating such leasehold and for such conveyance and sale to the former owner or owners shall be a price not greater than that for which the property was acquired by the United States. Such acquisition price being properly adjusted to reflect any increase or decrease in the value of the property resulting from action by the United States, or a price equal to the market price at the time of sale, whichever price is the lower. This section shall cease to be in effect unless, within six months from the date of the enactment of this Act, the former owner or owners pay or tender the consideration prescribed in this section for the reinstatement of the leasehold and for such conveyance and sale.

Former owner.

Notice.

Terms and conditions.

Acquisition price.

Time limitation.

Approved August 7, 1946.

[CHAPTER 791]

AN ACT

To establish and provide for the maintenance and operation of a Veterans' Canteen Service in the Veterans' Administration, and for other purposes.

August 7, 1946
[H. R. 6836]
[Public Law 636]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the Veterans' Administration an instrumentality of the United States to be known as the Veterans' Canteen Service, hereinafter called the Service, for the primary purpose of making available to veterans of the armed forces of the United States who are hospitalized or domiciled in hospitals and homes of the Veterans' Administration, at reasonable prices, articles of merchandise and services essential to their comfort and well-being.

Veterans' Canteen Service.

SEC. 2. The Administrator of Veterans' Affairs, hereinafter called the Administrator, is authorized and directed—

Establishment
at hospitals, etc.

(a) To establish, maintain, and operate canteens where deemed necessary and practicable at hospitals and homes of the Veterans' Administration and at other Veterans' Administration establishments where similar essential facilities are not reasonably available from outside commercial sources.

Warehouses, etc.

(b) To establish, maintain, and operate such warehouses and storage depots as may be necessary in operating the canteens.

Free space, etc.

(c) To furnish the Service, without charge, rental, or reimbursement, for its use in connection with the establishment, maintenance, and operation thereof, such space, buildings, and structures under control of the Veterans' Administration as he may consider necessary, including normal maintenance and repair service thereon.

Free equipment, etc.

(d) To furnish the Service for its use such equipment, utilities, and service, including light, water, and heat, as may be available and necessary for such use, without charge, rental, or reimbursement except that reasonable charges shall be paid by the Service for electricity and gas furnished for purposes of cooking, refrigeration, and power.

Electricity and gas.

Personnel.

(e) To employ such persons as are necessary for the establishment, maintenance, and operation of the Service. Personnel necessary for the transaction of the business of the Service at canteens, warehouses, and storage depots shall be appointed, compensated from funds of the Service, and removed by the Administrator without regard to civil-service laws and the Classification Act of 1923, as amended: *Provided*, That such employees shall be subject to the Veterans' Preference Act of 1944, the Civil Service Retirement Acts, and laws administered by the United States Employees' Compensation Commission applicable to civilian employees of the United States. Personnel, other than those employed at canteens, warehouses, and storage depots, shall be employed and paid from Veterans' Administration appropriations for salaries and expenses as normal Veterans' Administration employees and assigned, detailed, or loaned to the Service without reimbursement by the Service.

42 Stat. 1488.
5 U. S. C. §§ 661-674;
Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.
58 Stat. 387.
5 U. S. C., Supp.
V, §§ 851-869.

Purchase contracts,
etc.

(f) To make all necessary contracts or agreements to purchase or sell merchandise, fixtures, equipment, supplies, and services, without regard to section 3709 of the Revised Statutes of the United States (41 U. S. C. 5), and to do all things necessary to carry out such contracts or agreements, including the making of necessary adjustments and compromising of claims in connection therewith.

Ante, p. 809.

Fixing of prices.

(g) To fix the prices of merchandise and services in canteens so as to carry out the purposes of this Act.

Gifts and donations.

(h) To accept gifts and donations of merchandise, fixtures, equipment, and supplies for the use and benefit of the Service.

Rules and regula-
tions.

(i) To make such rules and regulations, not inconsistent with the provisions of this Act, as he considers necessary or appropriate to effectuate its purposes.

Delegation of duties,
etc.

(j) To delegate such duties and powers to employees as he considers necessary or appropriate, whose official acts performed within the scope of the delegated authority shall have the same force and effect as though performed by the Administrator.

Service to hospital-
ized veterans, etc.

SEC. 3. (a) The canteens at hospitals and homes of the Veterans' Administration shall be primarily for the use and benefit of veterans hospitalized or domiciled at such hospitals and homes. Service at such canteens may also be furnished to personnel of the Veterans' Administration and recognized veterans' organizations employed at such hospitals and homes and to other persons so employed, to the families of all the foregoing persons who reside at the hospital or home concerned, and to relatives and other persons while visiting any of the

persons named in this subsection : *Provided*, That service to any person not hospitalized, domiciled, or residing at the hospital or home shall be limited to the sale of merchandise or services for consumption or use on the premises.

(b) Service at canteens other than those established at hospitals and homes shall be limited to sales of merchandise and services for consumption or use on the premises, to personnel employed at such establishments, their visitors, and other persons at such establishments on official business.

SEC. 4. To finance the establishment, maintenance, and operation of the Service there is hereby authorized to be appropriated from time to time such amounts as are necessary to provide for (a) the acquisition of necessary furniture, furnishings, fixtures, and equipment for the establishment, maintenance, and operation of canteens, warehouses, and storage depots; (b) stocks of merchandise and supplies for canteens and reserve stocks of same in warehouses and storage depots; (c) salaries, wages, and expenses of employees; (d) administrative and operation expenses; and (e) adequate working capital for each canteen and for the Service as a whole. Amounts appropriated under the authority contained in this Act and all income from canteen operations become and will be administered as a revolving fund to effectuate the provisions of this Act.

SEC. 5. The revolving fund shall be deposited in a checking account with the Treasurer of the United States: *Provided*, That such amounts thereof as the Administrator may determine to be necessary to establish and maintain operating accounts for the various canteens may be deposited in checking accounts in other depositories selected by the Administrator.

SEC. 6. The Service shall prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act which shall contain an estimate of the needs of the Service for the ensuing fiscal year including an estimate of the amount required to restore any impairment of the revolving fund resulting from operations of the current fiscal year. Any balance in the revolving fund at the close of the fiscal year in excess of the estimated requirements for the ensuing fiscal year shall be covered into the Treasury as miscellaneous receipts.

SEC. 7. The Service shall maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act. No other audit shall be required.

SEC. 8. It is the purpose of this Act that, under control and supervision of the Administrator, the Service shall function as an independent unit in the Veterans' Administration and shall have exclusive control over all its activities including sales, procurement and supply, finance, including disbursements, and personnel management, except as otherwise herein provided.

Approved August 7, 1946.

Service at other canteens.

Appropriations authorized. *Ante*, p. 616.

Revolving fund.

Deposits.

Budget program.

59 Stat. 597. 31 U. S. C., Supp. V, §§ 841-869.

Accounts.

Supra.

Function; control.

[CHAPTER 792]

AN ACT

To amend section 121 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, to authorize the appointment of three additional deputies for the register of wills.

August 7, 1946 [H. R. 6859] [Public Law 637]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 121 of the Act entitled "An Act to establish a code of law for the District of

Register of wills. Additional deputies.

31 Stat. 1209; 32
Stat. 525.

Columbia", approved March 3, 1901, as amended by the Act approved June 30, 1902 (title 19, sec. 403, D. C. Code, 1940), is amended by striking out the word "two" preceding the word "deputies" in line 17 thereof, and inserting in lieu thereof the word "five".

Approved August 7, 1946.

[CHAPTER 793]

AN ACT

To authorize the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge, or a free bridge, across the Ohio River at or near Lawrenceburg, Dearborn County, Indiana.

August 7, 1946
[H. R. 6899]
[Public Law 638]

Bridge.
Ohio River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for the military and other purposes, the Indiana State Toll Bridge Commission be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interest of navigation at or near Lawrenceburg, Dearborn County, Indiana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-
498.
Acquisition of land,
etc.

SEC. 2. There is hereby conferred upon the Indiana State Toll Bridge Commission all such rights and powers to enter upon land and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Tolls.

SEC. 3. The Indiana State Toll Bridge Commission is hereby authorized to fix and charge toll for transit over such bridge, and the rate of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Supra.

Sinking fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of toll. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Record of costs, etc.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 7, 1946.

[CHAPTER 794]

AN ACT

Authorizing the city of East Saint Louis, Illinois, its successors and assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near a point between Delmar Boulevard and Cole Street in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois.

August 7, 1946
[H. R. 6953]
[Public Law 639]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the city of East Saint Louis, Illinois, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a toll bridge across the Mississippi River, at a point suitable to the interests of navigation, at or near a point between Delmar Boulevard and Cole Street in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Bridge.
Mississippi River.

SEC. 2. There is hereby conferred upon the city of East Saint Louis, Illinois, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

34 Stat. 84.
33 U. S. C. §§ 491-498.

Acquisition of land,
etc.

SEC. 3. The said city of East Saint Louis, Illinois, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Supra.

Sinking fund, etc.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Record of costs, etc.

Approved August 7, 1946.

[CHAPTER 795]

AN ACT

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Allegheny River, between a point in or near the Borough of Tarentum, in the county of Allegheny, and a point near the boundary of the city of New Kensington and Lower Burrell Township in Westmoreland County in the Commonwealth of Pennsylvania.

August 7, 1946
[H. R. 7030]
[Public Law 640]

Bridge.
Allegheny River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, at or near the Borough of Tarentum, and in the county of Allegheny, and a point near the boundary of the city of New Kensington and Lower Burrell Township in Westmoreland County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-
498.
Adjustment of toll
rates.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Record of costs, etc.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 7, 1946.

[CHAPTER 796]

AN ACT

To further amend section 304 of the Naval Reserve Act of 1938, as amended, so as to grant certain benefits to naval personnel engaged in training duty prior to official termination of World War II.

August 7, 1946
[H. R. 7039]
[Public Law 641]

Naval Reserve Act
of 1938, amendment.
52 Stat. 1181.
34 U. S. C. § 855c;
Supp. V, § 855c.

Benefits to mem-
bers on active duty,
etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 304 of the Naval Reserve Act of 1938, as amended, is hereby further amended as follows:

Insert the following new proviso immediately before the final proviso of the said section: "*Provided further,* That any member of the Naval Reserve performing active duty with or without pay for periods of thirty days or less, training duty with or without pay, drills, equivalent instruction or duty, appropriate duty, or prescribed duty, or while performing authorized travel to or from such duties, prior to the official termination of World War II, shall be entitled to all the benefits provided by this section to members of the Naval Reserve in time of peace."

Effective date.

SEC. 2. The amendment contained in section 1 shall be effective as of December 1, 1945.

SEC. 3. The Act entitled "An Act to extend the benefits of the United States Employees' Compensation Act to members of the Officers' Reserve Corps and of the Enlisted Reserve Corps of the Army who are physically injured in line of duty while performing active duty or engaged in authorized training, and for other purposes", approved July 15, 1939 (U. S. C., 1940 edition, title 5, sec. 797), is amended by adding at the end thereof the following new section:

53 Stat. 1042.

"In time of peace."

"SEC. 2. As used in this Act, the term 'in time of peace' shall include that period after September 8, 1945 (the date of formal surrender by Japan), which is prior to the first day on which the United States is, by the action of the Congress or the President, or both, no longer engaged in any war in which the United States is engaged on the date of enactment of this section."

Approved August 7, 1946.

[CHAPTER 797]

AN ACT

To revive and reenact the Act entitled "An Act granting the consent of Congress to the State Highway Commission, Commonwealth of Kentucky, to construct, maintain, and operate a toll bridge across the Cumberland River at or near Burkesville, Cumberland County, Kentucky", approved May 18, 1928.

August 7, 1946
[H. R. 7046]
[Public Law 642]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved May 18, 1928, as herein amended, and heretofore extended by an Act of Congress approved March 2, 1929, granting the consent of Congress to the State Highway Commission, Commonwealth of Kentucky, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River, at or near Burkesville, Cumberland County, Kentucky, be, and is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Bridge.
Cumberland River.
Extension of time.
45 Stat. 613, 1523.

Time limitation.

SEC. 2. Section 2 of Public Law Numbered 436 of the Seventieth Congress, approved May 18, 1928, is amended to read as follows:

45 Stat. 613.

"If tolls are charged for the use of such bridge, the rates shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the costs of such bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept, and shall be available for the information of all persons interested."

Adjustment of toll rates.

Record of costs, etc.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 7, 1946.

[CHAPTER 798]

AN ACT

To amend section 6 of Public Law Numbered 516 of the Seventy-ninth Congress, approved July 16, 1946.

August 7, 1946
[H. R. 7109]
[Public Law 643]

Bridges.
Potomac River.
Ante, p. 567.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of Public Law Numbered 516 of the Seventy-ninth Congress, approved July 16, 1946, entitled "An Act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes", is amended as follows: Wherever in said section 6 the words "National Capital Park Service" occur they are changed to read "National Park Service".

Approved August 7, 1946.

[CHAPTER 799]

AN ACT

To amend section 2 of the Act of July 16, 1946 (Public Law 514, Seventy-ninth Congress), relating to the establishment and operation in the District of Columbia of nurseries and nursery schools, so as to permit payment of compensation for services rendered after June 30, 1946, and prior to the enactment of such Act.

August 7, 1946
[H. R. 7126]
[Public Law 644]

Day nurseries and
nursery schools, D. C.
Ante, p. 540.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 2 of the Act of July 16, 1946 (Public Law 514, Seventy-ninth Congress), is amended to read as follows: "The Board is authorized to employ teachers, attendants, clerks, custodians, and other persons necessary to provide such day care and to pay compensation for their services, including services rendered after June 30, 1946, and prior to the date of enactment of this Act, in accordance with the Classification Act of 1923, as amended."

Approved August 7, 1946.

42 Stat. 1488.
5 U. S. C. §§ 661-
674; Supp. V, § 661 *et*
seq.
Ante, pp. 216, 219.

[CHAPTER 800]

JOINT RESOLUTION

Designating November 19, 1946, the anniversary of Lincoln's Gettysburg Address, as Dedication Day.

August 7, 1946
[H. J. Res. 35]
[Public Law 645]

Gettysburg Address.

Whereas the Gettysburg Address of President Abraham Lincoln is the outstanding classic of the ages; and
Whereas it will touch the hearts of men and inspire them with faith in our matchless democracy as long as time endures; and
Whereas in that address Mr. Lincoln adjured his fellow countrymen to dedicate themselves to the principles of democracy in order that government "of the people, by the people, and for the people shall not perish from the earth": Therefore be it

Dedication Day.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That November 19, 1946, the anniversary of the Gettysburg Address, be, and hereby is, designated in our calendar of special days as Dedication Day.

That the President of the United States is requested to proclaim November 19, 1946, as Dedication Day and to suggest that the address be read on that day in public assemblages throughout the United States and its possessions, on our ships at sea and wherever the American flag flies.

Approved August 7, 1946.

[CHAPTER 801]

JOINT RESOLUTION

Granting certain property to the Commonwealth of Pennsylvania and relinquishing jurisdiction therein.

August 7, 1946
[H. J. Res. 370]
[Public Law 646]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States of America does hereby relinquish and quitclaim to the Commonwealth of Pennsylvania all that tract of land conveyed by said Commonwealth by its Governor to the United States by deed dated October 19, 1917, and the cession of jurisdiction therein granted by the Commonwealth of Pennsylvania is hereby relinquished.

SEC. 2. The cession of jurisdiction made by the Pennsylvania Act Numbered 282 of May 18, 1945, is hereby accepted.

SEC. 3. Within sixty days after the effective date of this joint resolution the Commandant of the Coast Guard shall file with the Department of State of Pennsylvania notice of the enactment of this joint resolution.

Approved August 7, 1946.

[CHAPTER 802]

AN ACT

To modify sections 4 and 20 of the Permanent Appropriation Repeal Act, 1934, with reference to certain funds collected in connection with the operation of Indian Service irrigation projects, and for other purposes.

August 7, 1946
[S. 115]
[Public Law 647]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on approval of this Act, collections made from water users on each Indian irrigation project on account of assessments levied to meet the cost of operating and maintaining such project shall be deposited into the Treasury for credit to a trust-fund account pursuant to section 20 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1233), and shall be available for expenditure in carrying out the purposes for which collected.

Indian irrigation projects.
Collections from water users.

31 U. S. C. § 725s;
Supp. V, § 725s.

SEC. 2. There shall be credited to each trust-fund account so established the excess, if any, of (1) the unexpended balance of any repealed special fund appropriation to which operation and maintenance collections were credited prior to July 1, 1935, and (2) the amount of receipts covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1227), over expenditures from appropriations provided for the operation and maintenance of the irrigation project from which such unexpended balance or receipts were derived, and the amount so credited shall be subject to expenditure as prescribed in section 1 hereof.

Credits to trust-fund accounts.

31 U. S. C. § 725c.

SEC. 3. Revenues hereafter collected from power operations on each Indian irrigation project and deposited into the Treasury for credit to miscellaneous receipts pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1227), or pursuant to other provisions of law, are hereby authorized to be appropriated annually, in specific or in indefinite amounts, equal to the collections so credited, for the following purposes in connection with the respective projects from which such revenues are derived: (1) Payment of the expenses of operating and maintaining the power system; (2) creation and maintenance of reserve funds to be available for making repairs and replacements to, defraying emergency expenses for, and insuring continuous operation of the power system, the fund for each project to be maintained at such level, within limits set by the Director of the Bureau of the Budget, as may from time to time be prescribed by the Secretary of the Interior; (3) amortization, in accordance with

Collections from power operations.
Appropriations authorized.

Supra.

the repayment provisions of the applicable statutes or contracts, of construction costs allocated to be returned from power revenues; and (4) payment of other expenses and obligations chargeable to power revenues to the extent required or permitted by law.

Approved August 7, 1946.

[CHAPTER 803]

AN ACT

To provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide more adequate hospital facilities in the District of Columbia the Federal Works Administrator is authorized to acquire land and construct buildings and to these ends is empowered:

(a) to acquire prior to the approval of title by the Attorney General (without regard to sections 1136, as amended, and 3709 of the Revised Statutes) improved or unimproved lands or interests in lands in the District of Columbia by purchase, donation, exchange, or condemnation (including proceedings under the Acts of August 1, 1888 (25 Stat. 357), March 1, 1929 (45 Stat. 1415), and February 26, 1931 (46 Stat. 1421)) for such hospital facilities;

(b) by contract or otherwise (without regard to sections 1136, as amended, and 3709 of the Revised Statutes, and section 322 of the Act of June 30, 1932 (47 Stat. 412), prior to approval of title by the Attorney General, to make surveys and investigations, to plan, design, and construct hospital facilities in the District of Columbia on lands or interests in lands acquired under the provisions of subsection (a) hereof or on other lands of the United States which may be available (the transfers of which for this purpose by the Federal agency having jurisdiction thereof are hereby authorized notwithstanding any other provision of law), provide proper approaches thereto, utilities, and procure necessary materials, supplies, articles, equipment, and machinery, and do all things in connection therewith to carry out the provisions of this Act; and

SEC. 2. Notwithstanding any other provision of law, whether relating to the acquisition, handling, or disposal of real or other property by the United States or to other matters, the Federal Works Administrator, with respect to any hospital facilities acquired or constructed under the provisions of this Act, is authorized to enter into leases with private agencies for the operation and maintenance of such hospital facilities or useable separable portions thereof upon such terms, including the period of any such leases, annual rentals, provision for joint use of facilities, provisions for operation; maintenance, repair, and replacement of buildings, equipment, machinery, and furnishings and appropriate security to assure the performance of any such leases, and to sell for cash or credit or to convey in exchange for other properties any such hospital facilities or useable separable portion thereof to private agencies on such terms as may be deemed by the Administrator to be in the public interest: *Provided*, That all hospitals participating in such center shall be required either to convey to the Government, free and clear of all incumbrance, the land and buildings now held by them or to sell the same at such prices as is agreed to and approved by the Federal Works Administrator and to pay the proceeds thereof to the Government at the option of the Federal Works Agency.

August 7, 1946

[S. 223]

[Public Law 648]

Hospital facilities,
D. C.

Acquisition of lands.

10 U. S. C. § 1339;
Supp. V, § 1330.
Ante, p. 809.

40 U. S. C. §§ 257,
258, 361-386, 258a-258c.

Surveys, construction,
etc.
Supra.

40 U. S. C. § 278a.

Leases with private
agencies.

Conveyances, etc.,
by participating hos-
pitals.

SEC. 3. In carrying out the purposes of this Act, the Federal Works Administrator shall provide a hospital center of such size and design as he shall deem feasible and economical of operation.

Hospital center.

SEC. 4. In carrying out the provisions of this Act the Federal Works Administrator is authorized to utilize the services of or to act through the United States Public Health Service in the Federal Security Agency, the Federal Works Agency, and any other department or agency of the United States, and any funds appropriated pursuant to this Act shall be available for transfer to such department or agency in reimbursement thereof.

Utilization of PHS services, etc.

Transfer of funds.

SEC. 5. Thirty per centum of the net amount expended by the Federal Works Administrator under this Act shall be charged against the District of Columbia and shall be repaid to the Government by the Commissioners of the District of Columbia at such times and in such amounts, without interest, as the Congress shall hereafter determine. The District of Columbia shall be entitled to 30 per centum of the sale price of any of the properties sold by the Federal Works Administrator under section 2 of this Act, other than properties the value of which is deducted from the gross amount expended to determine the net amount upon which the 30 per centum to be charged against the District of Columbia is computed, and the District of Columbia shall also be entitled to receive 30 per centum of any rentals received from the leasing of any of the hospital facilities acquired or constructed by the Federal Works Administrator under this Act. The amounts which may be due the District hereunder shall be credited on the amount owed the Government by the District of Columbia until such obligation of the District is discharged in full.

Expenditures charged against D. C.

D. C. percentages of sale price and rentals.

SEC. 6. For carrying out the purposes of this Act, including administrative expenses, there is hereby authorized to be appropriated during the period ending June 30, 1952, the sum of \$35,000,000 to be appropriated at such times and in such amounts as the Congress shall determine.

Appropriation authorized.

Approved August 7, 1946.

[CHAPTER 804]

AN ACT

To provide for the disposition of vessels, trophies, relics, and material of historical interest by the Secretary of the Navy, and for other purposes.

August 7, 1946

[S. 1547]

[Public Law 640]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized, upon such terms and conditions as he may in his discretion prescribe, to transfer by gift or otherwise obsolete or condemned vessels of the United States Navy or captured vessels in the possession of the Navy to any of the several States, Territories, or possessions of the United States, and political subdivisions, or municipal corporations thereof, the District of Columbia, Canal Zone, or to corporations or associations whose charter or articles of agreement denies them the right to operate for profit. The transfer agreement for the disposition of any vessel shall include a stipulation that the transferee shall maintain the vessel in a condition satisfactory to the Navy Department and that no expense shall result to the United States as a consequence of such transfer or as a consequence of such terms and conditions prescribed by the Secretary of the Navy: *Provided*, That the provisions of section 34 (a) of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. 1611) shall apply to this Act.

Navy.
Transfer of obsolete vessels by gift, etc.

Transfer agreement.

SEC. 2. The Secretary of the Navy is authorized, in his discretion, to loan or give to any of the several States, Territories, or possessions of the United States, and political subdivisions or municipal corporations thereof, the District of Columbia, Canal Zone, Soldiers'

58 Stat. 763.
50 U. S. C., Supp.
V, app. § 1643 (a).

Loan, etc., of obsolete and other material.

Monument Associations, post of the Grand Army of the Republic, posts of the Veterans of Foreign Wars of the United States, posts of The American Legion, and other recognized war veteran associations, State museums, libraries, historical societies, and museums operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, and posts of the Sons of Veterans Reserve, educational institutions whose graduates or students fought in World War I or World War II, captured, condemned, or obsolete ordnance, guns, projectiles, books, manuscripts, works of art, drawings, plans, models, and other condemned or obsolete material, trophies, and flags, and other material of historic interest which may not be needed in the service of the Navy Department: *Provided*, That the material authorized by this section to be loaned or given by the Secretary of the Navy shall not include any records of the Federal Government as defined in the Act approved July 7, 1943 (57 Stat. 380; 44 U. S. C. 366).

Government records.

44 U. S. C., Supp. V, §§ 366-380.

Gifts, etc., to sponsors or donors.

SEC. 3. The Secretary of the Navy is authorized to loan or give to any individual who sponsored a ship or vessel, the name plate or any small article of a negligible or sentimental value, from that ship or vessel and any person, State, group, or organization named in section 2 of this Act who donated any article, material, or equipment including donations of silver service, may receive such articles, equipment, or material at the discretion of the Secretary of the Navy. The loans or gifts described in sections 2 and 3 of this Act shall be made subject to such rules and regulations as may be prescribed by the Secretary of the Navy and the Government shall be at no expense in connection with any such loan or gift.

Rules and regulations.

Transfer of trophies, etc., to Treasury Department.

SEC. 4. The Secretary of the Navy is authorized to transfer, without reimbursement, such devices and trophies as he may in his discretion determine, to the Secretary of the Treasury for the promotion of the sale of war or victory bonds, and to any other Government agency for scientific, experimental, monumental, or display purposes. The Secretary of the Treasury is authorized to sell or donate such war devices and trophies for the promotion of the sale of war or victory bonds.

Sale or donation.

Binoculars.

SEC. 5. Any person who gave or loaned binoculars to the United States or to the United States Navy in order that such binoculars might be used in the naval service during World War II and to whom the binoculars given or loaned cannot be returned, shall be entitled to receive from the Secretary of the Navy binoculars similar in type to the binoculars given or loaned.

Transmittal of information to Congress.

SEC. 6. No transfer, loan, or gift authorized by section 1 or 2 of this Act shall take effect until information of the proposal to make such transfer, loan, or gift has been transmitted to the Congress. The transfers authorized by section 1 of this Act shall take effect upon the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which information of the proposal to make such transfer is transmitted to the Congress; but only if, between the date of transmittal and the expiration of such sixty-day period there has not been passed by the two Houses a concurrent resolution stating in substance that the Congress does not favor the proposed transfer. The loans and gifts authorized by section 2 of this Act shall take effect upon the expiration of the first period of thirty calendar days of continuous session of the Congress following the date on which information of the proposal to make such loan or gift is transmitted to the Congress; but only if, between the date of transmittal and the expiration of such thirty-day period, there has not been passed by the two Houses a concurrent resolution stating in substance that the Congress does not favor the proposed loan or gift.

Approved August 7, 1946.

[CHAPTER 805]

AN ACT

To amend the Act entitled "Compensation for injury, death, or detention of employees of contractors with the United States outside the United States", as amended, for the purpose of making the 100 per centum earning provisions effective as of January 1, 1942.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes", approved December 2, 1942 (42 U. S. C. 1701), is amended by adding to the final proviso in the last paragraph of section 101 (b) (1) thereof, as added by title I of the Act approved December 23, 1943 (57 Stat. 626), upon changing the final period to a semicolon, the following: "and in such cases benefits for detention shall accrue from January 1, 1942, unless the beginning of absence occurred upon a later date in which event benefits shall accrue from such later date, and for the period of such absence shall be 100 per centum of the average weekly wages, determined as herein provided: *And provided further,* That compensation for disability under this title (except under allowance for scheduled losses of members or functions of the body, within the purview of section 102 (a)) shall not be paid in any case in respect to any period of time during which benefits for detention may accrue under this title in the same case, and should a person entitled to benefits for detention also be entitled to workmen's compensation or similar benefits under any other law, agreement, or plan (except allowances for scheduled losses of members or functions of the body), where such other benefits are paid or to be paid directly or indirectly by the United States, the amount thereof accruing as to the period of absence shall be taken into account and the benefits credited to the account of the detained person reduced accordingly: *And provided further,* That where through mistake of fact, absence or proof of death, or error through lack of adequate information or otherwise, payments as for detention have in any case been erroneously made or credited, any resulting overpayment of detention benefits (the recovery of which is not waived as otherwise provided for in this section) shall be recouped by the Commission in such manner as it shall determine from any unpaid accruals to the account of the detained person, and if such accruals are insufficient for such purpose, then from any allowance of compensation for injury or death in the same case (whether under this title or under any other law, agreement, or plan, if the United States pays, or is obligated to pay, such benefits, directly or indirectly), but only to the extent of the amount of such compensation benefits payable for the particular period of such overpayment, and in cases of erroneous payments of compensation for injury or death, made through mistake of fact, whether under this title or under any other law, agreement, or plan (if the United States is obligated to pay such compensation, directly or indirectly), the Commission is authorized to recoup from any unpaid benefits for detention, the amount of any overpayment thus arising; and any amounts recovered under this section shall be covered into such compensation fund, and for the foregoing purposes the Commission shall have a right of lien, intervention, and recovery in any claim or proceeding for compensation."

SEC. 2. The provisions of section 1 of this Act shall apply in all cases coming within the purview of section 101 (b) of such Act of December 2, 1942, and shall be applied retrospectively to January 1, 1942; and the United States Employees' Compensation Commission is authorized to review any case affected by such provisions, and to make the adjustment of benefits which they require. In cases in which

August 7, 1946
[S. 1561]
[Public Law 650]

Contractors with
U. S.
Benefits to certain
employees.

42 U. S. C., Supp.
V, § 1701 (b) (i).
Enemy detention.

Disability compen-
sation.

56 Stat. 1031.
42 U. S. C., Supp.
V, § 1702 (a).

Overpayment of de-
tention benefits, re-
coupment.

Retroactive provi-
sions.

Supra.

Adjudicated claims.

claims for benefits under such section 101 (b) have been adjudicated, and the detained person has died since such adjudication, any amounts found to be due upon such review shall be paid to his legal representative.

Approved August 7, 1946.

[CHAPTER 806]

AN ACT

Granting a right-of-way at a revised location to the West Shore Railroad Company, the New York Central Railroad Company, lessee, across a portion of the military reservation at West Point.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress, assembled, That the consent of the United States is hereby given to the relocation requested by the Secretary of War, of the railroad of the West Shore Railroad Company, the New York Central Railroad Company being the lessee, across the property belonging to the Government at West Point, in the State of New York, and to the maintenance and operation of said railroad upon such relocated line, subject to such conditions and regulations as may be approved by the Secretary of War.

Approved August 7, 1946.

[CHAPTER 807]

AN ACT

To provide for the return of certain securities to the Philippine Commonwealth Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to transfer and deliver to the Republic of the Philippines certain securities in the principal amount of \$6,269,750, which securities were deposited with the Government of the United States by the Philippine Commonwealth Government, and now in the custody of the Treasurer of the United States, in accordance with Commonwealth Act Numbered 282, approved June 3, 1938, as security to the United States against the loss, damage, or destruction of military supplies and equipment made available by the United States for the use of the armed forces of the Philippine Commonwealth Government.

Approved August 7, 1946.

[CHAPTER 808]

AN ACT

To provide that the unexpended proceeds from the sale of 50-cent pieces coined in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, New York, may be paid into the general fund of such city.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, New York", approved June 16, 1936, is amended by adding at the end thereof the following: "Any unexpended proceeds may be paid by such committee to the city of Albany, New York, for deposit in the general fund of such city."

Approved August 7, 1946.

August 7, 1946

[S. 2020]

[Public Law 651]

West Point, N. Y.
Consent to relocation of railroad.

August 7, 1946

[S. 2210]

[Public Law 652]

Philippines.
Transfer of securities.

August 7, 1946

[S. 2332]

[Public Law 653]

Albany, N. Y.
Proceeds of commemorative coinage.

49 Stat. 1522.

[CHAPTER 809]

AN ACT

To authorize the continuance of the acceptance by the Treasury of deposits of public moneys from the Philippine Islands.

August 7, 1946
[S. 2348]
[Public Law 664]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 11, 1934 (48 Stat. 929; U. S. C., title 48, sec. 1157), is hereby amended by inserting after the words "government of the Philippine Islands" the words "or the Republic of the Philippines".

SEC. 2. This Act shall be effective on the date the independence of the Philippine Islands is proclaimed by the President of the United States and shall terminate on July 1, 1951.

11 F. R. 7517.

Approved August 7, 1946.

[CHAPTER 810]

AN ACT

To amend further the Act of April 6, 1938, as amended by the Act of July 9, 1941, entitled "An Act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Florida, for Coast Guard purposes".

August 7, 1946
[S. 2419]
[Public Law 665]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 6, 1938 (52 Stat. 201), as amended by the Act of July 9, 1941 (55 Stat. 580), is hereby further amended by adding a new section thereto reading as follows:

Coast Guard.

"SEC. 3. In addition to the authority granted by this Act to exchange the existing Coast Guard site (commonly known as the Base Six property) located at Fort Lauderdale, Broward County, in the State of Florida, the Secretary of the Treasury is authorized to sell and convey said property to the municipality of Fort Lauderdale, Broward County, Florida, at not less than its fair market value, as determined by the Board of Coast Guard officers referred to in section 1 hereof, and to devote the proceeds thereof, to the same purposes for which such property may be exchanged under the provisions of this Act: *Provided*, That the municipality of Fort Lauderdale shall consummate such purchase not less than six months after the property is offered to said municipality for sale."

Sale of property to Fort Lauderdale, Fla.

Time limitation.

Approved August 7, 1946.

[CHAPTER 811]

JOINT RESOLUTION

To extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation.

August 7, 1946
[S. J. Res. 156]
[Public Law 666]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) the first sentence of section 4 of the Reconstruction Finance Corporation Act, as amended, is hereby further amended by striking out "for a period of fifteen years from the date of the enactment hereof" and inserting in lieu thereof "through June 30, 1947"; and the first sentence of section 14 of the Reconstruction Finance Corporation Act, as amended, is hereby further amended by striking out "at the expiration of the fifteen years for which the Corporation has succession hereunder" and inserting in lieu thereof "prior to July 1, 1947"; and (b) section 5d of the Reconstruction Finance Corporation Act, as amended, the Act approved January 26, 1937 (50 Stat., ch. 6, p. 5), as amended, and the Act approved February 11, 1937 (50 Stat., ch. 10, p. 19), as amended, are hereby further amended by striking out "January 22, 1947" wherever appearing and in each instance inserting in lieu thereof "June 30, 1947".

RFC.

54 Stat. 574.
15 U. S. C. § 604.

54 Stat. 574.
15 U. S. C. § 614.

54 Stat. 574; 55 Stat. 245.
15 U. S. C. §§ 606b, 615c, 713b; Supp. V, §§ 606b, 713b.

Purchase of loans.
58 Stat. 284.
38 U. S. C., Supp.
V, §§ 693-697c.
Ante, p. 239; *post*,
p. 332.

SEC. 2. To furnish a market for loans guaranteed or insured under the provisions of the Servicemen's Readjustment Act of 1944, as amended, Reconstruction Finance Corporation is authorized, under such terms and conditions and in such manner as it may determine, to purchase directly or through a subsidiary, loans so guaranteed or insured.

Loans, etc., to Phil-
ippines.

SEC. 3. The Reconstruction Finance Corporation is hereby authorized to lend or extend credit to the Government of the Republic of the Philippines in an amount or amounts not exceeding in the aggregate \$75,000,000 at such time or times before July 1, 1947, and upon such terms and conditions as the Reconstruction Finance Corporation after consultation with the National Advisory Council on International Monetary and Financial Problems shall deem to be warranted by the financial position of the Government of the Republic of the Philippines: *Provided*, That the rate of interest to be charged in connection with any loan or extension of credit made pursuant to this section shall not be less than 2 per centum per annum.

Rate of interest.

Approved August 7, 1946.

[CHAPTER 864]

AN ACT

August 7, 1946
[S. 1477]
[Public Law 657]

To authorize relief in certain cases where work, supplies, or services have been furnished for the Government under contracts during the war.

Government con-
tracts.
Settlement of
claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where work, supplies, or services have been furnished between September 16, 1940, and August 14, 1945, under a contract or subcontract, for any department or agency of the Government which prior to the latter date was authorized to enter into contracts and amendments or modifications of contracts under section 201 of the First War Powers Act, 1941 (50 U. S. C., Supp. IV, app., sec. 611), such departments and agencies are hereby authorized, in accordance with regulations to be prescribed by the President within sixty days after the date of approval of this Act, to consider, adjust, and settle equitable claims of contractors, including subcontractors and materialmen performing work or furnishing supplies or services to the contractor or another subcontractor, for losses (not including diminution of anticipated profits) incurred between September 16, 1940, and August 14, 1945, without fault or negligence on their part in the performance of such contracts or subcontracts. Settlement of such claims shall be made or approved in each case by the head of the department or agency concerned or by a central authority therein designated by such head.

55 Stat. 839.
50 U. S. C., Supp.
V, app. § 611.

Amounts not allow-
able.

SEC. 2. (a) In arriving at a fair and equitable settlement of claims under this Act, the respective departments and agencies shall not allow any amount in excess of the amount of the net loss (less the amount of any relief granted subsequent to the establishment of such loss) on all contracts and subcontracts held by the claimant under which work, supplies, or services were furnished for the Government between September 16, 1940, and August 14, 1945, and shall consider with respect to such contracts and subcontracts (1) action taken under the Renegotiation Act (50 U. S. C., Supp. IV, app., sec. 1191), the Contract Settlement Act of 1944 (41 U. S. C., Supp. IV, sec 101-125), or similar legislation; (2) relief granted under section 201 of the First War Powers Act, 1941, or otherwise; and (3) relief proposed to be granted by any other department or agency under this Act. Wherever a department or agency considering a claim under this Act finds that losses under any such contract or subcontract affected the computation of the amount of excessive profits determined in a renegotiation

56 Stat. 245.
50 U. S. C., Supp.
V, app. § 1191.
58 Stat. 649.
41 U. S. C., Supp.
V, §§ 101-125.
Supra.

agreement or order, and to the extent that the department or agency finds such amount was thereby reduced, claims for such losses shall not be allowed under this Act.

(b) Every claimant under this Act shall furnish to the department or agency concerned any evidence within the possession of such claimant bearing upon the matters referred to in subsection (a) of this section.

SEC. 3. Claims for losses shall not be considered unless filed with the department or agency concerned within six months after the date of approval of this Act, and shall be limited to losses with respect to which a written request for relief was filed with such department or agency on or before August 14, 1945, but a previous settlement under the First War Powers Act, 1941, or the Contract Settlement Act of 1944 shall not operate to preclude further relief otherwise allowable under this Act.

SEC. 4. Appropriations or funds available for work, supplies, or services of the character involved in the respective claims at the time of settlement thereof shall be available for payment of the settlements: *Provided*, That where no such appropriations are available, appropriations for payment of such settlements are hereby authorized.

SEC. 5. Each department and agency shall report to the Congress quarterly the name of each claimant to whom relief has been granted under this Act, together with the amount of such relief and a brief statement of the facts and the administrative decision.

SEC. 6. Whenever any claimant under this Act is dissatisfied with the action of a department or agency of the Government in either granting or denying his claim, such claimant shall have the right within six months to file a petition with any Federal district court of competent jurisdiction, asking a determination by the court of the equities involved in such claim; and upon the filing of such a petition, the court, sitting as a court of equity, shall have jurisdiction to determine the amount, if any, to which such claimant and petitioner may be equitably entitled (not exceeding the amount which might have been allowed by the department or agency concerned under the terms of this Act) and to enter an order directing such department or agency to settle the claim in accordance with the finding of the court; and thereafter either party may appeal from the decision of the court as in other equity cases.

Approved August 7, 1946.

[CHAPTER 865]

AN ACT

To provide for health programs for Government employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of promoting and maintaining the physical and mental fitness of employees of the Federal Government, the heads of departments and agencies, including Government-owned and controlled corporations are authorized, within the limits of appropriations made available therefor, to establish by contract or otherwise, health service programs which will provide health services for employees under their respective jurisdictions: *Provided*, That such health service programs shall be established only after consultation with the Public Health Service and consideration of its recommendations, and only in localities where there are a sufficient number of Federal employees to warrant the provision of such services, and shall be limited to (1) treatments of on-the-job illness and dental conditions requiring emergency attention; (2) preemployment and other examinations; (3) referral of employees

Furnishing of evidence by claimant.

Filing of claims.

55 Stat. 838.
50 U. S. C., Supp. V, app. §§ 601-622.
Ante, p. 60; *post*, p. 925.
58 Stat. 649.
41 U. S. C., Supp. V, §§ 101-125.
Funds for payment of settlements.

Appropriations authorized.

Reports to Congress.

Petition for court determination.

Appeal.

August 8, 1946
[H. R. 2716]
[Public Law 658]

Federal employees.
Health service programs.

Consultation with PHS.

Limitations.

Programs not af-
fected.

Continuation of
present programs.

Review by PHS.

"Physician."

39 Stat. 750.
5 U. S. C., Supp. V,
§ 790.

to private physicians and dentists; and (4) preventive programs relating to health: *Provided further*, That the health program now being conducted by the Tennessee Valley Authority and by the Panama Canal and Panama Railroad Company shall not be affected by the provisions of this Act: *And provided further*, That such health programs as are now being conducted for other Federal employees may be continued until June 30, 1947. The Public Health Service, when requested to do so, shall review the health service programs being conducted by any department or agency under authority of this Act and shall submit appropriate comment and recommendations. Wherever the professional services of physicians are authorized to be utilized under this Act, the definition of "physician" contained in the Act of September 7, 1916, as amended (U. S. C., 1940 edition, title 5, sec. 790), shall be applicable.

Approved August 8, 1946.

[CHAPTER 866]

AN ACT

To provide increased pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become disabled by reason of their service therein during other than a period of war.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph II of part II of Veterans' Regulation Numbered 1 (a), as amended, is amended to read as follows:

"II. For the purposes of part II, paragraph I (a) hereof, if the disability results from injury or disease—

"(a) If and while the disability is rated 10 per centum the monthly pension shall be \$10.35.

"(b) If and while the disability is rated 20 per centum the monthly pension shall be \$20.70.

"(c) If and while the disability is rated 30 per centum the monthly pension shall be \$31.05.

"(d) If and while the disability is rated 40 per centum the monthly pension shall be \$41.40.

"(e) If and while the disability is rated 50 per centum the monthly pension shall be \$51.75.

"(f) If and while the disability is rated 60 per centum the monthly pension shall be \$62.10.

"(g) If and while the disability is rated 70 per centum the monthly pension shall be \$72.45.

"(h) If and while the disability is rated 80 per centum the monthly pension shall be \$82.80.

"(i) If and while the disability is rated 90 per centum the monthly pension shall be \$93.15.

"(j) If and while the disability is rated as total the monthly pension shall be \$103.50.

"(k) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of one foot, or one hand, or blindness of one eye, having only light perception, the rate of pension provided in part II, paragraph II, subparagraphs (a) to (j), shall be increased by \$31.50 per month; and in the event of anatomical loss or loss of use of one foot, or one hand, or blindness of one eye, having only light perception, in addition to the requirement for any of the rates specified in subparagraphs (l) to (n), inclusive, of part II, paragraph II, as herein amended, the rate of pension shall be increased by \$31.50 per month for each such loss or loss of use but in no event to exceed \$270 per month.

August 8, 1946
[H. R. 3908]
[Public Law 659]

Veterans' Regula-
tions, amendment.
38 U. S. C. note foll.
§ 724; Supp. V, note
foll. § 735.

Anatomical losses.

Supra.

Post, p. 906.

"(l) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss, or loss of use of both hands, or both feet, or of one hand and one foot, or is blind in both eyes, with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, the monthly pension shall be \$180.

"(m) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of two extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, or has suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, the monthly pension shall be \$211.50.

"(n) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss of two extremities so near the shoulder or hip as to prevent the use of a prosthetic appliance or has suffered the anatomical loss of both eyes, the monthly pension shall be \$238.50.

"(o) If the disabled person, as the result of service-incurred disability, has suffered disability under conditions which would entitle him to two or more of the rates provided in one or more of the subparagraphs (l) to (n), inclusive, of part II, paragraph II, of this regulation, no condition being considered twice in the determination, or has suffered total deafness in combination with total blindness with 5/200 visual acuity or less, the monthly pension shall be \$270.

"(p) In the event the disabled person's service-incurred disabilities exceed the requirements for any of the rates prescribed herein, the Administrator, in his discretion, may allow the next higher rate or an intermediate rate, but in no event in excess of \$270."

SEC. 2. The increased rates provided by this Act shall be effective from the first day of the second month following the passage of this Act, and shall be deemed to include the 15 per centum increase in the rate of compensation or pension payable for service-incurred disability under Public Law 469, Seventy-eighth Congress, December 7, 1944.

Approved August 8, 1946.

Person entitled to two or more rates.

Supra.

Disabilities exceeding requirements.

Effective date.

58 Stat. 797.
38 U. S. C., Supp. V, § 471a-2.

[CHAPTER 867]

AN ACT

To amend the Act entitled "An Act to provide reemployment rights for persons who leave their positions to serve in the merchant marine, and for other purposes", approved June 23, 1943 (57 Stat. 162), and for other purposes.

August 8, 1946
[H. R. 3973]
[Public Law 660]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective as of June 23, 1943, the Act entitled "An Act to provide reemployment rights for persons who leave their positions to serve in the merchant marine, and for other purposes", approved June 23, 1943 (57 Stat. 162), is amended to read as follows:

Merchant marine.
Reemployment rights.

50 U. S. C., Supp. V, app. §§ 1471-1475.
Post, p. 945.

"Service in the merchant marine."

(a) When used in this Act the term "service in the merchant marine" means (1) service as an officer or member of the crew on or in connection with a vessel documented under the laws of the United States or a vessel owned by, chartered to, or operated by or for the account or use of the Administrator, as an enrollee in the United States Maritime Service on active duty, and, to such extent as the Administrator shall prescribe, any period awaiting assignment to such service and any period of education or training for such service in any school or institution under the jurisdiction of the Administrator; and (2) service as a civilian officer or member of the crew on or in connection with a vessel owned by, chartered to, or operated by or for the account or use of the War Department.

(b) Any person entering service in the merchant marine after May 1, 1940, and before the termination of the unlimited national emergency

Certificate.

55 Stat. 1647.
50 U. S. C., Supp.
V, app., note prec. § 1.

declared by the President on May 27, 1941, who, in accordance with rules and regulations prescribed by the Administrator, War Shipping Administration, completes a period of substantially continuous service in the merchant marine, shall be entitled to a certificate to that effect from the Administrator upon completion of such period, which shall include a record of any special proficiency or merit obtained.

Restoration to former positions.

SEC. 2. (a) In the case of any such person who, in order to perform service in the merchant marine, has left or leaves a position, other than a temporary position, in the employ of any employer and who (1) receives such certificate, (2) is still qualified to perform the duties of such position, and (3) makes application for reemployment within ninety days after completion of such service, and, in the case of that person described in subsection (b) of this section who fulfills the requirements of clauses (1) and (2) of this subsection and in the case of that person described in subsection (c) of this section who fulfills the requirements of clauses (1) and (2) of section 8 (b) of the Selective Training and Service Act of 1940, as amended, and makes application for reemployment within ninety days after completion of service in the merchant marine or relief from training and service in the land or naval forces or, in the case of any person described in this section, within ninety days from hospitalization continuing after such completion or such relief for a period of not more than one year—

54 Stat. 850.
50 U. S. C. app. § 308
(b); Supp. V, § 308 (b).

U. S. Government.

(A) if such position was in the employ of the United States Government, its Territories or possessions, or the District of Columbia, such persons shall be restored to such position or to a position of like seniority, status, and pay, without regard to whether such position shall have been covered into the classified civil service during the period of his military, naval or merchant marine service;

Private employer.

(B) if such position was in the employ of a private employer, such employer shall restore such person to such position or to a position of like seniority, status, and pay unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so;

State or political subdivision.

(C) if such position was in the employ of any State or political subdivision thereof, it is hereby declared to be the sense of the Congress that such person should be restored to such position or to a position of like seniority, status, and pay.

Reemployment benefits.

55 Stat. 1647.
50 U. S. C., Supp.
V, app., note prec. § 1.

(b) Any person who, after May 1, 1940, and before the termination of the unlimited national emergency declared by the President on May 27, 1941, shall have entered upon active military or naval service in the land or naval forces of the United States, and who shall thereafter, within the aforesaid period, have been discharged or released from active service and have received a certificate evidencing satisfactory completion of such active service, and who shall, within thirty days from date of discharge or release from active service, have entered upon service in the merchant marine, shall be entitled to all the reemployment benefits of this Act, as amended, to the same extent as in the case of any person who, in order to perform service in the merchant marine, has left or leaves a position, other than a temporary position, in the employ of any employer, in lieu of the reemployment benefits of the Selective Training and Service Act of 1940, as amended, and of the Service Extension Act of 1941, as amended.

54 Stat. 885; 55 Stat. 626.

50 U. S. C. app. §§ 301-318; Supp. V, §§ 302 et seq., 351-357, 359-362.

Ante, pp. 181, 341, 342, 871; post, p. 971.
Supra.

(c) Any person who, after May 1, 1940, and before the termination of the unlimited national emergency declared by the President on May 27, 1941, shall have entered upon service in the merchant marine, and who shall thereafter within the aforesaid period have terminated such service in the merchant marine solely in order to perform active military or naval service in the land or naval forces of the United

States, and who shall, within thirty days from date of termination of his service in the merchant marine, have entered upon such active military or naval service, and who shall thereafter have received a partial certificate of substantially continuous service, shall be entitled to all the reemployment benefits of the Selective Training and Service Act of 1940, as amended, and of the Service Extension Act of 1941, as amended, to the same extent as in the case of any person who, in order to perform active military or naval service in the land or naval forces of the United States, has left or leaves a position other than a temporary position, in the employ of any employer, in lieu of the reemployment benefits of this Act, as amended.

(d) Any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (a) shall be considered as having been on furlough or leave of absence during his period of service, shall be so restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person entered such service, and shall not be discharged from such position without reasonable cause within one year after such restoration.

SEC. 3. In case any private employer fails or refuses to comply with the provisions of section 2, the district court of the United States for the district in which such private employer maintains a place of business shall have power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, to specifically require such employer to comply with such provisions, and, as an incident thereto, to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action. The court shall order a speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States district attorney or comparable official for the district in which such private employer maintains a place of business, by any person claiming to be entitled to the benefits of such provisions, such United States district attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof to specifically require such employer to comply with such provisions: *Provided*, That no fees or court costs shall be taxed against the person so applying for such benefits.

SEC. 4. Employees of the United States Government, its Territories or possessions, or the District of Columbia (including employers of any corporation created under authority of an Act of Congress which is either wholly controlled or wholly owned by the United States Government, or any corporation, all of the stock of which is owned or controlled by the United States Government, or any department, agency, or establishment thereof, whether or not the employees thereof are paid from funds appropriated by Congress), who, subsequent to May 1, 1940, shall have entered upon service in the merchant marine, shall be entitled to receive, in addition to any pay for such service, compensation in their civilian positions covering their accumulated or current accrued leave, or to elect to have such leave remain to their credit until their return from such service.

SEC. 5. The Administrator, War Shipping Administration, may make such rules and regulations as he deems necessary or appropriate to carry out the provisions of this Act.

Approved August 8, 1946.

54 Stat. 885; 55 Stat. 626.
50 U. S. C. app. §§ 301-318; Supp. V, §§ 302 et seq., 351-357, 359-362.
Ante, pp. 181, 341, 342, 871; *post*, p. 971.

Person considered on furlough, etc.

Power of court to require compliance by private employer.

Court costs.

Employees of U. S. Government. Compensation for accrued leave.

Rules and regulations.

[CHAPTER 868]

AN ACT

To amend the Act entitled "An Act to provide books for the adult blind."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 13, 1944 (58 Stat. 276), is amended to read as follows:

"That there is hereby authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, \$1,125,000, which sum shall be expended under the direction of the Librarian of Congress to provide books published either in raised characters, on sound-reproduction recordings, or in any other form, for the use of the adult blind residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia: *Provided*, That of said annual appropriation of \$1,125,000, not exceeding \$200,000 thereof shall be expended for books in raised characters and the balance remaining shall be expended for sound-reproduction recordings and for the purchase, maintenance, and replacement of reproducers for these sound-reproduction recordings, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind readers under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to section 5 of title 41, United States Code, shall give preference to non-profit-making institutions or agencies whose activities are primarily concerned with the blind, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable.

Sec. 2. This Act shall be applicable with respect to the fiscal year ending June 30, 1947, and for each fiscal year thereafter.

Approved August 8, 1946.

[CHAPTER 869]

AN ACT

Relating to veterans' pension, compensation, or retirement pay during hospitalization, institutional or domiciliary care, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (A) (1) where any veteran having neither wife, child, nor dependent parent is being furnished hospital treatment, institutional or domiciliary care by the Veterans' Administration, any pension, compensation, or retirement pay otherwise payable shall continue without reduction until the first day of the seventh calendar month following the month of enactment hereof, or the month of admission of such veteran for treatment or care, whichever is the later. If treatment or care extends beyond that period, the pension, compensation, or retirement pay, if \$30 per month or less, shall continue without reduction, but if greater than \$30 per month, the pension, compensation, or retirement pay shall not exceed 50 per centum of the amount otherwise payable or \$30 per month, whichever is the greater: *Provided*, That if such veteran is discharged from such treatment or care upon certification by the officer in charge of the hospital, institution, or home, that maximum benefits have been received or that release is approved, he shall be paid in a lump sum such additional amount as would equal the total sum by which his pension, compensation, or retirement pay has been reduced under

August 8, 1946

[H. R. 6455]

[Public Law 661]

2 U. S. C., Supp. V,

§ 136a.
Books for adult blind.

Appropriations au-

thorized.
Ante, p. 404.

Expenditures.

Purchases.

Ante, p. 809.

Applicability.

August 8, 1946

[H. R. 6811]

[Public Law 662]

Veterans.
Pensions during hos-
pitalization, etc.

Lump-sum pay-
ment.

this section: *Provided further*, That where treatment or care is terminated by the veteran against medical advice or as the result of disciplinary action the amount by which any pension, compensation, or retirement pay is reduced hereunder, shall be paid to him at the expiration of six months after such termination or, in the event of his prior death, as provided in paragraph (2) hereof; and the pension, compensation, or retirement pay of any veteran leaving against medical advice or as the result of disciplinary action shall, upon a succeeding readmission for treatment or care, be subject to reduction, as herein provided, from the date of such readmission, but if such subsequent treatment or care is continued until discharge therefrom upon certification, by the officer in charge of the hospital, institution, or home in which treatment or care was furnished, that maximum benefits have been received or that release is approved, the veteran shall be paid in a lump sum such additional amount as would equal the total sum by which his pension, compensation, or retirement pay has been reduced under this section subsequent to such readmission.

Treatment terminated against medical advice, etc.

Readmission.

Lump-sum payment.

(2) In the event of the death of any veteran subject to the provisions of this section, while receiving hospital treatment, institutional or domiciliary care, or prior to payment of any lump sum authorized herein, such lump sum shall be paid in the following order of precedence: First, to the widow, or widower; second, if the decedent left no widow, or widower, or the widow or widower be dead at time of settlement, then to the adult or minor children in equal parts; third, if no widow, widower, or children, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, widower, children, father, or mother at the time of settlement, then to the brothers and sisters in equal parts: *Provided*, That if there be no persons in the classes named to whom payment may be made hereunder, no payment shall be made, except there may be paid only so much of the lump sum as may be necessary to reimburse a person who bore the expenses of last sickness or burial, but no part of the lump sum shall be used to reimburse any political subdivision of the United States for expenses incurred in the last sickness or burial of such veteran: *Provided further*, That no payment shall be made under this paragraph unless claim therefor shall be filed with the Veterans' Administration within five years after the death of the veteran, except that if any person so entitled under this paragraph be under legal disability at the time of death of the veteran, said five-year period of limitation shall run from the termination or removal of the legal disability.

In event of death.

Reimbursement for burial, etc.

Restriction.

Filing of claims. Time limitation.

(B) Where any veteran having neither wife, child, nor dependent parent is being furnished hospital treatment, institutional or domiciliary care by the Veterans' Administration, and shall be rated by the Veterans' Administration in accordance with regulations as being incompetent by reason of mental illness, the pension, compensation, or retirement pay for such veteran shall be subject to the provisions of subsection (A) of this section: *Provided*, That no payment of a lump sum herein authorized shall be made until after the expiration of six months following a finding of competency: *Provided further*, That in any case where the estate of such incompetent veteran derived from any source equals or exceeds \$1,500, further payments of such benefits will not be made until the estate is reduced to \$500: *And provided further*, That all or any part of the pension, compensation, or retirement pay payable on account of any incompetent veteran may, in the discretion of the Administrator, and in accordance with instructions issued by the Administrator, be paid to the chief officer of the institution wherein the veteran is hospitalized, to be properly accounted for by said chief officer and to be used for the benefit of the veteran;

Veterans rated incompetent.

Lump-sum payment, restriction.

Estate of or exceeding \$1,500.

Payment to chief officer or guardian.

43 Stat. 613.
38 U. S. C. § 450 (1).

46 Stat. 993.
38 U. S. C. § 450 (3).

Apportionment to dependents.

Veteran deemed single, etc.

Repeals.
38 U. S. C., Supp. V, note foll. § 735.
Nonreduction of pension, etc.

48 Stat. 8.
38 U. S. C. § 700 et seq., note foll. § 724; Supp. V, § 701 et seq., note foll. § 735.
Ante, pp. 124, 299, 654, 904; *supra*; *post*, pp. 931, 934.
Monthly rates, increase.

57 Stat. 43; 58 Stat. 284.

38 U. S. C., Supp. V, § 701, note foll. § 735, §§ 693-697c.
Ante, pp. 124, 299; *post*, pp. 932, 934.
Effective date.

or may be paid to the guardian of the veteran in accordance with the provisions of paragraph 1 of section 21 of the World War Veterans' Act, 1924, as amended; or, in the event the veteran has a wife, child, or dependent parent, may, in the discretion of the Administrator, be paid to his wife or apportioned on behalf of such wife, child, or dependent parent; or otherwise be disposed of in accordance with the provisions of paragraph 3 of section 21 of the World War Veterans' Act, 1924, as amended.

(C) Where any veteran who is being furnished hospital treatment, institutional or domiciliary care by the United States, or any political subdivision thereof, has a wife, child, or dependent parent, the pension, compensation, or retirement pay may, in the discretion of the Administrator, be apportioned on behalf of such wife, child, or dependent parent, in accordance with instructions issued by the Administrator.

(D) Any veteran subject to the provisions of subsection (A) or (B) shall be deemed to be single and without dependents in the absence of satisfactory evidence to the contrary: *Provided*, That in no event shall increased compensation, pension, or retirement pay of such veteran be granted for any period more than one year prior to receipt of satisfactory evidence showing such veteran has a wife, child, or dependent parent.

(E) Subparagraphs (A), (B), (C), and (D) of paragraph VI of Veterans Regulation Numbered 6 (a), as amended, are hereby repealed.

(F) Notwithstanding any other provision of this section or any other provision of law, no reduction shall be made in the pension, compensation, or retirement pay of any veteran for any part of the period during which he is furnished hospital treatment, or institutional or domiciliary care, for Hansen's disease, by the United States or any political subdivision thereof.

(G) The administrative, definitive, penal, and forfeiture provisions of Public Law Numbered 2, Seventy-third Congress, Act of March 20, 1933, and the Veterans Regulations, as now or hereafter amended, not inconsistent with this section, shall be applicable under this section.

SEC. 2. That all monthly rates of compensation and pension payable to veterans of World War I and World War II and dependents of such veterans which are payable under any laws or regulations administered by the Veterans' Administration are hereby increased by 20 per centum: *Provided*, That such increase shall not apply to subsistence allowances payable under Public Laws Numbered 16 and 346, Seventy-eighth Congress, as amended.

The increases provided by this section shall be effective from the first day of the first month following the passage of this Act.

Approved August 8, 1946.

[CHAPTER 870]

JOINT RESOLUTION

Making additional appropriations for the fiscal year 1947, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide additional appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

August 8, 1946
[H. J. Res. 390]
[Public Law 663]

First Supplemental
Appropriation Act,
1947.

TITLE 1—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

To enable the Secretary of the Senate to make the additional disbursements and to perform the additional duties and functions required of his office by reason of the enactment of the Legislative Reorganization Act of 1946, fiscal year 1947, \$173,667; and he is hereby authorized, subject to the approval of the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate (Committee on Rules and Administration, if and when elected), to allocate necessary portions of the said sum to the various Senate appropriations and to make transfers between same, including those contained in the Legislative Branch Appropriation Act for the fiscal year 1947 and those provided for in the said Reorganization Act: *Provided, however*, That the positions and funds now allocated to any Senator or to any standing committee chairman shall be continued until March 31, 1947, unless otherwise directed by the Senator or the chairman.

Ante, p. 812.*Ante*, p. 386.

ADMINISTRATIVE ASSISTANTS TO SENATORS

For compensation of an administrative assistant to each Senator, to be appointed by him, at a base salary of not to exceed \$8,000 per year, to assist him in carrying out his departmental business and other duties, fiscal year 1947, \$384,000, or so much thereof as may be necessary, to be available at the beginning of the Eightieth Congress.

SENATE POLICY COMMITTEES

For maintenance of a staff for a majority policy committee and a minority policy committee in the Senate, consisting of seven members each, for the formulation of over-all legislative policy of the respective parties, the members of such staffs to assist in study, analysis, and research on problems involved in policy determinations, and to be appointed, and their compensation fixed, by the policy committee concerned, at rates not to exceed \$8,000 per annum in any case, \$15,000 for each such committee, in all, fiscal year 1947, \$30,000, to be available at the beginning of the Eightieth Congress.

CONTINGENT EXPENSES OF THE SENATE

Ante, p. 391.

For purchase, exchange, driving, maintenance, and operation of two automobiles, one for the majority leader of the Senate and one for the minority leader of the Senate, fiscal year 1947, \$13,000.

For an additional amount for expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1947, \$150,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

44 Stat. 683.
5 U. S. C. §§ 821-823,
824-833; Supp. V, § 823.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For an amount necessary to increase salaries in the Senate Press Gallery, beginning July 1, 1946, as follows: Superintendent from \$3,660 to \$3,820; one assistant superintendent from \$3,000 to \$3,200;

Ante, p. 391.

and one assistant superintendent from \$1,920 to \$2,100; in all, fiscal year 1947, \$540; and the Legislative Branch Appropriation Act for the fiscal year 1947 hereby is amended accordingly.

HOUSE OF REPRESENTATIVES

Ante, p. 393.

Salaries and expenses, Office of the Clerk: Subject to the approval of the chairman of the Committee on Accounts (Committee on House Administration, if and when elected), the Clerk of the House of Representatives is authorized, until February 15, 1947, to incur such expenses for personal services and for supplies and materials as may be necessary to enable him to discharge the additional duties imposed upon him by S. 2177, Seventy-ninth Congress, and to charge such expenses to the contingent fund of the House: *Provided*, That this authority is subject to the enactment into law of such S. 2177.

Ante, p. 812.

Ante, pp. 283, 398.

Contingent expenses, folding documents: For an additional amount for folding speeches and pamphlets, at a rate not exceeding \$1 per thousand or for the employment of personnel at a rate not to exceed \$5.20 per day per person, fiscal year 1947, \$15,000.

Ante, p. 399.

JOINT COMMITTEE ON PRINTING

Post, p. 1330.

Biographical Congressional Directory: To enable the Secretary of the Senate to pay, upon vouchers approved by the chairman or vice chairman of the Joint Committee on Printing, for compiling and preparing a revised edition of the Biographical Directory of the American Congress (1774–1948) as provided for in House Concurrent Resolution Numbered 163, adopted July 26, 1946, not to exceed \$35,000; and said sum or any part thereof, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, may be paid as additional compensation (at not to exceed \$1,800 per annum) to any employee of the United States, and shall continue to be available until expended.

JOINT COMMITTEE ON THE ECONOMIC REPORT

Ante, p. 25.

For salaries and expenses of the Joint Committee on the Economic Report created by section 5 of Public Law Numbered 304, Seventy-ninth Congress, entitled "An Act to declare a national policy on employment, production, and purchasing power, and for other purposes", approved February 20, 1946, fiscal year 1947, \$25,000.

Ante, p. 60.

EXECUTIVE OFFICE OF THE PRESIDENT

ARMED FORCES LEAVE PAYMENTS

Post, p. 936.

Ante, p. 219.

Payments under the Armed Forces Leave Act of 1946: For all expenses necessary to enable the President through the Treasury, War, and Navy Departments to carry out the provisions of the Armed Forces Leave Act of 1946, including cash payments to members and former members of the armed forces, payments to the Treasurer of the United States of amounts representing the face value of bonds issued to such servicemen, and administrative expenses until June 30, 1948, including printing and binding, penalty mail costs, and personal services in the District of Columbia and elsewhere without regard to section 14 (a) of the Federal Employees Pay Act of 1946, \$2,431,708,000, to be available (except as to administrative expenses) until expended and for allocation to said departments by transfer to and merger with appropriations thereof or otherwise, in such amounts respectively as may be determined by the Director of the Bureau of the Budget.

ATOMIC ENERGY

Such part as the President may determine of the unexpended balances of appropriations, allocations, or other funds available for expenditure in connection with the Manhattan Engineer District are hereby transferred to and shall be available for allocation by the President to such agencies as he may determine for expenditure for the purpose of carrying out provisions of the Atomic Energy Act of 1946: *Provided*, That such appropriations shall be available for personal services in the District of Columbia and elsewhere without regard to section 14 (a) of the Federal Employees Pay Act of 1946.

Ante, p. 755.*Ante*, p. 219.

COUNCIL OF ECONOMIC ADVISERS

Salaries and expenses: For all necessary expenses, fiscal year 1947, of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (Public Law 304), including personal services in the District of Columbia and elsewhere; temporary employment of persons or organizations without regard to civil-service and classification laws; acceptance and utilization of voluntary and uncompensated services; lawbooks, books of reference, newspapers, and periodicals; printing and binding; purchase of one, and hire, maintenance, operation, and repair of passenger automobiles; travel expenses, including expenses of attendance at meetings or organizations concerned with the work of this agency; and not to exceed \$8,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); \$275,000.

Ante, p. 24.58 Stat. 394.
39 U. S. C., Supp. V,
§ 321d.

OFFICE OF PRICE ADMINISTRATION

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses", including the objects and subject to the conditions specified under this head in the Third Deficiency Appropriation Act, 1946, \$26,000,000.

Ante, p. 608.

OVERTIME, LEAVE, AND HOLIDAY COMPENSATION

Overtime, leave, and holiday compensation: To enable the President through the departments and agencies concerned to pay claims for overtime, leave, and holiday compensation at night rates as certified under the provisions of H. R. 6532, Seventy-ninth Congress, and subject to the enactment of such bill, \$20,000,000, to be available until expended for allocation to the departments and agencies concerned in such amounts respectively as may be determined by the Director of the Bureau of the Budget.

Ante, p. 747.

INDEPENDENT OFFICES

FEDERAL SECURITY AGENCY

Grants to States for maternal and child health services: For an additional amount, fiscal year 1947, for grants to States for maternal and child health services, including the objects specified under this head in the Department of Labor Appropriation Act, 1947, \$6,885,000: *Provided*, That such additional amounts shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are entitled for each fiscal year by reason of section 401 of the Social Security Act Amendments of 1946.

Ante, p. 681.*Post*, p. 986.

Grants to States for services for crippled children: For an additional amount, fiscal year 1947, for grants to States for services for crippled

Ante, p. 681. children, including the objects specified under this head in the Department of Labor Appropriation Act, 1947, \$4,597,500: *Provided*, That such additional amounts shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are entitled for each fiscal year by reason of section 401 of the Social Security Act Amendments of 1946.

Post, p. 986. Grants to States for child-welfare services: For an additional amount, fiscal year 1947, for grants to States for child-welfare services, including the objects specified under this head in the Department of Labor Appropriation Act, 1947, \$2,617,500: *Provided*, That such additional amounts shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are entitled for each fiscal year by reason of section 401 of the Social Security Act Amendments of 1946.

Ante, p. 681. Salaries and expenses, maternal and child welfare: For an additional amount, fiscal year 1947, for salaries and expenses, maternal and child welfare, including the objects specified under this head in the Department of Labor Appropriation Act, 1947, and including also travel, printing and binding, penalty mail, contingent and other expenses, \$425,000.

Post, p. 978. The appropriations contained in the four preceding paragraphs shall not be available for obligation until the enactment into law of H. R. 7037, Seventy-ninth Congress.

PUBLIC HEALTH SERVICE

Post, p. 1041. Hospital and construction activities: For carrying out the provisions of title VI of the Public Health Service Act as amended (S. 191), fiscal year 1947, including travel; printing and binding; the objects specified in the paragraph immediately following the caption "Public Health Service" in the Federal Security Agency Appropriation Act, 1947; and the purchase of eight passenger automobiles; \$2,350,000, of which not to exceed \$120,600 may be transferred to the appropriation "Pay, and so forth, commissioned officers, Public Health Service", for not to exceed twenty-eight commissioned officers, and not to exceed \$34,175 may be transferred to the appropriation "Salaries, Office of the General Counsel", Office of the Administrator, Federal Security Agency: *Provided*, That the availability of this appropriation is contingent upon the enactment into law of said S. 191.

FEDERAL WORKS AGENCY

Ante, p. 68.

PUBLIC ROADS ADMINISTRATION

55 Stat. 768,
23 U. S. C., Supp.
V, § 110. Damage claims: For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended (23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army or the Navy, or both, by any other agency of the Government, and so forth", as fully set forth in House Document Numbered 727, Seventy-ninth Congress, \$21,012.64.

Post, p. 948. War and emergency damage, Territory of Hawaii: For carrying out the provisions of section 2 of the Act entitled "An Act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes", to be expended by the Commissioner of Public Roads in accordance with provisions applicable to its customary operations in the construction, rehabilitation, and repair of roads, highways, and bridges, by contract or otherwise, and necessary expenses incident thereto without regard, outside

continental United States, to section 3709 of the Revised Statutes, including personal services in the District of Columbia or elsewhere and employment of personnel outside the continental United States without regard to civil-service and classification laws, and the purchase of passenger motor vehicles, \$8,000,000, to remain available until expended.

Ante, p. 809.

BUREAU OF COMMUNITY FACILITIES

Ante, p. 70.

Emergency relief for the Territory of Hawaii: For carrying out the provisions of section 1 of the Act entitled "An Act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes", \$1,300,000, to remain available until expended, of which amount not to exceed \$65,000 shall be available for administrative expenses of the Bureau of Community Facilities, including travel, the purchase of two passenger motor vehicles, and personal services in the District of Columbia and elsewhere.

Post, p. 948.

PRICE DECONTROL BOARD

Salaries and expenses: For all necessary expenses, fiscal year 1947, of the Price Decontrol Board in carrying out its functions under the Price Control Extension Act of 1946 and all other powers and duties and functions which may be lawfully vested in the Price Decontrol Board, including personal services in the District of Columbia and elsewhere; temporary employment of persons or organizations by contract or otherwise without regard to civil-service and classification laws; acceptance and utilization of voluntary and uncompensated services; lawbooks, books of reference, newspapers and periodicals; printing and binding; purchase of one, and hire, maintenance, operation, and repair of passenger automobiles; travel expenses, including expenses of attendance at meetings or organizations concerned with the work of the Board; and not to exceed \$5,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); \$250,000.

Ante, p. 669.

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

VETERANS' ADMINISTRATION

Ante, p. 75.

Automobiles and other conveyances for disabled veterans: To enable the Administrator of Veterans' Affairs to provide an automobile or other conveyance, at a cost per vehicle or conveyance of not to exceed \$1,600, including equipment with such special attachments and devices as the Administrator may deem necessary, for each veteran of World War II who is entitled to compensation for the loss, or loss of use, of one or both legs at or above the ankle under the laws administered by the Veterans' Administration, \$30,000,000: *Provided*, That no part of the money appropriated by this paragraph shall be used for the repair, maintenance, or replacement of any such automobile or other conveyance and no veteran shall be given an automobile or other conveyance under the provisions of this paragraph until it is established to the satisfaction of the Administrator that such veteran will be able to operate such automobile or other conveyance in a manner consistent with his own safety and the safety of others and will be licensed to operate such automobile or other conveyance by the State of his residence or other proper licensing authority: *Provided further*, That under such regulations as the Administrator may prescribe the furnishing of such automobile or other conveyance shall be accomplished by the Administrator paying the total purchase price to the seller from whom the veteran is purchasing under sales agreement between the seller and the veteran.

Restrictions.

Payment of purchase price.

DEPARTMENT OF COMMERCE

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Ante, p. 471.

Export control: For an additional amount, fiscal year 1947, for "Export control", including the objects specified under this head in the Department of Commerce Appropriation Act, 1947, \$400,000.

DEPARTMENT OF LABOR

BUREAU OF LABOR STATISTICS

Ante, p. 680.

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses", including the objects specified under this head in the Department of Labor Appropriation Act, 1947, \$25,000, to be available for obligation until January 31, 1947.

DEPARTMENT OF STATE

INTERNATIONAL OBLIGATIONS

Ante, p. 622.

Philippine rehabilitation: The third proviso of the appropriation under this head contained in the Third Deficiency Appropriation Act, 1946, hereby is corrected to read as follows: "*Provided further*, That the Secretary of State, or such official as he may designate, is authorized to transfer from any of the foregoing amounts to any department or independent establishment of the Government for participation in the foregoing programs, sums for expenditure by such department or establishment for the purposes hereof, and sums so transferred shall be available for expenditure in accordance with the provisions hereof and, to the extent determined by the Secretary of State, in accordance with the law governing expenditures of the department or establishment to which transferred: *Provided further*, That transfers of funds to participating agencies for the programs set forth in sections 302 to 305 of the Act shall be approved by the President prior to such transfers."

Ante, pp. 135, 136.*Ante*, p. 568.

TREASURY DEPARTMENT

STRATEGIC AND CRITICAL MATERIALS (ACT OF JULY 23, 1946)

For all expenses necessary for the procurement, transportation, maintenance, rotation, storage, and refining or processing of strategic and critical materials for national defense purposes, as authorized by the Strategic and Critical Materials Stockpiling Act (Public Law 520, Seventy-ninth Congress), including personal services and rental and maintenance of storage space in the District of Columbia and elsewhere, \$100,000,000: *Provided*, That any funds received as proceeds from sale or other disposition of materials on account of rotation of stocks of strategic and critical materials shall be deposited to the credit, and be available for expenditure for the purposes, of this appropriation.

Ante, p. 598.

WAR DEPARTMENT

MILITARY ACTIVITIES

Ante, p. 541.

Military assistance, Philippines: Any or all of the appropriations of the Military Establishment for the fiscal year 1947 shall be available, in a total amount of not to exceed \$19,750,000, for all expenses necessary to enable the President through the War Department to carry out the provisions of the Republic of the Philippines Military Assistance Act.

Ante, p. 315.

Atomic Service: The amount named in the last proviso of the

appropriation "Atomic Service", contained in the Military Appropriation Act, 1947, may be increased to such an amount as the President may approve, which shall be determined and communicated to the chairmen of the Committees on Appropriations of the Senate and House of Representatives, respectively, within thirty days after the enactment of this Act.

Ante, p. 561.

CIVIL FUNCTIONS—SIGNAL CORPS

Alaska Communication System: For an additional amount, fiscal year 1947, for "Alaska Communication System", including the objects specified under this head in the War Department Civil Appropriation Act, 1947, \$200,000, to remain available until the close of the fiscal year 1948.

Ante, p. 161.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

PROPERTY DAMAGE CLAIMS

SEC. 201. For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in House Document Numbered 725, Seventy-ninth Congress, as follows:

Federal Works Agency, \$136.15;
 Department of Commerce, \$71.86;
 Department of the Interior, \$905.26;
 Treasury Department, \$312.30;
 In all, \$1,425.57.

42 Stat. 1066.
 31 U. S. C., Supp.
 V, § 215 note.
Ante, p. 846.

JUDGMENTS, UNITED STATES COURTS

SEC. 202. For the payment of final judgment, which has been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which has been certified to the Seventy-ninth Congress in House Document Numbered 719, under the following agency:

War Department, \$218.92, together with such additional sum as may be necessary to pay interest as and where specified in the judgment, and such judgment shall not be paid until the right of appeal has expired.

24 Stat. 506; 36 Stat.
 1168.

JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of judgments rendered by the Court of Claims and reported to the Seventy-ninth Congress in House Document Numbered 726, under the following agencies, namely:

Federal Works Agency, \$49,000;
 National Housing Agency:
 Federal Public Housing Authority, \$8,829.05;
 Treasury Department, \$12,909.42;

In all, \$70,738.47, together with such additional amount as may be necessary to pay interest as and where specified in the judgments;

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Right of appeal.

Payment of interest wherever provided for judgments contained in

Interest.

this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

AUDITED CLAIMS

18 Stat. 110.

23 Stat. 254.

SEC. 204. For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1944 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 728, Seventy-ninth Congress, there is appropriated the sum of \$504,495.10, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund, and \$1,728.43 payable from postal revenues; in all, \$506,223.53.

59 Stat. 596.
10 U. S. C., Supp.
V, §§ 866f-866j.
23 Stat. 254.

SEC. 205. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act granting travel pay and other allowances to certain soldiers of the War with Spain and the Philippine Insurrection who were discharged in the Philippine Islands", approved December 5, 1945 (Public Act Numbered 247, Seventy-ninth Congress), and which have been certified to the Seventy-ninth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in House Document Numbered 724, \$30,591.32.

TITLE III—GENERAL PROVISIONS

Persons engaging,
etc., in strikes against
or advocating over-
throw of U. S. Govern-
ment.

Affidavit.

Penalty.

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Anie, p. 237.

SEC. 302. Section 2 (a) of the Act of June 11, 1946 (Public Law 404, Seventy-ninth Congress), is amended by striking out the period at the

end thereof and inserting a semicolon and the following: "and the Veterans' Emergency Housing Act of 1946."

Ante, p. 207.
Short title.

SEC. 303. This Act may be cited as the "First Supplemental Appropriation Act, 1947".

Approved August 8, 1946.

[CHAPTER 871]

AN ACT

To amend the Act entitled "An Act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases", approved August 11, 1939.

August 8, 1946
[H. R. 4410]
[Public Law 664]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable disease", approved August 11, 1939 (53 Stat. 1408), be, and the same is hereby, amended by striking the period at the end of said section and inserting in lieu thereof a comma and the following: "including the authority and power to provide for the isolation, quarantine, and restriction of the movements of persons affected by or believed, upon probable cause, to be affected by communicable disease and of persons who are or are believed, upon probable cause, to be carriers of communicable disease."

District of Columbia.
Control of communicable diseases, etc.
D. C. Code § 6-118.

SEC. 2. That section 2 of the said Act approved August 11, 1939, be stricken out and in lieu thereof and by way of addition the following sections be inserted:

53 Stat. 1408.
D. C. Code § 6-119.

"SEC. 2. The words 'communicable disease' when hereinafter used shall mean such communicable diseases as the Commissioners by regulation shall denominate as such.

"Communicable disease."

"SEC. 3. Whenever the health officer has probable cause to believe that any person is affected with any communicable disease or is a carrier of communicable disease and that the continuance of such person in the place where he may be is likely to be dangerous to the lives or health of other persons, or that by reason of the noncooperation or carelessness of such person the public health is likely to be endangered, the health officer may by written order direct the removal by any designated officer or employee of the Health Department or by any member of the Metropolitan Police force of such person to and the detention of such person in any place or institution in the District of Columbia designated by the Health Officer, or any institution located without the District of Columbia which may be designated by the Health Officer and which is under the supervision of the government of the District of Columbia or any agency thereof. Such officer, employee, or member so designated in such order shall take such person into his custody and shall remove such person to such place or institution as may be designated in such order. Such officer, employee, or member shall immediately make known to such person the contents of such order, and also shall deliver to such person a true copy of such order.

Removal of persons believed to be carriers, etc.

"SEC. 4. A copy of the order provided for in section 3 hereof shall be delivered to the person in charge of such place or institution to which the person taken into custody may be removed and shall constitute the authority for the detention of such person in such place or institution until such order expires or until such person is discharged in the manner set forth in this section or section 5 of this Act. Such order shall expire forty-eight hours (exclusive of Sundays and holidays) after such officer, employee, or member shall take into his custody such person as provided in section 3, unless it shall be continued in force and effect by a judge of the Municipal Court for the District

Authority for detention.

Expiration of order.

of Columbia, or unless such detained person shall stipulate in writing that the order be continued in force and effect. Such order shall be continued in force and effect if it shall appear to said judge by affidavit that the probable cause, required by section 3, exists. If the judge continue in force and effect the order of the Health Officer, the judge at that time shall set a date for a hearing upon the question of whether the person detained is at the time of such hearing affected with any communicable disease or is a carrier of communicable disease and, if so affected, upon the further question whether his release would be likely to endanger the lives or health of any other person. If such person be not sooner discharged such hearing shall be had within ten days of the date of the order of the court continuing in force and effect the order of the Health Officer unless such hearing be continued by the court, or unless the detained person shall, in writing, waive such hearing, which waiver shall be filed with the court. Such hearing shall be in or out of the presence of the detained person, in the discretion of the court. If, after such hearing, the court shall find that the detained person is not affected with any communicable disease and is not a carrier of communicable disease, or that the discharge of such person, even though affected with, or a carrier of, a communicable disease is not likely to endanger the lives or health of any other person the court shall order such detained person to be discharged, otherwise the court shall continue in force and effect the order of the Health Officer until such person be discharged in the manner set forth in section 5 of this Act. If a minor is detained pursuant to this section or section 7 hereof, or is found guilty and sentence is suspended as provided in section 10 hereof, and such minor is in need of treatment for the communicable disease with which he is affected or of which he is a carrier, the court is empowered to authorize the Health Officer to administer such treatment or cause the same to be administered. No person under eighteen years of age detained under sections 3, 4, 5, or 7, shall be detained in a room in which a person over that age is so detained.

SEC. 5. It shall be the duty of the Health Officer to make or cause to be made by a physician such examination or examinations of such person as may be necessary to determine the existence or nonexistence of such communicable disease in such person or whether such person is a carrier of communicable disease. The diagnosis resulting from such examination or examinations shall be reduced to writing and signed by such examining physician within ten days after the removal of such person to such place or institution and a copy thereof shall be filed in the office of the person in charge of such place or institution and a copy in the office of the Health Officer. If such diagnosis does not disclose that such person is affected with such communicable disease or that such person is a carrier of communicable disease, such person shall be discharged from such place or institution forthwith. If the diagnosis does disclose that such person is affected with such communicable disease or that such person is a carrier of communicable disease, the person in charge of the place or institution to which the infected person has been removed shall, subject to the provisions of section 4, detain such person for such reasonable time as may be fixed by regulation under the authority of this Act as is deemed necessary in the interest of public health and safety for the isolation, quarantine, and restriction of movement of persons affected by the particular communicable disease or of persons found to be carriers of the particular communicable disease, unless sooner discharged by the Health Officer or the municipal court. A person so detained, however, may apply at any time to the person in charge of such place or institution for his discharge, and the person in charge

Hearing.

Minors.

Examination and diagnosis.

Discharge from institution, etc.

Detention for quarantine, etc.

Application for discharge.

of such place or institution shall deliver the application for discharge to the Health Officer, who shall give to such person an opportunity to be heard before the Health Officer. If after hearing held by the Health Officer, the Health Officer be of the opinion that such person is not affected with such communicable disease and that such person is not a carrier of communicable disease, then such person shall be discharged. If denied his discharge such detained person may apply to the Municipal Court for the District of Columbia for such discharge and the hearing on such application shall be in or out of the presence of the detained person, in the discretion of the court. Only such persons as have a direct interest in the case and their representatives shall be admitted to any hearing held pursuant to this section or section 4 of this Act: *Provided*, That if the detained person shall request a public hearing then the general public shall be admitted thereto.

Public hearing.

"SEC. 6. It shall be unlawful for a person detained in a place or institution pursuant to an order of the Health Officer to leave said place or institution unless discharged in the manner provided in sections 4 or 5 of this Act.

Unlawful leave.

"SEC. 7. (a) In aid of the powers vested in the Health Officer to cause the removal to and detention in a place or institution of a person who is affected or is believed, upon probable cause, to be affected with any communicable disease or is or is believed, upon probable cause, to be a carrier of communicable disease as provided in this Act, the Municipal Court for the District of Columbia, or any judge thereof, is authorized to issue a warrant for the arrest of such person and his removal to a place or institution as defined in section 3 of this Act, which warrant shall be directed to the Major and Superintendent of Police. When such person has been removed to such place or institution under authority of a warrant issued pursuant to this section, such person shall not be discharged from such place or institution except in the manner provided in section 5.

Warrant for arrest.

"(b) No such warrant of arrest and removal shall be issued except upon probable cause supported by affidavit or affidavits particularly describing the person to be taken, which said affidavit or affidavits shall set forth the facts tending to establish the grounds of the application or probable cause for believing that they exist.

Affidavit.

"(c) A warrant may in all cases be served by the Major and Superintendent of Police or by any officer or member of the Metropolitan Police, but by no other person, except in aid of the officer on his requiring it, he being present and acting in its execution.

Serving of warrant,
etc.

"(d) The officer may break open any outer or inner door or window of a house, or any part of a house, or anything therein, to execute the warrant, if, after notice of his authority and purpose, he is refused admittance.

"(e) A warrant must be returned to the court within ten days after its date; after the expiration of this time the warrant, unless executed, is void.

"(f) It shall be the duty of the said court to maintain and keep records of all warrants issued and the returns thereon.

"SEC. 8. The Health Officer may, without fee or hindrance, enter, examine, and inspect all vessels, premises, grounds, structures, buildings, and every part thereof in the District of Columbia for the purpose of carrying out the provisions of this Act and the regulations issued hereunder. The owner or his agent or representative and the lessee or occupant of any such vessel, premises, grounds, structure, or building, or part thereof, and every person having the care and management thereof shall at all times when required by any such officer or employee give them free access thereto and refusal so to do shall be punishable as a violation of this Act.

Free access to build-
ings, etc.

Interference, etc.

"SEC. 9. It shall be unlawful for any person knowingly to obstruct, resist, oppose, or interfere with any person performing any duty or function under the authority of this Act or any regulation promulgated thereunder.

Penalties.

"SEC. 10. Any person who violates any of the provisions of section 6, 8, or 9 of this Act shall be punished by a fine of not more than \$300 or by imprisonment for not longer than ninety days, or both such fine and imprisonment, in the discretion of the court. The Commissioners of the District of Columbia shall have power to prescribe penalties of fine not to exceed \$300 or imprisonment not to exceed ninety days, or both, in the discretion of the court for the violation of any regulation promulgated under this Act. All prosecutions for violations of this Act or the regulations promulgated thereunder shall be in the Criminal Division of the Municipal Court for the District of Columbia, in the name of the District of Columbia upon information filed by the corporation counsel of the District of Columbia or any of his assistants. The court may impose conditions upon any person found guilty under the aforesaid provisions and so long as such person shall comply therewith to the satisfaction of the court the imposition or execution of sentence may be suspended for such period as the court may direct; and the court may at or before the expiration of such period vacate such sentence or cause it to be executed. Conditions thus imposed by the court may include submission to medical and mental examination, diagnosis, and treatment by proper public health and welfare authorities or by any licensed physician approved by the court, and such other terms and conditions as the court may deem best for the protection of the community and the punishment, control, and rehabilitation of the defendant. The Health Officer of the District of Columbia, the Metropolitan Police force, and employees of the Board of Public Welfare are authorized and directed to perform such duties as may be directed by the court in effectuating compliance with the conditions so imposed upon any defendant.

Prosecutions.

Imposition of conditions by court.

Persons relying on spiritual means to cure disease, etc.

"SEC. 11. With respect to all persons who, either on behalf of themselves or their minor children or wards, rely in good faith upon spiritual means or prayer in the free exercise of religion to prevent or cure disease, nothing in this Act shall have the effect of requiring or giving any health officer or other person the right to compel any such person, minor child or ward, to go to or be confined in a hospital or other medical institution unless no other place for quarantine of such person, minor child or ward can be secured, nor to compel any such person, child or ward to submit to any medical treatment.

"Health Officer."

"SEC. 12. Wherever the term 'Health Officer' is used in this Act it shall mean the Health Officer of the District of Columbia and his duly authorized agents.

Construing of provisions.

"SEC. 13. Each and every provision of this Act shall be construed liberally in aid of the powers vested in the public authorities looking to the protection of the public health, comfort, and welfare and not by way of limitation."

53 Stat. 1408.
D. C. Code § 6-119
note.

SEC. 3. That section 3 of the said Act approved August 11, 1939, be renumbered as section 13.

Approved August 8, 1946.

[CHAPTER 872]

AN ACT

To amend the Act of December 7, 1944, relating to certain overtime compensation of civilian employees of the United States.

August 8, 1946
[H. R. 4720]
[Public Law 665]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 7, 1944 (58 Stat. 796, ch. 520), is amended by making the proviso at the end thereof read as follows: "Provided, That in no case shall there be validated aggregate payment to an employee in excess of six-twelfths of \$5,000".

5 U. S. C., Supp.
V, § 29 note.

Approved August 8, 1946.

[CHAPTER 873]

AN ACT

Providing for the conveyance to the town of Ipswich, in the State of Massachusetts, of lighthouse property at Castle Neck, for public use.

August 8, 1946
[H. R. 5932]
[Public Law 666]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Coast Guard be, and hereby is, authorized and directed to convey to the town of Ipswich, in the State of Massachusetts, for use as a public park, the lighthouse property at Castle Neck, Ipswich, which is no longer required for lighthouse purposes, comprising an area approximately six hundred feet in length and two hundred and sixty-four in width, and including certain appurtenant structures thereon: *Provided,* That the town of Ipswich shall not have the right to sell or convey aforesaid property, nor to devote the same to any other than a public use; and in the event that said property shall not be used as above provided, the right, title, and interest hereby authorized to be conveyed shall revert to the United States.

Ipswich, Mass.
Conveyance.

Reversion to U. S.

Approved August 8, 1946.

[CHAPTER 874]

AN ACT

To provide funds for cooperation with the school board of Hunter School District for the construction and equipment of a new school building in the town of Hunter, Sawyer County, Wisconsin, to be available to both Indian and non-Indian children.

August 8, 1946
[H. R. 6141]
[Public Law 667]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$80,000 for the purpose of cooperating with the school board of Hunter School District, Sawyer County, Wisconsin, for the construction and equipment of a new school building in the town of Hunter, Sawyer County, Wisconsin: *Provided,* That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said building shall be available to all Indian children of the district on the same terms, except as to payment of tuition, as other children of said school district: *And provided further,* That any amount expended hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the building, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high schools of the district involved or by the acceptance of Indian pupils in said schools without cost to the United States, and in computing the amount of recoupment, interest at 3 per centum per annum shall be included on any unrecouped balances.

Hunter, Wis.
Appropriation authorized for school building.

Availability to Indian children.

Recoupment.

Approved August 8, 1946.

[CHAPTER 875]

AN ACT

August 8, 1946

[H. R. 6298]

[Public Law 668]

To protect and facilitate the use of national-forest lands in township 2 north, range 18 west, Ohio River survey, township of Elizabeth, county of Lawrence, State of Ohio, and for other purposes.

Lawrence County,
Ohio.
Acquisition of reserved mineral rights by U. S.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where lands have been acquired by the United States for national-forest purposes under the provisions of the Act of March 1, 1911 (36 Stat. 961; 16 U. S. C. 515), and Acts amendatory thereof or supplementary thereto, in township 2 north, range 18 west, Ohio River survey, Lawrence County, Ohio, and the instruments conveying title to said lands reserved to the grantors the right thereafter to mine and remove the mineral resources of said lands, and the mining and removal of said minerals may result in pollution of the body of water known as Lake Vesuvius or in interference with use by the public for recreational and other public purposes of lands of the United States within the watershed of said lake, the Secretary of Agriculture is authorized to acquire said reserved mineral rights on behalf of the United States by granting in exchange therefor not to exceed an equal value of national-forest land and/or timber in the State of Ohio; said exchanges to be in full conformity with the procedures prescribed by the Act approved March 3, 1925 (43 Stat. 1215; 16 U. S. C. 516).

Approved August 8, 1946.

[CHAPTER 876]

AN ACT

August 8, 1946

[H. R. 6721]

[Public Law 669]

To authorize the Postmaster General to accept gifts and bequests for the benefit of the library of the Post Office Department.

Post Office Department.
Gifts, etc., for library.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is hereby authorized to accept, receive, hold, and administer gifts and bequests of personal property, and loans of personal property other than money, from individuals or others for the benefit of the library of the Post Office Department, its collections, or its services. Gifts or bequests of money shall be deposited in the Treasury of the United States under the title "Library fund of the Post Office Department", and shall be subject to disbursement by the Postmaster General for the purposes in each case specified.

SEC. 2. For the purpose of Federal income, estate and gift taxes, gifts and bequests accepted by the Postmaster General under the authority of this Act shall be deemed to be a gift or bequest to or for the use of the United States.

Investment of funds.

SEC. 3. The Secretary of the Treasury is authorized, upon request of the Postmaster General, to invest or reinvest the funds, or any part thereof, deposited in the Treasury pursuant to section 1 of this Act in securities of the United States Government or in securities guaranteed by the United States Government. The interest accruing from such securities shall be deposited to the credit of the library fund of the Post Office Department.

Approved August 8, 1946.

[CHAPTER 877]

AN ACT

To provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes.

August 8, 1946
[H. R. 6817]
[Public Law 670]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 281, Seventy-ninth Congress, approved December 28, 1945, is hereby amended as follows:

59 Stat. 663,
10 U. S. C., Supp.
V, §§ 481, 505b.

(a) Section 2 of the said Act is amended by deleting therefrom the words "twenty-five thousand" and substituting therefor the words "fifty thousand".

(b) Section 4 of the said Act is amended by deleting therefrom the words "At any time not later than a date eight months following the date of enactment of this Act".

Approved August 8, 1946.

[CHAPTER 878]

AN ACT

To amend the First War Powers Act, 1941.

August 8, 1946
[H. R. 6890]
[Public Law 671]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the First War Powers Act, 1941 (55 Stat. 838), as amended, is hereby further amended by adding at the end of title III thereof the following:

Ante, p. 50.

"SEC. 305. The Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby further amended by inserting after section 32 thereof, and before the section added by Public Law 382, Seventy-ninth Congress, the following sections:

Ante, pp. 50, 182.

"SEC. 33. No return may be made pursuant to section 9 (a) or 32 (a) unless notice of claim for return has been filed within two years from the seizure by or vesting in the Alien Property Custodian, as the case may be, of the property or interest in respect of which the claim is made or within two years from the date of enactment of this section, whichever is later. No suit pursuant to section 9 (a) may be instituted after the expiration of two years from the date of seizure by or vesting in the Alien Property Custodian, as the case may be, of the property or interest in respect of which relief is sought or from the date of enactment of this section, whichever is later, but in computing such two years there shall be excluded any period during which there was pending a suit or claim for return pursuant to section 9 (a) or 32 hereof.

Notice of claim for return.
41 Stat. 977.
50 U. S. C. app.
§ 9 (a).
Ante, p. 50.

Suit.

"SEC. 34. (a) Any property or interest vested in or transferred to the Alien Property Custodian (other than any property or interest acquired by the United States prior to December 18, 1941), or the net proceeds thereof, shall be equitably applied by the Custodian in accordance with the provisions of this section to the payment of debts owed by the person who owned such property or interest immediately prior to its vesting in or transfer to the Alien Property Custodian. No debt claim shall be allowed under this section if it was not due and owing at the time of such vesting or transfer, or if it arose from any action or transactions prohibited by or pursuant to this Act and not licensed or otherwise authorized pursuant thereto, or (except in the case of debt claims acquired by the Custodian) if it was at the time of such vesting or transfer due and owing to any person who has since the beginning of the war been convicted of violation of this Act, as

Debt claims.

35 Stat. 1088, 1089.

50 U. S. C. §§ 31-38.

50 U. S. C. §§ 101-106; Supp. V, §§ 101, 104.

22 U. S. C. §§ 611-616; Supp. V, §§ 611-621.

50 U. S. C. §§ 45-45d.

18 U. S. C. §§ 9-13, 14-17.

50 U. S. C., Supp. V, app. §§ 781-785.

Eligible claimants.

40 Stat. 531.

Date after which filing of claims barred, etc.

Examination by Custodian.

Money available for payments.

Post, p. 929.

Ratable payments.

amended, sections 1-6 of the Criminal Code (18 U. S. C. 1-6), title I of the Act of June 15, 1917 (ch. 30, 40 Stat. 217), as amended; the Act of April 20, 1918 (ch. 59, 40 Stat. 534), as amended; the Act of June 8, 1934 (ch. 327, 52 Stat. 631), as amended; the Act of January 12, 1938 (ch. 2, 52 Stat. 3); title I, Alien Registration Act, 1940 (ch. 439, 54 Stat. 670); the Act of October 17, 1940 (ch. 897, 54 Stat. 1201); or the Act of June 25, 1942 (ch. 447, 56 Stat. 390). Any defense to the payment of such claims which would have been available to the debtor shall be available to the Custodian, except that the period from and after the beginning of the war shall not be included for the purpose of determining the application of any statute of limitations. Debt claims allowable hereunder shall include only those of citizens of the United States or of the Philippine Islands; those of corporations organized under the laws of the United States or any State, Territory, or possession thereof, or the District of Columbia or the Philippine Islands; those of other natural persons who are and have been since the beginning of the war residents of the United States and who have not during the war been interned or paroled pursuant to the Alien Enemy Act (50 U. S. C. 21); and those acquired by the Custodian. Legal representatives (whether or not appointed by a court in the United States) or successors in interest by inheritance, devise, bequest, or operation of law of debt claimants, other than persons who would themselves be disqualified hereunder from allowance of a debt claim, shall be eligible for payment to the same extent as their principals or predecessors would have been.

“(b) The Custodian shall fix a date or dates after which the filing of debt claims in respect of any or all debtors shall be barred, and may extend the time so fixed, and shall give at least sixty days' notice thereof by publication in the Federal Register. In no event shall the time extend beyond the expiration of two years from the date of the last vesting in or transfer to the Custodian of any property or interest of a debtor in respect of whose debts the date is fixed, or from the date of enactment of this section, whichever is later. No debt shall be paid prior to the expiration of one hundred and twenty days after publication of the first such notice in respect of the debtor, nor in any event shall any payment of a debt claim be made out of any property or interest or proceeds in respect of which a suit or proceeding pursuant to this Act for return is pending and was instituted prior to the expiration of such one hundred and twenty days.

“(c) The Custodian shall examine the claims, and such evidence in respect thereof as may be presented to him or as he may introduce into the record, and shall make a determination, with respect to each claim, of allowance or disallowance, in whole or in part.

“(d) Payment of debt claims shall be made only out of such money included in, or received as net proceeds from the sale, use, or other disposition of, any property or interest owned by the debtor immediately prior to its vesting in or transfer to the Alien Property Custodian, as shall remain after deduction of (1) the amount of the expenses of the Office of Alien Property Custodian (including both expenses in connection with such property or interest or proceeds thereof, and such portion as the Custodian shall fix of the other expenses of the Office of Alien Property Custodian), and of taxes, as defined in section 36 hereof, paid by the Custodian in respect of such property or interest or proceeds, and (2) such amount, if any, as the Custodian may establish as a cash reserve for the future payment of such expenses and taxes. If the money available hereunder for the payment of debt claims against the debtor is insufficient for the satisfaction of all claims allowed by the Custodian, ratable payments shall be made in accordance with subsection (g) hereof

to the extent permitted by the money available and additional payments shall be made whenever the Custodian shall determine that substantial further money has become available, through liquidation of any such property or interest or otherwise. The Custodian shall not be required through any judgment of any court, levy of execution, or otherwise to sell or liquidate any property or interest vested in or transferred to him, for the purpose of paying or satisfying any debt claim.

“(e) If the aggregate of debt claims filed as prescribed does not exceed the money from which, in accordance with subsection (d) hereof, payment may be made, the Custodian shall pay each claim to the extent allowed, and shall serve by registered mail, on each claimant whose claim is disallowed in whole or in part, a notice of such disallowance. Within sixty days after the date of mailing of the Custodian’s determination, any debt claimant whose claim has been disallowed in whole or in part may file in the District Court of the United States for the District of Columbia a complaint for review of such disallowance naming the Custodian as defendant. Such complaint shall be served on the Custodian. The Custodian, within forty-five days after service on him, shall certify and file in said court a transcript of the record of proceedings in the Office of Alien Property Custodian with respect to the claim in question. Upon good cause shown such time may be extended by the court. Such record shall include the claim as filed, such evidence with respect thereto as may have been presented to the Custodian or introduced into the record by him, and the determination of the Custodian with respect thereto, including any findings made by him. The court may, in its discretion, take additional evidence, upon a showing that such evidence was offered to and excluded by the Custodian, or could not reasonably have been adduced before him or was not available to him. The court shall enter judgment affirming, modifying, or reversing the Custodian’s determination, and directing payment in the amount, if any, which it finds due.

“(f) If the aggregate of debt claims filed as prescribed exceeds the money from which, in accordance with subsection (d) hereof, payment may be made, the Custodian shall prepare and serve by registered mail on all claimants a schedule of all debt claims allowed and the proposed payment to each claimant. In preparing such schedule, the Custodian shall assign priorities in accordance with the provisions of subsection (g) hereof. Within sixty days after the date of mailing of such schedule, any claimant considering himself aggrieved may file in the District Court of the United States for the District of Columbia a complaint for review of such schedule, naming the Custodian as defendant. A copy of such complaint shall be served upon the Custodian and on each claimant named in the schedule. The Custodian, within forty-five days after service on him, shall certify and file in said court a transcript of the record of proceedings in the Office of Alien Property Custodian with respect to such schedule. Upon good cause shown such time may be extended by the court. Such record shall include the claims in question as filed, such evidence with respect thereto as may have been presented to the Custodian or introduced into the record by him, any findings or other determinations made by the Custodian with respect thereto, and the schedule prepared by the Custodian. The court may, in its discretion, take additional evidence, upon a showing that such evidence was offered to and excluded by the Custodian or could not reasonably have been adduced before him or was not available to him. Any interested debt claimant who has filed a claim with the Custodian pursuant to this section, upon timely application to the court, shall be permitted to intervene in such review proceedings. The

Payments; notice of disallowance.

Filing of complaint for review, etc.

Schedule of claims allowed, etc.

Assignment of priorities.

Filing of complaint for review, etc.

court shall enter judgment affirming or modifying the schedule as prepared by the Custodian and directing payment, if any be found due, pursuant to the schedule as affirmed or modified and to the extent of the money from which, in accordance with subsection (d) hereof, payment may be made. Pending the decision of the court on such complaint for review, and pending final determination of any appeal from such decision, payment may be made only to an extent, if any, consistent with the contentions of all claimants for review.

Order of payments.

“(g) Debt claims shall be paid in the following order of priority: (1) Wage and salary claims, not to exceed \$600; (2) claims entitled to priority under sections 191 and 193 of title 31 of the United States Code, except as provided in subsection (h) hereof; (3) all other claims for services rendered, for expenses incurred in connection with such services, for rent, for goods and materials delivered to the debtor, and for payments made to the debtor for goods or services not received by the claimant; (4) all other debt claims. No payment shall be made to claimants within a subordinate class unless the money from which, in accordance with subsection (d) hereof, payment may be made permits payment in full of all allowed claims in every prior class.

Debts not entitled to priority.

“(h) No debt of any kind shall be entitled to priority under any law of the United States or any State, Territory, or possession thereof, or the District of Columbia, solely by reason of becoming a debt due or owing to the United States as a result of its acquisition by the Alien Property Custodian.

Relief and remedy available.

“(i) The sole relief and remedy available to any person seeking satisfaction of a debt claim out of any property or interest which shall have been vested in or transferred to the Alien Property Custodian (other than any property or interest acquired by the United States prior to December 18, 1941), or the proceeds thereof, shall be the relief and remedy provided in this section, and suits for the satisfaction of debt claims shall not be instituted, prosecuted, or further maintained except in conformity with this section: *Provided*, That no person asserting any interest, right, or title in any property or interest or proceeds acquired by the Alien Property Custodian, shall be barred from proceeding pursuant to this Act for the return thereof, by reason of any proceeding which he may have brought pursuant to this section; nor shall any security interest asserted by the creditor in any such property or interest or proceeds be deemed to have been waived solely by reason of such proceeding. The Alien Property Custodian shall treat all debt claims now filed with him as claims filed pursuant to this section. Nothing contained in this section shall bar any person from the prosecution of any suit at law or in equity against the original debtor or against any other person who may be liable for the payment of any debt for which a claim might have been filed hereunder. No purchaser, lessee, licensee, or other transferee of any property or interest from the Alien Property Custodian shall, solely by reason of such purchase, lease, license, or transfer, become liable for the payment of any debt owed by the person who owned such property or interest prior to its vesting in or transfer to the Alien Property Custodian. Payment by the Alien Property Custodian to any debt claimant shall constitute, to the extent of payment, a discharge of the indebtedness represented by the claim.

Person asserting interest, etc., in property acquired by Custodian.

Suit against original debtor, etc.

Nonliability of purchaser, etc.

Discharge of indebtedness.

Power to hold hearings, etc.

41 Stat. 977.
50 U. S. C. app. § 9 (a).

Ante, pp. 50, 925.

“SEC. 35. The officer or agency empowered to entertain claims under sections 9 (a), 32, and 34 hereof shall have power to hold such hearings as may be deemed necessary; to prescribe rules and regulations governing the form and contents of claims, the proof thereof, and all other matters related to proceedings on such claims; and in connection with such proceedings to issue subpoenas, administer oaths,

and examine witnesses. Such powers, and any other powers conferred upon such officer or agency by sections 9 (a), 32, and 34 hereof may be exercised through subordinate officers designated by such officer or agency.

“SEC. 36. (a) The vesting in or transfer to the Alien Property Custodian of any property or interest (other than any property or interest acquired by the United States prior to December 18, 1941), or the receipt by him of any earnings, increment, or proceeds thereof shall not render inapplicable any Federal, State, Territorial, or local tax for any period prior or subsequent to the date of such vesting or transfer, nor render applicable the exemptions provided in title II of the Social Security Act with respect to service performed in the employ of the United States Government or of any instrumentality of the United States.

“(b) The Alien Property Custodian shall, notwithstanding the filing of any claim or the institution of any suit under this Act, pay any tax incident to any such property or interest, or the earnings, increment, or proceeds thereof, at the earliest time appearing to him to be not contrary to the interest of the United States. The former owner shall not be liable for any such tax accruing while such property, interest, earnings, increment, or proceeds are held by the Alien Property Custodian, unless they are returned pursuant to this Act without payment of such tax by the Alien Property Custodian. Every such tax shall be paid by the Alien Property Custodian to the same extent, as nearly as may be deemed practicable, as though the property or interest had not been vested in or transferred to the Alien Property Custodian, and shall be paid only out of the property or interest, or earnings, increment, or proceeds thereof, to which they are incident or out of other property or interests acquired from the same former owner, or earnings, increment, or proceeds thereof. No tax liability may be enforced from any property or interest or the earnings, increment, or proceeds thereof while held by the Alien Property Custodian except with his consent. Where any property or interest is transferred, otherwise than pursuant to section 9 (a) or 32 hereof, the Alien Property Custodian may transfer the property or interest free and clear of any tax, except to the extent of any lien for a tax existing and perfected at the date of vesting, and the proceeds of such transfer shall, for tax purposes, replace the property or interest in the hands of the Alien Property Custodian.

“(c) Subject to the provisions of subsection (b) hereof, the manner of computing any Federal taxes, including without limitation by reason of this enumeration, the applicability in such computation of credits, deductions, and exemptions to which the former owner is or would be entitled, and the time and manner of any payment of such taxes and the extent of any compliance by the Custodian with provisions of Federal law and regulations applicable with respect to Federal taxes, shall be in accordance with regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury to effectuate this section. Statutes of limitations on assessment, collection, refund, or credit of Federal taxes shall be suspended, with respect to any vested property or interest, or the earnings, increment or proceeds thereof, while vested and for six months thereafter; but no interest shall be paid upon any refund with respect to any period during which the statute of limitations is so suspended.

“(d) The word “tax” as used in this section shall include, without limitation by reason of this enumeration, any property, income, excess-profits, war-profits, excise, estate and employment tax, import duty, and special assessment; and also any interest, penalty, additional

Taxes.

49 Stat. 622.
42 U. S. C. §§ 401-409; Supp. V, § 401 et seq.
Ante, p. 732; post, p. 979 et seq.
Payment by Custodian.

Liability of former owner.

Transfer of property, etc.
41 Stat. 977.
50 U. S. C. app. § 9 (a).
Ante, p. 50.

Computation of Federal taxes.

Suspension of statutes of limitations.

“Tax.”

amount, or addition thereto not arising from any act, omission, neglect, failure, or delay on the part of the Custodian.

Exemption accorded Custodian.

“(e) Any tax exemption accorded to the Alien Property Custodian by specific provision of existing law shall not be affected by this section.

Insurance.

“SEC. 37. The Alien Property Custodian may procure insurance in such amounts, and from such insurers, as he believes will adequately protect him against loss in connection with property or interest or proceeds held by him.”

Ante, p. 51.

SEC. 2. Subdivisions (C) and (D) of section 32 (a) (2) of the Trading With the Enemy Act are hereby amended to read as follows:

Persons voluntarily resident in enemy territory.

“(C) an individual voluntarily resident at any time since December 7, 1941, within the territory of such nation, other than a citizen of the United States or a diplomatic or consular officer of a nation with which the United States has not at any time since December 7, 1941, been at war: *Provided*, That an individual who, while in the territory of a nation with which the United States has at any time since December 7, 1941, been at war, was deprived of life or substantially deprived of liberty pursuant to any law, decree or regulation of such nation discriminating against political, racial or religious groups, shall not be deemed to have voluntarily resided in such territory; or

Exception.

Citizen or subject of enemy nation.

“(D) an individual who was at any time after December 7, 1941, a citizen or subject of a nation with which the United States has at any time since December 7, 1941, been at war, and who on or after December 7, 1941, and prior to the date of the enactment of this section, was present (other than in the service of the United States) in the territory of such nation or in any territory occupied by the military or naval forces thereof or engaged in any business in any such territory: *Provided*, That notwithstanding the provisions of this subdivision (D), return may be made to an individual who, as a consequence of any law, decree or regulation of the nation of which he was then a citizen or subject, discriminating against political, racial or religious groups, has at no time between December 7, 1941, and the time when such law, decree or regulation was abrogated, enjoyed full rights of citizenship under the law of such nation; or”.

Ante, p. 182.

SEC. 3. The section added to The Trading With the Enemy Act by Public Law 382, Seventy-ninth Congress, is hereby amended by inserting “38” after “Sec.”.

Approved August 8, 1946.

[CHAPTER 879]

JOINT RESOLUTION

Authorizing and directing the Director of the Fish and Wildlife Service of the Department of the Interior to investigate and eradicate the predatory sea lampreys of the Great Lakes.

August 8, 1946
[H. J. Res. 366]
[Public Law 672]

Great Lakes.
Eradication of sea lampreys.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the Fish and Wildlife Service of the Department of the Interior is hereby authorized and directed to prosecute, for a period of not to exceed ten years from the date of approval of this joint resolution, investigations of the abundance and distribution of sea lampreys, experiments to develop control measures, and a vigorous program for the elimination and eradication of sea lamprey populations of the Great Lakes.

Cooperation with State agencies, etc.

SEC. 2. In carrying out the foregoing purposes and objectives the Director of the Fish and Wildlife Service is authorized to cooperate

with the official conservation agencies of the States bordering on the Great Lakes, with the commercial fishing industry, and with other governmental or private agencies, organizations, or individuals having jurisdiction over or an interest in the fisheries of the Great Lakes.

SEC. 3. There is authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary not to exceed \$20,000 per annum to carry out the purposes and objectives of this joint resolution.

Approved August 8, 1946.

Appropriation authorized.

[CHAPTER 880]

AN ACT

To remove the limitations on the amount of death compensation or pension payable to widows and children of certain deceased veterans.

August 8, 1946
[S. 2100]

[Public Law 674]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following Acts or parts of Acts, which limit the total amount of death compensation or pension payable to widows and children of certain deceased veterans, are hereby repealed:

Repeals.

(a) The last sentence of subsection (a) of section 14 and the last sentence of subsection (b) of section 14 of the Act entitled "An Act to provide more adequate and uniform administrative provisions in veterans laws pertaining to compensation, pension, and retirement pay payable by the Veterans Administration, and for other purposes", approved July 13, 1943 (57 Stat. 554).

57 Stat. 559.
38 U. S. C., Supp.
V, § 731 (a), (b).

(b) Subsection (b) of section 2 of the Act entitled "An Act to compensate widows and children of persons who died while receiving monetary benefits for disabilities directly incurred in or aggravated by active military or naval service in the World War", approved June 28, 1934, as amended (58 Stat. 804).

38 U. S. C., Supp.
V, § 504 (b).

SEC. 2. Subparagraph (b) of paragraph III of part III of Veterans Regulation 1 (a), which limits the total amount of death compensation or pension payable to widows and children of deceased veterans of the Spanish-American War, the Boxer Rebellion, or the Philippine Insurrection, is hereby repealed.

38 U. S. C. note foll.
§ 724.

Approved August 8, 1946.

[CHAPTER 881]

AN ACT

To amend the Act entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, and the Acts amendatory thereof and supplementary thereto.

August 8, 1946
[S. 2126]

[Public Law 674]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 198 of the Act to establish a Code of Law for the District of Columbia, approved March 3, 1901, and the Acts amendatory thereof and supplementary thereto, constituting the Code of Law for the District of Columbia, as amended, is hereby further amended by striking out therefrom the following sentence: "No person who has served as such Commissioner shall be eligible for reappointment within three years of the date of the expiration of his term of service."

Jury commissioners,
D. C.

31 Stat. 1222.
D. C. Code § 11-
1401.

Approved August 8, 1946.

[CHAPTER 882]

AN ACT

To amend the Servicemen's Readjustment Act of 1944.

August 8, 1946

[S. 2256]

[Public Law 675]

Coast Guard,
Discharge, etc., of
former personnel.
38 U. S. C., Supp.
V, § 693h.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301 of the Servicemen's Readjustment Act of 1944 (58 Stat. 286) is amended by changing the period at the end of the section to a colon and by adding the following: "*And provided further,* That the authority conferred upon the Secretary of War and the Secretary of the Navy by this section shall vest in and be exercised by the Secretary of the Treasury, at such times as the Coast Guard is operating under the Treasury Department, with respect to the discharge or dismissal of former personnel of the Coast Guard, and that the findings of boards established pursuant to such authority shall be final subject only to review by the Secretary of the Treasury."

Approved August 8, 1946.

[CHAPTER 883]

AN ACT

To amend the Act of May 11, 1938, for the conservation of the Fishery Resources of the Columbia River, and for other purposes.

August 8, 1946

[S. 2318]

[Public Law 675]

16 U. S. C. § 756.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of May 11, 1938 (52 Stat. 345), entitled "An Act to provide for the conservation of the fishery resources of the Columbia River, establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho, and for the conduct of necessary investigations, surveys, stream improvements, and stocking operations for these purposes", is amended by deleting therefrom the comma after the word "construct" as it appears therein and inserting in lieu thereof the word "and" and by deleting the words "and maintain".

16 U. S. C. § 757.

Use of State facilities and services.

SEC. 2. Section 3 of said Act is hereby amended to read as follows: "In carrying out the authorizations and duties imposed by section 2 of this Act, the Secretary of the Interior is authorized to utilize the facilities and services of the agencies of the States of Oregon, Washington, and Idaho responsible for the conservation of the fish and wildlife resources in such States, under the terms of agreements entered into between the United States and these States, without regard to the provisions of section 3709 of the Revised Statutes, and funds appropriated to carry out the purposes of this Act may be expended for the construction of facilities on and the improvement of lands not owned or controlled by the United States: *Provided,* That the appropriate agency of the State wherein such construction or improvement is to be carried on first shall have obtained without cost to the United States the necessary title to, interest therein, rights-of-way over, or licenses covering the use of such lands."

Approved August 8, 1946.

Ante, p. 809.

Title, etc.

[CHAPTER 884]

AN ACT

To amend the Act of May 4, 1898 (30 Stat. 369), as amended, to authorize the President to appoint two hundred and fifty acting assistant surgeons for temporary service.

August 8, 1946

[S. 2401]

[Public Law 677]

Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 4, 1898, entitled "An Act making appropriations for the naval

service for the fiscal year ending June 30, 1899, and for other purposes" (30 Stat. 369), as amended by the Act of March 18, 1940 (54 Stat. 54), and as further amended by the Act of March 17, 1941 (55 Stat. 43), is hereby further amended so that the last paragraph of the appropriation for the Bureau of Medicine and Surgery (30 Stat. 380) shall read as follows:

"The President is hereby authorized to appoint for temporary service two hundred and fifty acting assistant surgeons, who shall have the rank and compensation of assistant surgeons: *Provided*, That not more than two hundred and fifty of such acting assistant surgeons may be serving in the naval service at any one time: *Provided further*, That the Secretary of the Navy, in time of war or declared national emergency, may appoint, for temporary service with the compensation of assistant surgeons, such acting assistant surgeons as the exigencies of the service may require."

Approved August 8, 1946.

[CHAPTER 885]

AN ACT

To amend the Act of February 9, 1907, as amended, with respect to certain fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 4 of the Act of February 9, 1907, entitled "An Act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia", as amended (D. C. Code, sec. 2-404), is amended to read as follows:

"SEC. 4. That every nurse desiring to register in the District of Columbia shall make application to the nurses' examining board for examination and registration, and at the time of making such application shall pay to the treasurer of said board \$15."

SEC. 2. That the first sentence of section 9 of the Act entitled "An Act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia", as amended (D. C. Code, sec. 2-408), is amended by substituting, in lieu thereof, the following:

"SEC. 9. That all expenses incident to the execution of the provisions of this Act shall be paid from fees collected (a) from schools of nursing, (b) from registration or reregistration of nurses, and (c) from the following services—

- "(1) for repeat examinations of nurses;
- "(2) for the evaluation of each high-school record of a candidate for admission to a school of nursing;
- "(3) for verification of records;
- "(4) for a duplicate certificate of registration upon proof acceptable to the nurses' examining board that the original certificate has been lost or destroyed;
- "(5) for duplicate annual registration cards;
- "(6) for mailing a certificate of registration a second time if no notification of change of address has been made; and
- "(7) for proctoring examination for out-of-State applicants when the examination is held at a time other than the regular examination of the District of Columbia. The fees referred to in clause (c) shall be reasonable fees fixed by the nurses' examining board, subject to the approval of the Commissioners of the District of Columbia."

Approved August 8, 1946.

34 U. S. C. § 21;
Supp. V, § 21.

Appointment of acting assistant surgeons.

August 8, 1946
[S. 2406]
[Public Law 678]

Registration of nurses, D. C.
34 Stat. 888.

Application.

34 Stat. 889.

Payment of expenses from fees.

[CHAPTER 886]

AN ACT

To authorize the Veterans' Administration to reimburse State and local agencies for expenses incurred in rendering services in connection with the administration of certain training programs for veterans, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law Numbered 16, Seventy-eighth Congress, as amended by section 401 of the Servicemen's Readjustment Act of 1944, is amended by inserting at the end thereof a new sentence as follows: "Any such appropriation shall also be available for use by the Administrator in reimbursing State and local agencies for reasonable expenses incurred by them in (1) rendering necessary services in ascertaining the qualifications of industrial establishments for furnishing on-the-job training to veterans under the provisions of part VIII of such regulation, and in the supervision of industrial establishments furnishing such training, or (2) furnishing, at the request of the Administrator, any other services or facilities in connection with the administration of programs for training on the job under such provisions, or (3) furnishing, at the request of the Administrator, information concerning educational opportunities available in schools and colleges."

SEC. 2. Paragraph 6 of part VIII of Veterans Regulation Numbered 1 (a) as amended, is hereby amended to read as follows:

"6. While enrolled in and pursuing a course under this part, such person, upon application to the Administrator, shall be paid a subsistence allowance of \$65 per month, if without a dependent or dependents, or \$90 per month, if he has a dependent or dependents, including regular holidays and leave not exceeding thirty days in a calendar year. Such person attending a course on a part-time basis, and such person receiving compensation for productive labor whether performed as part of their apprentice or other training on the job at institutions, business, or other establishments, or otherwise, shall be entitled to receive such lesser sums, if any, as subsistence or dependency allowances, as may be determined by the Administrator: *Provided*, That in no event shall the rate of such allowance plus the compensation received exceed \$175 per month for a veteran without a dependent or \$200 per month if he has a dependent or dependents."

SEC. 3. Paragraph 11 of part VIII of Veterans Regulation Numbered 1 (a) is hereby amended, to read as follows:

"11. (a) As used in this part, the term 'educational or training institutions' shall include all public or private elementary, secondary, and other schools furnishing education for adults, business schools and colleges, scientific and technical institutions, colleges, vocational schools, junior colleges, teachers colleges, normal schools, professional schools, universities, and other educational institutions, and shall also include business or other establishments providing apprentice or other training on the job, including those under the supervision of an approved college or university or any State department of education, or any State apprenticeship agency or State board of vocational education, or any State apprenticeship council or the Federal Apprentice Training Service established in accordance with Public Law Numbered 308, Seventy-fifth Congress, or any agency in the executive branch of the Federal Government authorized under other laws to supervise such training.

"(b) As used in this part the term 'Other training on the job' shall include courses offered by establishments approved by the appropriate agency of the State or the Administrator whenever such courses of training on the job are furnished in accordance with the following provisions:

August 8, 1946

[S. 2477]

[Public Law 679]

Education of veterans.
57 Stat. 45; 58 Stat. 290.
38 U. S. C., Supp. V, note foll. § 735.
Reimbursement of State, etc., agencies.

58 Stat. 288.
38 U. S. C., Supp. V, note foll. § 735.

58 Stat. 289.
38 U. S. C., Supp. V, note foll. § 735.
Subsistence allowance.

Limitation.

58 Stat. 290.
38 U. S. C., Supp. V, note foll. § 735.
"Educational or training institutions."

50 Stat. 664.
29 U. S. C. §§ 50-50b.

"Other training on the job."

"1. Any establishment desiring to undertake an on-the-job training program will be required to submit to the appropriate State approving agency a written application setting forth the course of training for each job for which a veteran is to be trained. The written application covering the training program will include the following:

Application.

"a. Title and description of the specific job objective for which the veteran is to be trained.

"b. Length of the training period.

"c. Schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task.

"d. Wage or salary to be paid at the beginning of the training program, at each successive step in the program, and at the completion of training.

"e. Entrance wage or salary paid by the establishment to employees already trained in the kind of work for which the veteran is to be trained.

"f. Number of hours of supplemental instructions required.

"2. The appropriate approving agency of the State or the Administrator may approve the application of the establishment when such establishment is found upon investigation to have met or made provision for meeting the following criteria:

Approval.

"a. The training content of the program is adequate to qualify the veteran for appointment to the job for which he is to be trained.

"b. There is reasonable certainty that the job for which the veteran is to be trained will be available to him at the end of the training period.

"c. The job is one in which progression and appointment to the next higher classification are based upon skills learned through organized training on the job and not on such factors as length of service and normal turn-over.

"d. The wages to be paid the veteran for each successive period of training are not less than those customarily paid in the establishment and the community to a learner in the same job and who is not a veteran and are in conformity with State and Federal laws and applicable bargaining agreements.

"e. The job customarily requires a period of training of not less than three months and not more than two years of full-time training.

"f. The length of the training period is no longer than that customarily required by the establishment and other establishments in the community to provide the trainee with the required skills, arrange for the acquiring of job knowledge, technical information, and other facts which the trainee will need to learn in order to become competent on the job for which he is being trained.

"g. Provision is made for related instruction for the individual veteran who may need it.

"h. There is in the establishment adequate space, equipment, instructional material, and instructor personnel to provide satisfactory training on the job.

"i. Adequate records are kept to show the progress made by the veteran toward his job objective and a periodic report showing the conduct and progress made in the course of training on the job will be provided for the Veterans' Administration.

"j. Appropriate credit is given the veteran for previous job experience, whether in the military service or elsewhere, his beginning wage adjusted to the level to which such credit advances him and his training period shortened accordingly. No course of training will be considered bona fide if given to a veteran who is already qualified by training and experience for the job objective.

"k. A copy of the training program as approved by the State agency is provided to the veteran and to the Veterans' Administration by the employer.

"l. Upon completion of the training the veteran is given a certificate by the employer indicating the length and type of training provided and that the veteran has completed the course of training on the job satisfactorily.

Failure to meet requirements.

"3. The Veterans' Administration is not authorized to award the benefits under this part, if it is found by the Administrator that the course of apprentice training or other training on the job fails to meet the requirements of this paragraph."

Approved August 8, 1946.

[CHAPTER 887]

AN ACT

August 8, 1946
[S. 2479]
[Public Law 680]

To amend the Act entitled "An Act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes", approved February 27, 1925.

Milk, etc., D. C.

43 Stat. 1006.
D. C. Code § 33-313.

"Pasteurized."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third paragraph of section 13 of the Act entitled "An Act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes", approved February 27, 1925, be amended to read as follows:

"The term 'pasteurized' as used in this Act shall be held to mean the process of heating every particle of milk or milk products (1) to a temperature of not less than 143 degrees Fahrenheit and, if heated to not more than 159 degrees Fahrenheit holding at such temperature for at least thirty minutes, or (2) to a temperature of not less than 160 degrees Fahrenheit and holding at such temperature for at least fifteen seconds."

Approved August 8, 1946.

[CHAPTER 888]

AN ACT

August 8, 1946
[S. 2480]
[Public Law 681]

Authorizing the appointment of Robert Sprague Beightler as permanent brigadier general of the line of the Regular Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the President, by and with the advice and consent of the Senate, is authorized to appoint as permanent brigadier general of the line of the Regular Army, Robert Sprague Beightler, presently serving in the grade of major general in the National Guard of the United States, Army of the United States.

SEC. 2. Any person appointed pursuant to the provisions of the first section of this Act shall be counted for the purposes of provisions of law establishing the authorized number of brigadier generals of the line of the Regular Army.

Approved August 8, 1946.

[CHAPTER 889]

AN ACT

August 8, 1946
[S. 2498]
[Public Law 682]

To provide for fire protection of Government and private property in and contiguous to the waters of the District of Columbia.

Fireboat, D. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide for fire protection of all Government and private property in

and contiguous to the waters of the District of Columbia, the Secretary of the Navy be, and he is hereby, authorized to transfer, without exchange of funds, a fireboat of the YTB-225 type, excess to the Navy's needs, to the government of the District of Columbia, and the Commissioners of the District of Columbia are hereby authorized to accept, operate, and maintain such fireboat, and to dispose of the obsolete fireboat now in their possession.

Approved August 8, 1946.

[CHAPTER 890]

JOINT RESOLUTION

Authorizing the erection in the District of Columbia of a statue of Nathan Hale.

August 8, 1946
[S. J. Res. 84]
[Public Law 683]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to grant authority to the Second National Bank, of New Haven, Connecticut, executor of the estate of the late George Dudley Seymour, to erect the bronze statue of Nathan Hale, bequeathed by him to the United States of America, including pedestal, on an appropriate site on grounds now owned by the United States in the District of Columbia: *Provided*, That the site chosen shall be approved by the National Commission of Fine Arts, and the United States shall be put to no expense in or by the erection of this statue: *Provided further*, That unless the erection of this statue is begun within five years from and after the date of passage of this joint resolution, the authorization hereby granted is revoked.

Approval of site.

Time limitation.

Approved August 8, 1946.

[CHAPTER 904]

AN ACT

To amend subsection 9 (a) of the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939, as amended.

August 8, 1946
[H. R. 1487]
[Public Law 684]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 9 (a) of the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939 (53 Stat. 1148), as amended by the Act of July 19, 1940 (54 Stat. 767, U. S. C., title 18, sec. 61h), be, and it hereby is, amended by adding to said subsection, at the end thereof, the following sentence: "The provisions of the second sentence of this subsection shall not apply to the employees of The Alaska Railroad, residing in municipalities on the line of the railroad, in respect to activities involving the municipality in which they reside."

Hatch Act, amendment.

18 U. S. C., Supp. V, § 61h (a).

Employees of Alaska Railroad.

Approved August 8, 1946.

[CHAPTER 905]

AN ACT

Relating to marine insurance in the case of certain employees of the War Department who suffered death, injury, or other casualty prior to April 23, 1943, as a result of marine risks.

August 8, 1946
[H. R. 1519]
[Public Law 685]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective as of March 24, 1943, section 2 (b) of the Act of March 24, 1943, entitled "An Act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes", as amended, is amended to read as follows:

War Shipping Administration.
57 Stat. 47.
50 U. S. C., Supp. V, app. § 1292 (b).

"(b) Whenever the Administrator, War Shipping Administration, finds that, on or after October 1, 1941, and before thirty days after

Marine insurance.
Retroactive coverage.

the date of enactment of this subsection, a master, officer, or member of the crew of, or any persons transported on, a vessel owned by or chartered to the Maritime Commission, the War Shipping Administration, or the War Department or operated by, or for the account of, or at the direction or under the control of the Commission, the Administration, or the War Department, has suffered death, injury, detention, or other casualty, for which the War Shipping Administration would be authorized to provide insurance under Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended by this Act, the Administrator may declare that such death, injury, detention, or other casualty, shall be deemed and considered to be covered by such insurance at the time of the disaster or accident, if the Administrator finds that such action is required to make equitable provision for loss or injury related to the war effort and not otherwise adequately provided for: *Provided*, That in making provision for insurance under this subsection the Administrator shall not provide for payments in excess of those generally provided for in comparable cases under insurance hereafter furnished under the said Subtitle—Insurance of title II, as amended: *Provided further*, That any money paid to any person by reason of insurance provided for under this subsection shall apply in pro tanto satisfaction of the claim of such person against the United States arising from the same loss or injury. There shall be no recovery of any money paid on account of insurance provided for the master, officers, or members of the crew of, or individuals transported on, any vessel under this subsection or under Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended, from any person who in the judgment of the Administrator, War Shipping Administration, is without fault, and when in the judgment of the Administrator such recovery would defeat the purposes of benefits otherwise authorized or would be against equity and good conscience. The declarations, findings, and actions of or by the Administrator under this subsection shall be final and conclusive.”

Approved August 8, 1946.

[CHAPTER 906]

AN ACT

To provide for lump-sum payment of compensation for accumulated annual leave and current accrued annual leave to certain officers and employees, and authorizing the appropriation of funds for that purpose.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any officer or employee who was involuntarily separated from the active service of the United States of America as a result of the expiration of the Bituminous Coal Act of 1937 (50 Stat. 72), as amended, and who has not been granted, credited with, or compensated for all accumulated or current accrued annual leave due him immediately prior to the date of expiration of said Act shall be entitled to receive compensation in lump-sum payment for the leave not so granted, credited, or compensated for upon filing a notice of his election to receive compensation in lump-sum payment for such leave with the Department of the Interior, Washington, District of Columbia, within one hundred and eighty days following the enactment of this Act. Upon notification of such election the amount due such officer or employee shall be determined and certified by the Department of the Interior, and paid out of any appropriation currently available for salaries under the Department of the Interior, or appropriated for the purposes of this Act, which appropriation is hereby authorized to be made.

Approved August 8, 1946.

54 Stat. 689.
46 U. S. C., Supp.
V, §§ 1128-1128g.

Restriction on payments.

Application of payments.

Recovery.

Finality of findings, etc.

August 8, 1946

[H. R. 2523]

[Public Law 686]

15 U. S. C. §§ 828-851; Supp. V, note prec. § 828.

Appropriation authorized.

[CHAPTER 907]

AN ACT

To facilitate and simplify the administration of Indian affairs.

August 8, 1946
[H. R. 4386]
[Public Law 687]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of facilitating and simplifying the administration of the laws governing Indian affairs, the Secretary of the Interior is hereby authorized to delegate, from time to time, and to the extent and under such regulations as he deems proper, his powers and duties under said laws to the Commissioner of Indian Affairs, insofar as such powers and duties relate to action in individual cases arising under general regulations promulgated by the Secretary of the Interior pursuant to law. Subject to the supervision and direction of the Secretary, the Commissioner is hereby authorized to delegate, in like manner, any powers and duties so delegated to him by the Secretary, or vested in him by law, to the assistant commissioners, or the officer in charge of any branch, division, office, or agency of the Bureau of Indian Affairs, insofar as such powers and duties relate to action in individual cases arising under general regulations promulgated by the Secretary of the Interior or the Commissioner of Indian Affairs pursuant to law. Such delegated powers shall be exercised subject to appeal to the Secretary, under regulations to be prescribed by him, or, as from time to time determined by him, to the Under Secretary or to an Assistant Secretary of the Department of the Interior, or to the Commissioner of Indian Affairs. The Secretary or the Commissioner, as the case may be, may at any time revoke the whole or any part of a delegation made pursuant to this Act, but no such revocation shall be given retroactive effect. Nothing in this Act shall be deemed to abrogate or curtail any authority to make delegations conferred by any other provision of law, nor shall anything in this Act be deemed to convey authority to delegate any power to issue regulations.

Commissioner of Indian Affairs.
Delegation of powers and duties.

Revocation.

Approved August 8, 1946.

[CHAPTER 908]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for certain officers and employees who have rendered at least twenty-five years of service.

August 8, 1946
[H. R. 4718]
[Public Law 688]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following new subsection:

“(e) Any officer or employee to whom this Act applies who, after having attained the age of fifty-five and after having rendered at least twenty-five years of service computed as prescribed in section 5 of this Act,

46 Stat. 468.
5 U. S. C., Supp.
V, § 691.
Annuity after 25
years' service.

46 Stat. 472.
5 U. S. C. § 707;
Supp. V, § 707.

“(1) shall have been involuntarily separated from the service not by removal for cause on charges of misconduct or delinquency between July 1, 1945, and June 30, 1947, both dates inclusive; or

“(2) shall have been voluntarily separated from the service between such dates if such officer or employee had accepted a position with a lower rate of basic salary, pay, or compensation after having been involuntarily separated (not by removal for cause on charges of misconduct or delinquency) between such dates from a position with a higher rate of basic salary, pay, or compensation, and was receiving less than such higher rate at the time of his voluntary separation,

shall be paid an immediate life annuity beginning on the first day of the month following the date of final separation from the service. Such annuity shall have a value equal to an annuity computed as provided in section 4 of this Act reduced by one-sixth of 1 per centum for each full month any such officer or employee is (A) under the age of sixty years if he has rendered at least thirty years of service computed as prescribed in section 5 of this Act, or (B) under the age of sixty-two years if he has rendered less than thirty years of service computed as prescribed in section 5 of this Act."

Approved August 8, 1946.

[CHAPTER 909]

AN ACT

To amend section 5 of the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927, be amended to read as follows:

"SEC. 5. That, of the reports issued by the Secretary of Agriculture, pursuant to the Act entitled 'An Act authorizing the Department of Agriculture to issue semimonthly cotton crop reports and providing for their publication simultaneously with the ginning reports of the Department of Commerce', approved May 3, 1924, only five shall be issued hereafter, one as of August 1, one as of September 1, one as of October 1, one as of November 1, and one as of December 1, each of which shall state the condition and progress of the crop and the probable number of bales which will be ginned, these reports to be issued simultaneously with the cotton-ginning reports of the Bureau of the Census relating to the same dates, the two reports to be issued from the same place at 11 antemeridian of the eighth day following that to which the respective reports relate. When such date of release falls on Sunday, a legal holiday, or other day which pursuant to statute or Executive order is a nonworkday in the Department of Agriculture at Washington generally, the report shall be issued at 11 o'clock antemeridian of the next succeeding workday."

Approved August 8, 1946.

[CHAPTER 910]

AN ACT

To extend temporarily the time for filing applications for patents, for taking action in the United States Patent Office with respect thereto, for preventing proof of acts abroad with respect to the making of an invention, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the rights of priority provided by section 4887 of the Revised Statutes (U. S. C., title 35, sec. 32), as amended, for the filing of applications for patent for inventions, discoveries, and designs, which rights had not expired on the 8th day of September 1939, or which rights have arisen since the 8th day of September 1939, shall be, and the same are hereby, extended until the expiration of a period of twelve months from the passage of this Act in favor of the citizens of the United States and of citizens or subjects of all countries which have extended, or which now extend or which within said period of twelve months shall extend substantially reciprocal privileges to citizens of the United States, and such

46 Stat. 471.
5 U. S. C. § 698;
Supp. V, § 698.

August 8, 1946
[H. R. 4769]
[Public Law 689]

Cotton statistics.

44 Stat. 1373.
7 U. S. C. § 475.
Reports.

43 Stat. 115.
7 U. S. C. § 475.

August 8, 1946
[H. R. 5223]
[Public Law 690]

Patents.
Rights of priority
for filing applications.

extension shall apply to applications upon which patents have been granted, as well as to applications now pending or filed within the period specified herein: *Provided*, That no such extension shall apply to any patent unless a request in writing was made therefor during the pendency of the application for such patent in the United States Patent Office, or within twelve months after the passage of this Act, which request must be accompanied by (1) a copy of the original foreign application, certified to by the patent office of the country in which it was filed, but if the original foreign application has been destroyed, other evidence pertaining thereto may be accepted; (2) a sworn translation of the same if it is not in the English language; and (3) if the foreign application was not made by the inventor himself, an affidavit by the applicant or patentee stating that such application was filed for his benefit or on his behalf and that such procedure is in accordance with the procedure in the foreign country: *Provided further*, That no patent granted or validated by reason of any such extension shall in any way furnish a basis of claim against the Government of the United States: *Provided further*, That such extension shall in no way abridge or otherwise affect the right of the United States, or of any person, firm, association, company, or corporation, who, before the passage of this Act was bona fide in possession of any rights in or under patents or applications for patents conflicting with rights in patents granted or validated by reason of such extensions to exercise such rights by itself or himself personally, or by such agents, or licensees as derived their rights from it or him before the passage of this Act, to the extent that they shall not be amenable to any action for infringement of any patent granted or validated by reason of such extension.

Request for extension.

Restriction.

Exercise of rights.

A patent shall not be refused on an application coming within the provisions of this section, nor shall a patent granted on such application be held invalid, by reason of the invention having been patented or described in any printed publication or in public use or on sale in the United States more than one year prior to the filing of the application in the United States, unless such patent or publication or such public use or sale was prior to the filing of the foreign application upon which the right of priority is based.

Publication, etc., prior to filing foreign application.

SEC. 2. Whenever, prior to the 8th day of April 1946, an invention, discovery, or a design has been communicated in writing or embodied in any article supplied to the Government of the United States or to any person, firm, or corporation in the United States at the request of said Government, pursuant to and by reason of an agreement or arrangement between the Government of the United States and the government of a foreign country for the supply or mutual exchange of information or articles for use for national defense purposes during the periods of the national emergencies declared by the President of the United States preceding World War II, or for use for war purposes during World War II—

Invention, etc., communicated prior to Apr. 8, 1946.

(a) A patent based on an application filed by the inventor of the invention, discovery, or design so communicated or supplied shall not be refused or held invalid merely because of the fact that the invention, discovery, or design had been in public use or on sale in the United States, or described in a printed publication, if such public use or sale or publication was in consequence of and attributable to the communication or supply and subsequent to the date of the communication or supply; and

Public use, etc.

(b) For use in any action in a United States court or proceeding in the Patent Office involving a patent for an invention, discovery, or a design, or involving an application for patent for an invention, discovery, or a design so communicated or supplied any court of the

Use in court action, etc.

Papers, etc., in possession of Government agency.

United States for any district or Territory thereof, and the Commissioner of Patents shall have the power to call upon any department or agency of the Government of the United States to produce information or papers in its possession relating to the communication or supply or relating to the further communication of the invention, discovery, or design by said department or agency to any person, firm, or corporation in the United States: *Provided, however,* That the head of any department or agency may refuse and omit to comply with any call for information or papers when in his opinion such compliance would jeopardize the national defense.

Refusal, etc., to comply with call for information.

Restrictions on benefits.

No benefit under section 2 of this Act shall be extended to any person unless (1) an application for patent for the same invention, discovery, or design which was communicated or supplied as aforesaid is filed in the United States Patent Office prior to the expiration of twelve months from the date of this Act; and (2) unless sufficient information in writing and under oath as to what was communicated or supplied, the date thereof and to whom made, is furnished to the Commissioner of Patents by the owner of such application while it is pending, or prior to the expiration of twelve months from the date of this Act to enable him to judge of the identity of the invention so communicated or supplied with the invention claimed in such application, which information shall be made a part of the record of such application and shall have no evidentiary value as proof of the facts stated therein; and (3) unless the country of which such person is a national extends substantially reciprocal privileges to citizens of the United States.

Extension of time for payment of fees, etc.

SEC. 3. That whenever it shall be shown to the satisfaction of the Commissioner of Patents that the time now fixed by law for the payment of any fee, or for the taking of any other action, with respect to an application for patent for an invention, discovery, or design has lapsed because of conditions growing out of World War II, which time had not expired on the 8th day of September 1939, or which commenced after the 8th day of September 1939, such time may be extended by the Commissioner to a date not later than twelve months after the passage of this Act, without the payment of extension fees or other penalty, in favor of citizens of the United States and the citizens or subjects of countries which have extended, now extend, or shall extend prior to the expiration of twelve months after the passage of this Act substantially reciprocal privileges to citizens of the United States: *Provided,* That no extension herein shall confer such privileges upon the citizens or subjects of a foreign country for a longer term than the term during which such privileges are conferred by such foreign country upon the citizens of the United States, but nothing in this Act shall give any right to reopen interference proceedings where final hearing before the Examiner of Interferences or the Board of Interference Examiners has taken place.

Restrictions.

Right to continue manufacture, etc.

SEC. 4. That no patent granted or validated by reason of any extension of time provided for by sections 1 and 3 of this Act shall abridge or otherwise affect the right of the United States, or of any person, firm, association, company, or corporation, or agent or agents, or his successor in business, to continue or to resume any manufacture, use, or sale bona fide commenced by it or him in the United States before the passage of this Act, or, in the case of an application claiming the benefits of section 3 hereof, commenced by it or him before the taking of action or the payment of any fee under that section if such action or payment was later than the passage of this Act, nor shall the further manufacture, use, or sale by it or him, or its or his agents or successors in business or the use or sale of the devices resulting from such manufacture or use constitute an infringement: *Provided,* That

Nonapplicability.

the benefits of this section shall not apply to the manufacture, use, or sale as aforesaid if and to the extent that it is based upon or attributable to a communication of the invention, discovery, or design so manufactured, used, or sold to the United States or to any person, firm, or corporation in the United States at the request of said Government under an agreement or arrangement between the Government of the United States and the government of another country for the supply or mutual exchange of information or articles for use for national defense purposes during the periods of the national emergencies declared by the President of the United States preceding World War II, or for use for war purposes during World War II.

SEC. 5. Notwithstanding the provisions of sections 4885 and 4887 of the Revised Statutes (U. S. C., title 35, secs. 41 and 32, respectively) no patent issued subsequent to July 17, 1945, which was scheduled for issue on that date, or on July 24, July 31, or August 7, 1945, shall be held invalid because of the deferment of the issuance of such patent due to the failure to issue patents on July 17 and July 24, 1945.

Deferment of issuance.

SEC. 6. Notwithstanding the provisions of the Act of Congress approved July 1, 1940 (54 Stat. 710; U. S. C., title 35, sec. 42), as amended by the Act approved August 21, 1941 (55 Stat. 657; U. S. C., title 35, secs. 42a-42f), and as further amended by the Act of June 16, 1942 (56 Stat. 370), no person shall be debarred from receiving a patent for an invention made in the United States, nor shall any patent issued for such invention be deemed or held invalid under said Act, merely because authorization to file an application for patent for such invention in any country foreign to the United States was not first obtained from the Commissioner of Patents: *Provided*, That the Commissioner subsequently authorized the filing of the application in such foreign country.

Failure to obtain authorization in foreign country.

35 U. S. C., Supp. V, § 42 note, 42a-42f.

SEC. 7. That all applications for patents for inventions, discoveries, or designs officially accepted by the Patent Office and given a serial number and date of filing since the 8th day of September 1939, and prior to the passage of this Act, which were executed by an agent of the applicant, and in which a duplicate copy of the specification and a new petition and oath, all duly signed and executed by the inventor or his executor or administrator has been or shall have been filed within a period of twelve months from the approval of this Act, and the patents granted on such applications, shall have the same force and effect as if the papers signed and executed by the inventor, or his executor or administrator, had been filed on the date on which the papers signed by his agent were deposited in the United States Patent Office.

Validity of applications executed by agents.

SEC. 8. That all applications for patents for inventions, discoveries, or designs filed since the 8th day of September 1939, in which the oath was executed before or authenticated by a consular officer, or other representative qualified to administer oaths, of a government acting in the interest of the Government of the United States, shall have the same force and effect as if said oath had been executed by the applicant before a consular officer of the United States.

Oath.

SEC. 9. That in proceedings in the Patent Office and in the courts of the United States an applicant for a patent for an invention, discovery, or a design, or a patentee, shall not be permitted to establish the date of invention or discovery by reference to knowledge or use thereof, or other activity with respect thereto, in a country foreign to the United States, other than the filing in a foreign country of an application for a patent for the same invention, discovery, or design which, in accordance with the provisions of section 4887 of the Revised Statutes, as amended, or in accordance with and subject to the provisions of this Act, is entitled to have the same force and

Restriction on establishing date of invention, etc.

35 U. S. C. § 32.

Invention of person serving abroad.

effect as it would have had if filed in the United States on the date on which it was filed in such foreign country: *Provided*, That where an invention was made by a person, civil or military, during the time such person was domiciled in the United States or its possessions and was serving in a foreign country in connection with the prosecution of the war on behalf of the United States or its allies, the inventor thereof shall be entitled, in interference and other proceedings arising in connection with such invention, to the same rights of priority with respect to such invention as if the same had been made in the United States.

Term of patent.

SEC. 10. No patent for an invention or a discovery granted under the provisions of section 1 or 3 of this Act shall extend for a longer term than twenty years from the filing date of the first application regularly filed in any country disclosing the same invention, and in no event for a period in excess of seventeen years from the date of the grant of such patent.

Claims for patent infringement, etc., restriction.

SEC. 11. No claims for patent infringement shall be made or action brought by or on behalf of or for the benefit of any country or a national of any country against which the United States has declared the existence of a state of war, in respect to any manufacture, use, or sale since September 8, 1939.

Acts done under special measures taken in World War II.

SEC. 12. That nothing in this Act shall affect any act which has been or shall be done by virtue of the special measures taken during World War II under legislative, executive, or administrative authority of the United States in regard to the rights of any enemy, or ally of an enemy, as defined by the Trading With the Enemy Act of October 6, 1917 (40 Stat. L. 411), as amended, in patents for inventions and designs.

50 U. S. C. app. §§ 1-31; Supp. V, § 3 *et seq.*
Ante, pp. 50, 54, 182, 418, 925; *infra*.
Repeal.
40 Stat. 420.
50 U. S. C. app. § 10 (a).

SEC. 13. Section 10 (a) of the said Trading With the Enemy Act, relating to the filing and prosecution of applications for patents and the registration of trade-marks, prints, labels, and copyrights, by an enemy, or ally of an enemy, is hereby repealed.

Nonextension of benefits.

SEC. 14. The benefits of this Act shall not extend in favor of inventions, applications, or patents made by or owned by citizens of any country with which the United States shall have been at war since the 8th day of September 1939. The Alien Property Custodian shall be entitled to the benefits of this Act.

Judicial finding on validity of patent.

SEC. 15. Nothing contained in this Act shall be effective to nullify any judicial finding upon the validity of any patent for an invention, discovery, or a design heretofore made by a court of competent jurisdiction.

Separability of provisions.

SEC. 16. If any clause, sentence, paragraph, or part of this Act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Approved August 8, 1946.

[CHAPTER 911]

AN ACT

To amend the Civil Aeronautics Act of 1938, as amended, so as to improve international collaboration with respect to meteorology.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 803 of the Civil Aeronautics Act of 1938, as amended (U. S. C., 1940 edition, title 49, sec. 603), is amended to read as follows:

August 8, 1946

[H. R. 6036]

[Public Law 691]

Civil Aeronautics Act of 1938, amendment.

52 Stat. 1014.

"WEATHER BUREAU

Ante, p. 4.

"SEC. 803. In order to promote safety and efficiency in air navigation to the highest possible degree, the Chief of the Weather Bureau, under the direction of the Secretary of Commerce, shall, in addition to any other functions or duties pertaining to weather information for other purposes, (1) make such observations, measurements, investigations, and studies of atmospheric phenomena, and establish such meteorological offices and stations, as are necessary or best suited for ascertaining, in advance, information concerning probable weather conditions; (2) furnish such reports, forecasts, warnings, and advices to the Administrator, and to such persons engaged in civil aeronautics as may be designated by the Administrator, and to such other persons as the Chief of the Weather Bureau may determine, and such reports shall be made in such manner and with such frequency as will best result in safety in and in facilitating air navigation; (3) cooperate with persons engaged in air commerce, or employees thereof, in meteorological service, establish and maintain reciprocal arrangements under which this provision is to be carried out and collect and disseminate weather reports available from aircraft in flight; (4) establish and coordinate the international exchanges of meteorological information required for the safety and efficiency of air navigation; (5) participate in the development of an international basic meteorological reporting network, including the establishment, operation, and maintenance of reporting stations on the high seas, in polar regions, and in foreign countries in cooperation with other governmental agencies of the United States and the meteorological services of foreign countries and with persons engaged in air commerce; (6) coordinate meteorological requirements in the United States in order to maintain standard observations, promote efficient use of facilities and avoid duplication of services unless such duplication tends to promote the safety and efficiency of air navigation; (7) promote and develop meteorological science and foster and support research projects in meteorology through the utilization of private and governmental research facilities and provide for the publication of the results of such research projects unless such publication would be contrary to the public interest; and (8) detail annually, within the limits of available appropriations made by Congress, members of the Weather Bureau personnel for training at Government expense, either at civilian institutions or otherwise, in advanced methods of meteorological science: *Provided*, That no such member shall lose his individual status or seniority rating in the Bureau merely by reason of absence due to such training."

Observations, etc., of atmospheric phenomena.

Reports, forecasts, etc.

Reciprocal arrangements.

International exchanges, etc.

Coordination of requirements in U. S.

Research projects.

Detail of personnel for training.

Approved August 8, 1946.

[CHAPTER 912]

AN ACT

To amend the Act of June 23, 1943, so as to authorize inclusion of periods of education and training in an Army Transportation Corps civilian marine school as "service in the merchant marine".

August 8, 1946
[H. R. 6263]
[Public Law 692]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to provide reemployment rights for persons who leave their positions to serve in the merchant marine, and for other purposes", approved June 23, 1943 (U. S. C., 1940 edition, Supp. IV, title 50 App., sec. 1471), is amended to read as follows: "That when used in this Act the term 'service in the merchant marine' means service as an officer or member of the crew on or in connection with a vessel documented under the laws of the United States or a vessel owned by, chartered to, or operated by or for the account or use

57 Stat. 162.
50 U. S. C., Supp.
V, § 1471.
Ante, p. 905.
"Service in the merchant marine."

of the Administrator, as an enrollee in the United States Maritime Service on active duty, and, to such extent as the Administrator shall prescribe, any period awaiting assignment to such service and any period of education or training for such service in any school or institution under the jurisdiction of the Administrator or any civilian marine school under the jurisdiction of the Army Transportation Corps.”

Approved August 8, 1946.

[CHAPTER 913]

AN ACT

To grant to the city of Miles City, State of Montana, certain land in Custer County, Montana, for industrial and recreational purposes and as a museum site.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized and directed to convey by patent to the city of Miles City, a municipal corporation organized and existing under the laws of the State of Montana, the following tracts of public lands, to wit:

Thirty-seven and twenty-six one-hundredths acres of land, to be used for industrial and recreational purposes, said land being more particularly described as follows:

Beginning at a point on the north right-of-way line of United States Highways Numbered 10 and 12, said point being north forty-two degrees forty-four minutes west a distance of nine hundred and seventy-one and one-tenth feet from the section corner of sections 4 and 5, township 7 north, range 47 east, and sections 32 and 33, township 8 north, range 47 east; thence north sixty degrees fifteen minutes west a distance of one thousand five hundred and sixty-six and twelve one-hundredths feet more or less to the south right-of-way line of the Chicago, Milwaukee, Saint Paul and Pacific Railroad station 3209 plus 88.5; thence north forty-seven degrees sixteen minutes east five hundred and eighty-eight and five-tenths feet along the south right-of-way line; thence north forty-two degrees forty-four minutes west a distance of one hundred and fifty feet along the right-of-way jog at station 3204 plus 00; thence north forty-seven degrees sixteen minutes east along the south right-of-way line a distance of six hundred feet to station 3198 plus 00; thence south forty-two degrees forty-four minutes east a distance of fifty feet; thence north forty-seven degrees sixteen minutes east along the south right-of-way line a distance of one thousand one hundred and five and eight one-hundredths feet more or less to the intersection of the south right-of-way line and the line between A. P. Numbered 1 and A. P. Numbered 2 south thirty-two; thence south twenty degrees thirty minutes east a distance of one hundred and thirty-six and twenty-seven one-hundredths feet more or less to A. P. Numbered 1 south thirty-two; thence south fifty-three degrees forty minutes east a distance of seventy-five and twenty-two one-hundredths feet more or less to a point three hundred and fifty feet at right angles to the Chicago, Milwaukee, Saint Paul and Pacific Railroad; thence south forty-seven degrees sixteen minutes west a distance of one thousand and sixty-seven and seventy-nine one-hundredths feet; thence south forty-two degrees forty-four minutes east a distance of one thousand one hundred and twenty-four and six-tenths feet more or less to a point on the north right-of-way of United States Highways Numbered 10 and 12; thence along the arc of a circular curve (radius one thousand nine hundred and seventy feet through an angle of ten degrees fifty-one and five-tenths minutes) a distance of three hundred

August 8, 1946

[H. R. 6896]

[Public Law 693]

Miles City, Mont.
Conveyance.

Land for industrial
and recreational pur-
poses.

and seventy-three and four-tenths feet, more or less, to the point of curve (highway station 207 plus 73.2); thence south twenty-four degrees fifty minutes west a distance of three hundred and ninety-one and eight-tenths feet, more or less, to the point of beginning: *Provided*, That a strip of land fifty feet in width will remain open and be used as a road, the center line of said road being Chicago, Milwaukee, Saint Paul and Pacific Railroad station 3198 plus 25 and bearing south forty-two degrees forty-four minutes east to United States Highways Numbered 10 and 12.

Twenty-five and three-tenths acres of land, to be used as a museum site, said land being more particularly described as follows:

Museum site.

Beginning at a point on the south side of the Chicago, Milwaukee, Saint Paul and Pacific Railroad, said point being three hundred and fifty feet from the center line of the Chicago, Milwaukee, Saint Paul and Pacific Railroad measured at right angles to the tract at Chicago, Milwaukee, Saint Paul and Pacific Railroad station 3198 plus 00; thence south forty-two degrees forty-four minutes east a distance of one thousand one hundred and twenty-four and six-tenths feet, more or less, to the north right-of-way line of United States Highway Numbered 10 and 12, thence along the arc of a circular curve of radius one thousand nine hundred and seventy feet through an angle of ten degrees forty-six minutes to a point on the west boundary of tract C and the north right-of-way line of United States Highways Numbered 10 and 12; thence north sixteen degrees fifty minutes east along the west line of tract C a distance of seven hundred and ninety-seven and seven-tenths feet, more or less, to A. P. Numbered 5 of tract C; thence north sixty-eight degrees east a distance of three hundred and thirty-nine and nine-tenths feet to A. P. Numbered 6; thence south thirty-five degrees fifty-five minutes east along the boundary of tract C a distance of three hundred and sixty-four and two-tenths feet, more or less, to the north right-of-way line of United States Highways Numbered 10 and 12; thence north sixty-five degrees eight minutes east along said right-of-way line a distance of one hundred and fifty-five and one-tenth feet, more or less, to the west boundary of tract B; thence north thirty-six degrees twenty-two minutes west along the boundary of tract B a distance of three hundred and forty-one and seven-tenths feet, more or less, to the northwest corner of tract B; thence north eighty degrees west a distance of one hundred and fifty-three and forty-four one-hundredths feet to A. P. Numbered 5 south thirty-three F. K. M. R.; thence north sixty degrees west a distance of four hundred and thirty-five and six-tenths feet; thence north fifty-three degrees forty minutes west a distance of three hundred and fifty-nine and six one-hundredths feet; thence south forty-seven degrees sixteen minutes west a distance of one thousand and sixty-seven and seventy-nine one-hundredths feet, more or less, to the point of beginning.

Said patent shall be issued upon the express condition that the city of Miles City shall use or cause to be used said tracts of land for industrial and recreational purposes and as a museum site, respectively, for the benefit of the citizens of that city: *Provided*, That whenever said lands shall cease to be used by said city for the purposes aforesaid or their sale or conveyance is attempted, then, and in that event, title to such lands and the whole thereof shall revert to the United States: *Provided further*, That such patent shall contain a reservation to the United States of all gas, oil, coal, and other mineral deposits as may be found in such lands and the right to the use of the lands for extracting and removing the same.

Condition.

Reversion to U. S.

Reservation of mineral deposits.

Approved August 8, 1946.

[CHAPTER 914]

AN ACT

August 8, 1946
[H. R. 6918]
[Public Law 694]

To provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes.

Hawaii.

Whereas the Territory of Hawaii is suffering from the effects of violent seismic waves of extraordinary force and unexampled violence which struck the Territory in April, 1946; and

Whereas as a result of said seismic waves two hundred lives were lost and approximately \$25,000,000 in damages caused to property; and

Whereas the damage to Territorial and county piers, waterworks, sewer works, and other structures and facilities is estimated at \$4,250,000; and

Whereas a total of three hundred and ninety-seven homes and one hundred and sixty business concerns were completely destroyed, including furniture and personal effects, and nine hundred and sixty-one homes and forty business concerns were seriously damaged causing an estimated total loss of \$18,000,000 and rendering over one thousand three hundred families homeless; and

Whereas the devastation caused in the Territory has been so great as to make it impossible for the Territorial government or the Red Cross to give adequate relief in the emergency; and

Whereas the Territory of Hawaii has indicated a willingness to assume one-half of the cost of providing emergency relief for the victims of the seismic waves and of aiding in the restoration and reconstruction of the devastated area: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,300,000, to be immediately available and remain available until expended, which shall be used in the discretion and under the direction of the Federal Works Administrator for the making of grants for the repair and reconstruction of any Territorial, county, or municipal structures or facilities, other than roads, highways, or bridges, damaged or destroyed by the seismic waves which struck the Territory in April 1946 (including but not confined to piers numbered 1 and numbered 2 at Hilo, the Hilo ship berths, the pavilion and hall of the Hawaiian Homes Commission at Hilo, the school buildings at Laupahoehoe, the waterworks and the sewer works at Hilo, and the county public parks), and for the removal of debris and other clean-up operations necessitated by said seismic waves: *Provided*, That no grant shall exceed 50 per centum of the cost of the work financed in part therewith as determined by the Administrator: *And provided further*, That in the event that any amount shall be allocated pursuant to law out of any existing appropriation for any of the purposes herein specified, then the amount herein authorized to be appropriated shall be reduced by the amount so allocated.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000,000 to be expended by the Commissioner of Public Roads, Federal Works Agency, for the necessary rehabilitation or repair of roads, highways, and bridges in the Territory of Hawaii, which he finds, after investigation, have been substantially damaged by the Army or the Navy, or both, or by any person or contractor employed by or contracting with the Army or Navy in the performance of contract work in connection with the prosecution of the war or national defense, and for the restoration or reconstruction of roads, highways, and bridges on the system of Federal-aid highways or the system of

Repair of facilities destroyed by seismic waves, etc.
Appropriation authorized.
Ante, p. 915.

Maximum grant.

Allocation from existing appropriation

Roads and bridges. Appropriation authorized.
Ante, p. 914.

secondary Federal-aid highways which he finds, after investigation, have been damaged or destroyed by the recent seismic waves in the Territory of Hawaii: *Provided*, That in the case of war damage the Territory of Hawaii shall match the funds authorized to be appropriated by this section to the extent that may be required by the Commissioner of Public Roads, and that in all other cases the Territory shall make a contribution equal to that of the Federal Government: *Provided further*, That no part of the funds authorized to be appropriated by this section shall be expended for any abandoned railroad right-of-way or part thereof that may be used in the restoration or reconstruction of any such road, highway, or bridge, or for any construction features on any such abandoned railroad right-of-way that may be used for or be incorporated in such restoration or reconstruction work: *And provided further*, That the sum herein authorized to be appropriated by this section shall constitute full and complete provision for the relief of the Territory of Hawaii for all damages that may have been caused to roads, highways, and bridges therein by the Army or the Navy or their contractors in connection with prosecution of the war or the national defense or caused by the recent seismic waves and no further claims on account of damage from such causes shall be made by said Territory or its subdivisions.

SEC. 3. For the purpose of facilitating the rebuilding or repair of private homes, stores, or other structures damaged or destroyed by said seismic waves, the Secretary of the Interior (hereinafter called the "Secretary") is authorized to make loans to persons in the Territory of Hawaii in such amounts and upon such terms as the Secretary shall by regulation prescribe, including an agreement by the borrower to use the loan for the purpose herein prescribed; except that no such loan shall be made for a period of more than twenty years or in an amount in excess of \$25,000 to any one borrower. The rate of interest upon each such loan shall be 3 per centum per annum, except that the Secretary may, in his discretion, defer the payment of interest upon any such loan for such a period not to exceed three years. All such loans shall be made, administered, and collected by the Secretary in such manner and through such agencies as he shall designate. For carrying out the purpose of this section there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000,000, to be immediately available, and remain available until expended, of which not to exceed \$25,000 shall be available annually for the payment of administrative expenses. All moneys received during a period of five years from the date of approval of this Act as repayment of any loan or interest on any loan made under the provisions of this section shall constitute a revolving fund from which loans may be made for the purpose and upon the terms herein provided, and all moneys received after said five-year period as payments of interest and principal on loans made under this section shall be covered into the Treasury as miscellaneous receipts.

Approved August 8, 1946.

[CHAPTER 915]

AN ACT

To provide for the acquisition by exchange of non-Federal property within the Glacier National Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept title to any non-Federal lands, interests in lands, buildings, or other property, real or personal, within the authorized boundaries of the Glacier National Park, as

Matching of funds.

Abandoned railroad right-of-way.

Full relief for damages.

Loans for repair of homes, etc.

Interest.

Appropriation authorized.

Administrative expenses.

Revolving fund.

August 8, 1946

[H. R. 7020]

[Public Law 695]

Glacier National Park.
Exchange of property.

now or hereafter established, when the acquisition by exchange of such property would, in his judgment, be in the best interests of the United States. In exchange for the non-Federal property so to be acquired, the Secretary of the Interior is authorized to convey to the grantors of such property, or to their nominees, any federally owned lands, interests in lands, buildings, or other property, real or personal, within the authorized boundaries of the Glacier National Park, located in the State of Montana and administered by the National Park Service, which are of approximately equal value, as determined by the Secretary, to the property being acquired. In order to facilitate the making of such exchanges, the Secretary of the Interior may enter into agreements for the reservation in conveyances to the United States, or for the grant in conveyances from the United States, of such estates for years, life estates, or other interests as may be consistent, in his judgment, with the accomplishment of the purposes of this Act, but all such limitations shall be considered in determining the equality of the interests to be exchanged.

Agreements.

SEC. 2. Any property acquired pursuant to this Act shall, upon acceptance of title thereto, become a part of the Glacier National Park, and shall be subject to all laws applicable to such area. The Secretary of the Interior is authorized to issue such regulations as he deems necessary for carrying out the purposes of this Act.

Regulations.

Approved August 8, 1946.

[CHAPTER 916]

AN ACT

August 8, 1946

[S. 1236]

[Public Law 696]

To amend the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of oil and gas on the public domain, and for other purposes.

Mineral Lands Leasing Act, amendments.

Disposition of deposits to U. S. citizens, etc.

16 U. S. C. §§ 480, 500, 513-519, 521, 552, 563; Supp. V, § 500.

Citizens of another country.

Helium.

Extraction from gas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 181 and the following), as amended be amended to read as follows:

“That deposits of coal, phosphate, sodium, potassium, oil, oil shale, or gas, and lands containing such deposits owned by the United States, including those in national forests, but excluding lands acquired under the Act known as the Appalachian Forest Act, approved March 1, 1911 (36 Stat. 961), and those in incorporated cities, towns, and villages and in national parks and monuments, those acquired under other Acts subsequent to February 25, 1920, and lands within the naval petroleum and oil-shale reserves, except as hereinafter provided, shall be subject to disposition in the form and manner provided by this Act to citizens of the United States, or to associations of such citizens, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, or in the case of coal, oil, oil shale, or gas, to municipalities. Citizens of another country, the laws, customs, or regulations of which deny similar or like privileges to citizens or corporations of this country, shall not by stock ownership, stock holding, or stock control, own any interest in any lease acquired under the provisions of this Act.

“The United States reserves the ownership of and the right to extract helium from all gas produced from lands leased or otherwise granted under the provisions of this Act, under such rules and regulations as shall be prescribed by the Secretary of the Interior: *Provided further,* That in the extraction of helium from gas produced from such lands it shall be so extracted as to cause no substantial

delay in the delivery of gas produced from the well to the purchaser thereof."

SEC. 2. Section 16 of the Act is amended to read as follows:

"SEC. 16. That all leases of lands containing oil or gas, made or issued under the provisions of this Act, shall be subject to the condition that the lessee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the lease, to be enforced as provided in this Act."

41 Stat. 443.
30 U. S. C. § 225.
Oil and gas leases.

Forfeiture.

SEC. 3. Section 17 of the Act is amended to read as follows:

"SEC. 17. All lands subject to disposition under this Act which are known or believed to contain oil or gas deposits may be leased by the Secretary of the Interior. When the lands to be leased are within any known geological structure of a producing oil or gas field, they shall be leased to the highest responsible qualified bidder by competitive bidding under general regulations, in units of not exceeding six hundred and forty acres, which shall be as nearly compact in form as possible, upon the payment by the lessee of such bonus as may be accepted by the Secretary and of such royalty as may be fixed in the lease which shall be not less than 12½ per centum in amount or value of the production removed or sold from the lease. When the lands to be leased are not within any known geological structure of a producing oil or gas field, the person first making application for the lease who is qualified to hold a lease under this Act shall be entitled to a lease of such lands without competitive bidding. Such leases shall be conditioned upon the payment by the lessee of a royalty of 12½ per centum in amount or value of the production removed or sold from the lease. Leases issued under this section shall be for a primary term of five years and shall continue so long thereafter as oil or gas is produced in paying quantities.

41 Stat. 443.
30 U. S. C. § 226.

Competitive bidding.

Noncompetitive lease.

Primary term.

"Any lease issued under this Act upon which there is production during or after the primary term shall not terminate when such production ceases if diligent drilling operations are in progress on the land under lease during such period of nonproduction.

Status of lease during nonproduction period.

"Upon the expiration of the primary term of any noncompetitive lease maintained in accordance with applicable statutory requirements and regulations, the record titleholder thereof shall be entitled to a single extension of the lease, unless then otherwise provided by law, for such lands covered by it as are not on the expiration date of the lease within the known geological structure of a producing oil or gas field or withdrawn from leasing under this section. A withdrawal, however, shall not affect the right to an extension if actual drilling operations on such lands were commenced prior thereto and were being diligently prosecuted on such expiration date. No withdrawal shall be effective within the meaning of this section until ninety days after notice thereof shall be mailed, registered mail, to each lessee to be affected by such withdrawal. Such extension shall be for a period of five years and so long thereafter as oil or gas is produced in paying quantities and shall be subject to such rules and regulations as are in force at the expiration of the initial five-year term of the lease. No extension shall be granted unless an application therefor is filed by the record titleholder within a period of ninety days prior to such expiration date. Any noncompetitive lease which is not subject to such extension in whole or in part because the lands covered thereby are within the known geologic structure of a producing oil or gas field at the date of expiration of the primary term of the lease, and upon

Single extension of noncompetitive lease.

Withdrawals.

Extension period.

Application.

Continuation.

which drilling operations are being diligently prosecuted on such expiration date, shall continue in effect for a period of two years and so long thereafter as oil or gas is produced in paying quantities.

Payment of rental and royalty.

"All leases issued under this section shall be conditioned upon the payment by the lessee in advance of a rental of not less than 25 cents per acre per annum. A minimum royalty of \$1 per acre in lieu of rental shall be payable at the expiration of each lease year beginning on or after a discovery of oil or gas in paying quantities on the lands leased: *Provided*, That in the case of lands not within any known geological structure of a producing oil or gas field, the rentals for the second and third lease years shall be waived unless a valuable deposit of oil or gas be sooner discovered.

Waiver of rentals.

"Whenever it appears to the Secretary of the Interior that lands owned by the United States are being drained of oil or gas by wells drilled on adjacent lands, he is hereby authorized and empowered to negotiate agreements whereby the United States, or the United States and its lessees, shall be compensated for such drainage, such agreements to be made with the consent of the lessees affected thereby and the primary term of any lease for which compensatory royalty is being paid shall be extended by adding thereto a period equal to the period during which such compensatory royalty is paid."

Compensation for drainage.

Extension of primary term.

SEC. 4. The Act is hereby amended by adding a new section to read as follows:

Issuance of new leases.

"SEC. 17. (a) The Secretary of the Interior shall, upon timely application therefor, issue a new lease in exchange for any lease issued for a term of twenty years, or any renewal thereof, or any lease heretofore issued in exchange for a twenty-year lease, such new lease to be for a primary term of five years and so long thereafter as oil or gas is produced in paying quantities and at a royalty rate of not less than 12½ per centum in amount or value of the production removed or sold from such leases, except that the royalty rate shall be 12½ per centum in amount or value of the production removed or sold from said leases, as to (1) such leases, or such part of the lands subject thereto, and the deposits underlying the same, as are not believed to be within the productive limits of any producing oil or gas deposit, as such productive limits are found by the Secretary to exist on the effective date of this Act, and (2) any production on a lease from an oil or gas deposit which was discovered after May 27, 1941, by a well or wells drilled within the boundaries of the lease, and which is determined by the Secretary to be a new deposit; and (3) any production on or allocated to a lease pursuant to an approved unit or cooperative agreement from an oil or gas deposit which was discovered after May 27, 1941, on land committed to such agreement, and which is determined by the Secretary to be a new deposit, where such lease, or a lease for which it is exchanged, was included in such agreement at the time of discovery, or was included in a duly executed and filed application for the approval of such agreement at the time of discovery."

SEC. 5. The Act is hereby amended by adding a new section to read as follows:

Cooperative plan for conservation.

"SEC. 17. (b) For the purpose of more properly conserving the natural resources of any oil or gas pool, field, or like area, or any part thereof (whether or not any part of said oil or gas pool, field, or like area, is then subject to any cooperative or unit plan of development or operation), lessees thereof and their representatives may unite with each other, or jointly or separately with others, in collectively adopting and operating under a cooperative or unit plan of development or operation of such pool, field, or like area, or any part thereof, when-

ever determined and certified by the Secretary of the Interior to be necessary or advisable in the public interest. The Secretary is thereunto authorized, in his discretion, with the consent of the holders of leases involved, to establish, alter, change, or revoke drilling, producing, rental, minimum royalty, and royalty requirements of such leases and to make such regulations with reference to such leases, with like consent on the part of the lessees, in connection with the institution and operation of any such cooperative or unit plan as he may deem necessary or proper to secure the proper protection of the public interest. The Secretary may provide that oil and gas leases hereafter issued under this Act shall contain a provision requiring the lessee to operate under such a reasonable cooperative or unit plan, and he may prescribe such a plan under which such lessee shall operate, which shall adequately protect the rights of all parties in interest, including the United States.

“Any plan authorized by the preceding paragraph, which includes lands owned by the United States, may, in the discretion of the Secretary, contain a provision whereby authority is vested in the Secretary of the Interior, or any such person, committee, or State or Federal officer or agency as may be designated in the plan, to alter or modify from time to time the rate of prospecting and development and the quantity and rate of production under such plan. All leases operated under any such plan approved or prescribed by the Secretary shall be excepted in determining holdings or control under the provisions of any section of this Act.

Authority to alter rate of prospecting, etc.

“When separate tracts cannot be independently developed and operated in conformity with an established well-spacing or development program, any lease, or a portion thereof, may be pooled with other lands, whether or not owned by the United States, under a communitization or drilling agreement providing for an apportionment of production or royalties among the separate tracts of land comprising the drilling or spacing unit when determined by the Secretary of the Interior to be in the public interest, and operations or production pursuant to such an agreement shall be deemed to be operations or production as to each such lease committed thereto.

Agreement for apportionment of production or royalties.

“Any lease issued for a term of twenty years, or any renewal thereof, or any portion of such lease that has become the subject of a cooperative or unit plan of development or operation of a pool, field, or like area, which plan has the approval of the Secretary of the Interior, shall continue in force until the termination of such plan. Any other lease issued under any section of this Act which is committed to any such plan that contains a general provision for allocation of oil or gas shall continue in force and effect as to the land committed so long as the lease remains subject to the plan, provided oil or gas is discovered under the plan prior to the expiration date of the primary term of such lease. The minimum royalty or discovery rental under any lease that has become subject to any cooperative or unit plan of development or operation, or other plan that contains a general provision for allocation of oil or gas, shall be payable only with respect to the lands subject to such lease to which oil or gas shall be allocated under such plan. Any lease which shall be eliminated from any such approved or prescribed plan, or from any communitization or drilling agreement authorized by this section, and any lease which shall be in effect at the termination of any such approved or prescribed plan, or at the termination of any such communitization or drilling agreement, unless relinquished, shall continue in effect for the original term thereof, but for not less than two years, and so long thereafter as oil or gas is produced in paying quantities.

Continuation of lease.

Minimum royalty or discovery rental.

Approval of contracts.

"The Secretary of the Interior is hereby authorized, on such conditions as he may prescribe, to approve operating, drilling, or development contracts made by one or more lessees of oil or gas leases, with one or more persons, associations, or corporations, whenever, in his discretion and regardless of acreage limitations provided for in this Act, the conservation of natural products or the public convenience or necessity may require it or the interests of the United States may be best subserved thereby.

Subsurface storage of oil or gas.

"The Secretary of the Interior, to avoid waste or to promote conservation of natural resources, may authorize the subsurface storage of oil or gas, whether or not produced from federally owned lands, in lands leased or subject to lease under this Act. Such authorization may provide for the payment of a storage fee or rental on such stored oil or gas, or, in lieu of such fee or rental, for a royalty other than that prescribed in the lease when such stored oil or gas is produced in conjunction with oil or gas not previously produced. Any lease on which storage is so authorized shall be extended at least for the period of storage and so long thereafter as oil or gas not previously produced is produced in paying quantities."

Extension of lease.

41 Stat. 448.
30 U. S. C. § 184;
Supp. V. § 184 note.
Restrictions on acreage holdings, etc.

SEC. 6. Section 27 of the Act is amended to read as follows:

"SEC. 27. No person, association, or corporation, except as herein provided, shall take or hold coal, phosphate, or sodium leases or permits during the life of such leases in any one State, exceeding in the aggregate acreage two thousand five hundred and sixty acres for each of said minerals; and no person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases exceeding in the aggregate fifteen thousand three hundred and sixty acres granted hereunder in any one State. No person, association, or corporation shall take or hold at one time any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease or leases, permit or permits, under the provisions hereof, which, together with the area embraced in any direct holding of a lease or leases, permit or permits, under this Act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease or leases, permit or permits, under the provisions hereof for any kind of minerals hereunder, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee or permittee under this Act. For the purpose of this Act, no contract for development and operation of any lands leased hereunder, whether or not coupled with an interest in such lease, nor any lease or leases owned in common by two or more persons, shall be deemed to create a separate association under this section between or among such contracting parties, or the persons owning such lease or leases in common, but the proportionate interest of each such person shall be charged against the total acreage permitted to be held by such person under this Act: *Provided*, That the total acreage so held in common by two or more persons shall not exceed, in the aggregate, an amount equivalent to the maximum number of acres of the respective kind of minerals allowed to any one lessee or permittee under this Act. The interest of an optionee under a nonrenewable option to purchase or otherwise acquire one or more oil or gas leases (whether then or thereafter issued), or any interest therein, when taken for the purpose of geological or geophysical exploration, shall not, prior to the exercise of such option, be a taking or holding or control under the acreage limitation provisions of any section of this Act. No such option shall be entered into after June 1, 1946, for a period of more than two years, without

Total acreage held by two or more persons.

Interest of optionee under nonrenewable option.

the prior approval of the Secretary of the Interior, and no person, association, or corporation shall hold at one time such options of more than one hundred thousand acres in any one State: *Provided, however,* That nothing in this section shall be construed to invalidate options taken prior to June 1, 1946, and on which such geological or geophysical exploration has been actually made, and which are exercised within two years after the passage of this Act. Each holder of any such option shall file with the Secretary within ninety days after the 30th day of June and the 31st day of December in each year a statement under oath showing as of said dates (1) name of optionor and serial number of lease or application for lease, (2) date and expiration date of each option, (3) number of acres covered by each option, and (4) aggregate number of options held in each State and total acreage subject to said options in each State. If any interest in any lease is owned or controlled, directly or indirectly, by means of stock or otherwise, in violation of any of the provisions of this Act, the lease may be canceled, or the interest so owned may be forfeited, or the person so owning or controlling the interest may be compelled to dispose of the interest, in any appropriate proceeding instituted by the Attorney General. Such a proceeding shall be instituted in the United States district court for the district in which the leased property or some part thereof is located or in which the lease owner may be found, except that any ownership or interest forbidden in this Act which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition. Nothing herein contained shall be construed to limit sections 18, 18a, 19, and 22 or to prevent any number of lessees under the provisions of this Act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines of railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this Act, or the transportation of coal or to increase the acreage which may be acquired or held under section 17 of this Act: *Provided,* That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same. Except as in this Act provided, if any of the lands or deposits leased under the provisions of this Act shall be subleased, trusted, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form a part of or are in anywise controlled by any combination in the form of an unlawful trust, with the consent of the lessee, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, phosphate, oil, oil shale, gas, or sodium entered into by the lessee, or any agreement or understanding, written, verbal, or otherwise, to which such lessee shall be a party, of which his or its output is to be or become the subject, to control the price or prices thereof or of any holding of such lands by any individual, partnership, association, corporation, or control in excess of the amounts of lands provided in this Act, the lease thereof shall be forfeited by appropriate court proceedings."

SEC. 7. The Act is hereby amended by adding a new section to read as follows:

"Sec. 30. (a) Notwithstanding anything to the contrary in section 30 hereof, any oil or gas lease issued under the authority of this Act may be assigned or subleased, as to all or part of the acreage included therein, subject to final approval by the Secretary and as to either a divided or undivided interest therein, to any person or persons

Options prior to June 1, 1946.

Semiannual statements.

Cancellation of lease, etc.

Proceeding.

Forbidden interest acquired by descent, etc.

Combining of interests.
41 Stat. 443-445, 446.
30 U. S. C. §§ 227, 228, 261.

Ante, p. 951.

Leased lands forming part of unlawful trust, etc.

Assignment or sublease of oil or gas lease.
41 Stat. 449.
30 U. S. C. § 187.
Post, p. 957.

qualified to own a lease under this Act, and any assignment or sublease shall take effect as of the first day of the lease month following the date of filing in the proper land office of three original executed counterparts thereof, together with any required bond and proof of the qualification under this Act of the assignee or sublessee to take or hold such lease or interest therein. Until such approval, however, the assignor or sublessor and his surety shall continue to be responsible for the performance of any and all obligations as if no assignment or sublease had been executed. The Secretary shall disapprove the assignment or sublease only for lack of qualification of the assignee or sublessee or for lack of sufficient bond: *Provided, however,* That the Secretary may, in his discretion, disapprove an assignment of a separate zone or deposit under any lease, or of a part of a legal subdivision. Upon approval of any assignment or sublease, the assignee or sublessee shall be bound by the terms of the lease to the same extent as if such assignee or sublessee were the original lessee, any conditions in the assignment or sublease to the contrary notwithstanding. Any partial assignment of any lease shall segregate the assigned and retained portions thereof, and as above provided, release and discharge the assignor from all obligations thereafter accruing with respect to the assigned lands; and such segregated leases shall continue in full force and effect for the primary term of the original lease, but for not less than two years after the date of discovery of oil or gas in paying quantities upon any other segregated portion of the lands originally subject to such lease. Assignments under this section may also be made of parts of leases which are in their extended term because of production, and the segregated lease of any undeveloped lands shall continue in full force and effect for two years and so long thereafter as oil or gas is produced in paying quantities."

SEC. 8. The Act is hereby amended by adding a new section to read as follows:

"SEC. 30. (b) Notwithstanding any provision to the contrary in section 30 hereof, a lessee may at any time make and file in the appropriate land office a written relinquishment of all rights under any oil or gas lease issued under the authority of this Act or of any legal subdivision of the area included within any such lease. Such relinquishment shall be effective as of the date of its filing, subject to the continued obligation of the lessee and his surety to make payment of all accrued rentals and royalties and to place all wells on the lands to be relinquished in condition for suspension or abandonment in accordance with the applicable lease terms and regulations; thereupon the lessee shall be released of all obligations thereafter accruing under said lease with respect to the lands relinquished, but no such relinquishment shall release such lessee, or his bond, from any liability for breach of any obligation of the lease, other than an obligation to drill, accrued at the date of the relinquishment."

SEC. 9. Section 31 of the Act is amended to read as follows:

"SEC. 31. Except as otherwise herein provided, any lease issued under the provisions of this Act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located whenever the lessee fails to comply with any of the provisions of this Act, of the lease, or of the general regulations promulgated under this Act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

"Any lease issued after August 21, 1935, under the provisions of section 17 of this Act shall be subject to cancellation by the Secretary

Disapproval.

Segregated leases.

Assignments of parts of leases.

Relinquishment of rights under gas and oil leases.
Ante, p. 955.

41 Stat. 450.
30 U. S. C. § 188.
Post, p. 957.
Forfeiture of lease.

Provision for settlement of disputes, etc.

Leases subject to cancellation.
Ante, p. 951.

of the Interior after thirty days' notice upon the failure of the lessee to comply with any of the provisions of the lease, unless or until the land covered by any such lease is known to contain valuable deposits of oil or gas. Such notice in advance of cancellation shall be sent the lease owner by registered letter directed to the lease owner's record post-office address, and in case such letter shall be returned as undelivered, such notice shall also be posted for a period of thirty days in the United States land office for the district in which the land covered by such lease is situated, or in the event that there is no district land office for such district, then in the post office nearest such land."

SEC. 10. Section 39 which was added to the Act by the Act of February 9, 1933 (47 Stat. 798; 30 U. S. C., sec 209), is amended to read as follows:

"SEC. 39. The Secretary of the Interior for the purpose of encouraging the greatest ultimate recovery of coal, oil, or gas and in the interest of conservation of natural resources is authorized to waive, suspend, or reduce the rental, or minimum royalty, or reduce the royalty on an entire leasehold, or on any tract or portion thereof segregated for royalty purposes, whenever in his judgment it is necessary to do so in order to promote development, or whenever in his judgment the leases cannot be successfully operated under the terms provided therein. In the event the Secretary of the Interior, in the interest of conservation, shall direct or shall assent to the suspension of operations and production under any lease granted under the terms of this Act, any payment of acreage rental or of minimum royalty prescribed by such lease likewise shall be suspended during such period of suspension of operations and production; and the term of such lease shall be extended by adding any such suspension period thereto. The provisions of this section shall apply to all oil and gas leases issued under this Act, including those within an approved or prescribed plan for unit or cooperative development and operation."

SEC. 11. Section 5 of the Act approved February 7, 1927 (44 Stat. 1057; 30 U. S. C., sec. 285), is amended to read as follows:

"SEC. 5. That the general provisions of sections 26 to 38, inclusive, of the Act of February 25, 1920, entitled 'An Act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain', as amended, are made applicable to permits and leases under this Act, the thirty-seventh section thereof being amended to include deposits of potassium."

SEC. 12. From and after the effective date of this Act, the royalty obligation to the United States under all leases requiring payment of royalty in excess of 12½ per centum, except leases issued or to be issued upon competitive bidding, is reduced to 12½ per centum in amount or value of production removed or sold from said leases as to (1) such leases, or such part of the lands subject thereto, and the deposits underlying the same, as are not believed to be within the productive limits of any oil or gas deposit, as such productive limits are found by the Secretary to exist on the effective date of this Act, and (2) any production on a lease from an oil or gas deposit which was discovered after May 27, 1941, by a well or wells drilled within the boundaries of the lease, and which is determined by the Secretary to be a new deposit; and (3) any production on or allocated to a lease pursuant to an approved unit or cooperative agreement from an oil or gas deposit which was discovered after May 27, 1941, on land committed to such agreement, and which is determined by the Secretary to be a new deposit, where such lease was included in such agreement at the time of discovery, or was included in a duly executed and filed application for the approval of such agreement at the time of discovery.

Advance notice.

Waiver of rental, etc.

Suspension of operations.

Extension of lease.

Applicability.
41 Stat. 448-451.
30 U. S. C. §§ 182-184, 185-194.
Ante, p. 533.

Reduction of royalty.

Naval petroleum reserves.

SEC. 13. Nothing in this Act shall be construed as affecting existing leases within the borders of the naval petroleum reserves, or agreements concerning operations thereunder or in relation thereto, but the Secretary of the Navy is hereby authorized, with the consent of the President, to enter into agreements such as those provided for in section 17 (b) of the Act of February 25, 1920, as amended by this Act, which agreements shall not, unless expressed therein, operate to extend the term of any lease affected thereby.

Ante, p. 952.

Repeals.
30 U. S. C., Supp.
V, § 226b.

SEC. 14. The Act of July 8, 1940 (54 Stat. 742; 30 U. S. C., sec. 226a); section 1 of the Act of July 29, 1942 (56 Stat. 726; 30 U. S. C., sec. 226b), as amended; and section 2 of the Act of August 21, 1935 (49 Stat. 679; 30 U. S. C., sec. 223a), are hereby repealed.

Prior rights, etc.

SEC. 15. No repeal or amendment made by this Act shall affect any right acquired under the law as it existed prior to such repeal or amendment, and such right shall be governed by the law in effect at the time of its acquisition; but any person holding a lease on the effective date of this Act may, by filing a statement to that effect, elect to have his lease governed by the applicable provisions of this Act instead of by the law in effect prior thereto.

Approved August 8, 1946.

[CHAPTER 917]

AN ACT

August 8, 1946

[S. 2085]

[Public Law 697]

To amend title V of the Act entitled "An Act to expedite the provision of housing in connection with the national defense, and for other purposes", approved October 14, 1940, as amended, to authorize the Federal Works Administrator to provide needed educational facilities, other than housing, to educational institutions furnishing courses of training or education to persons under title II of the Servicemen's Readjustment Act of 1944, as amended.

Educational facilities for veterans.
Ante, p. 85.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 502 of the Act entitled "An Act to expedite the provision of housing in connection with the national defense, and for other purposes", approved October 14, 1940, as amended, is amended by striking out "this title V," and inserting in lieu thereof "sections 501, 502, and 503 of this title,"

59 Stat. 674.
42 U. S. C., Supp.
V, § 1572 (b).

(b) Subsection (b) of section 502 of such Act, as amended, is amended by inserting after the word "institutions" the words "or for members of faculties (including the families of such members) of educational institutions furnishing education and training to veterans under title II of the Servicemen's Readjustment Act of 1944, as amended,"

58 Stat. 287.
38 U. S. C., Supp.
V, § 701, note foll.
§ 735.

Ante, p. 934.

(c) Subsection (c) of such section is amended by inserting after the word "institutions" the words "or for members of faculties (including the families of such members) of educational institutions furnishing education and training to veterans under title II of the Servicemen's Readjustment Act of 1944, as amended".

Supra.

Ante, p. 85.

(d) Subsection (e) of section 502 of such Act, as amended, is amended by striking out "title V," and inserting in lieu thereof "section,"

SEC. 2. Title V of such Act, as amended, is amended by adding at the end thereof the following new section:

"SEC. 504. (a) At any educational institution including any educational facility operated by the Indian Service where the Commissioner of Education shall find that there exists or impends an acute shortage of educational facilities, other than housing, required for persons engaged in the pursuit of courses of training or education under title

59 Stat. 260.
42 U. S. C., Supp.
V, §§ 1571-1573.
Ante, p. 85; *supra*.
Use or reuse of
structures, etc.

II of the Servicemen's Readjustment Act of 1944, as amended, the Federal Works Administrator is authorized, upon request of such educational institution, to provide such educational facilities (1) by the use or reuse (including disassembling, transporting, and reerecting) of structures or facilities (including improvements, equipments, materials, or furnishings but not including site acquisition and preparation or the installation of streets and utility mains) under the jurisdiction or control of any Federal agency which are no longer required by such agency and which, in the determination of said Administrator can be utilized to provide the needed educational facilities and which, in the determination of the War Assets Administrator are available for such use or reuse and (2) by connecting utilities from buildings to mains. Upon request of the Federal Works Administrator any Federal agency having jurisdiction or control of any such structures or facilities may, with the approval of the War Assets Administrator, notwithstanding any other provisions of law, transfer such structures or facilities to the Federal Works Administrator, without reimbursement, for such use or reuse. Without regard to the provisions of any other law, said Administrator is authorized to transfer to any educational institution any educational facilities provided for such educational institution under this subsection.

"(b) In carrying out the provisions of this section, said Administrator is authorized to exercise all the powers contained in sections 202 (a) and (b) and title III of this Act, subject to all the limitations contained in sections 203 (a) and (b) and title III of this Act: *Provided*, That nothing herein shall exclude the Indian Service from participation in the educational benefits provided by this Act.

"(c) To carry out the provisions of this section, and for administrative expenses in connection therewith, any funds made available under title II of this Act are hereby made available, and for such purposes there is also authorized to be appropriated the sum of \$100,000,000.

"(d) Nothing in this section 504 shall affect the transfer to the National Housing Administrator of any structures or facilities requisitioned by him pursuant to section 502 (b) of this Act, for housing for veterans and distressed families of servicemen prior to any request therefor made by the Federal Works Administrator pursuant to the authority contained in said section 504.

"(e) Except with respect to contracts previously entered into and court proceedings then pending, this section shall cease to be effective on the last date on which courses of education or training may be provided under title II of the Servicemen's Readjustment Act of 1944, as amended.

"(f) As used in this Act the term 'educational institution' shall mean (a) any public educational institution or (b) any private educational institution, no part of the net earnings of which shall inure to the benefit of any private shareholder or individual.

"(g) Nothing in this section shall authorize the transfer of any property to the Federal Works Administrator until the preference to veterans provided by section 16 of the Surplus Property Act of 1944, as amended, has been fully satisfied in accordance with its terms; and for the purposes of such section 16 transfers to such Administrator under this section shall not be considered as transfers to a Government agency."

Approved August 8, 1946.

58 Stat. 287.
38 U. S. C., Supp.
V, § 701, note foll.
§ 735.
Ante, p. 934.

Transfer to Federal
Works Administra-
tor, etc.

55 Stat. 362, 363.
42 U. S. C., Supp.
V, §§ 1532 (a), (b),
1533 (a), (b), 1541-1553.
Ante, p. 9.

Funds.

55 Stat. 361.
42 U. S. C., Supp.
V, §§ 1531-1534.
Ante, p. 314.

Transfers.

Ante, p. 958.

Termination.

58 Stat. 287.
38 U. S. C., Supp.
V, § 701, note foll.
§ 735.
Ante, p. 934.
"Educational insti-
tution."

Ante, p. 108.

[CHAPTER 918]

AN ACT

Providing for a medal for service in the merchant marine during the present war.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Maritime Commission is authorized and directed to procure a medal and suitable appurtenances of appropriate design, including an honorable discharge lapel button, to be awarded to (1) each person who served honorably in a war zone as an officer or member of the crew of vessels owned by or operated by or for the account of the Maritime Commission or the War Shipping Administration for thirty days during the period beginning December 7, 1941, and ending with September 3, 1945; and (2) each person who is entitled to receive a certificate of substantially continuous service pursuant to the provisions of Public Law 87, Seventy-eighth Congress, approved June 23, 1943 (57 Stat. 162). The medal may be awarded posthumously and, when so awarded, shall be presented to such representative of the deceased as shall be prescribed in the applicable regulations. Awards under this Act shall be made pursuant to regulations prescribed by the Maritime Commission.

SEC. 2. The Maritime Commission is authorized to expend out of any funds available for expenditure by the Maritime Commission such sums as may be necessary to carry out the provisions of this Act.

SEC. 3. The manufacture, sale, possession, or display of any insignia, decoration, medal, award, or device, or the ribbon, button, or rosette thereof, or any colorable imitation of any insignia, decoration, medal, award, or device, provided for in this Act, is prohibited, except as authorized under such Act or any rule or regulation issued pursuant thereto. Whoever violates any provisions of this section shall be punished by a fine not exceeding \$250 or by imprisonment not exceeding six months, or both.

Approved August 8, 1946.

[CHAPTER 919]

AN ACT

To amend the Act entitled: "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital", approved May 29, 1930.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (a) of the Act entitled "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital", approved May 29, 1930 (46 Stat. 482), is amended by striking out the third proviso and by striking out of the fourth proviso the words "and the construction of said roads".

SEC. 2. Section 1 (b) of such Act is amended by striking out the last sentence thereof.

SEC. 3. So much of section 1 (b) of such Act as precedes the first proviso thereof is amended to read as follows:

August 8, 1946

[S. 2236]

[Public Law 698]

U. S. Maritime
Commission.

Awards for service.

50 U. S. C., Supp.
V, app. §§ 1471-1475.
Ante, pp. 905, 945.
Posthumous awards.

Funds available.

Manufacture, sale,
etc.

Penalty.

August 8, 1946

[S. 2286]

[Public Law 699]

George Washington
Memorial Parkway.

46 Stat. 484.

"(b) For the extension of Rock Creek Park into Maryland, as may be agreed upon between the National Capital Park and Planning Commission and the Maryland National Capital Park and Planning Commission, for the preservation of the flow of water in Rock Creek, for the extension of the Anacostia Park system up the valley of the Anacostia River, Indian Creek, Paint Branch and Little Paint Branch, the Northwest Branch and Sligo Creek; of the Oxon Run Parkway from the District of Columbia line to Marlboro Road; and of the George Washington Memorial Parkway up the valley of Cabin John Creek, Little Falls Branch, and Willet Run, as may be agreed upon between the National Capital Park and Planning Commission and the Maryland National Capital Park and Planning Commission, \$1,500,000."

Extension of Rock
Creek Park, etc.

Approved August 8, 1946.

[CHAPTER 920]

JOINT RESOLUTION

To provide for the transfer of the painting "First Fight of Ironclads, Monitor and Merrimac", now stored in the United States Capitol Building, to the custody of the United States Naval Academy.

August 8, 1946
[S. J. Res. 186]
[Public Law 700]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the painting "First Fight of Ironclads, Monitor and Merrimac", by William Formby Halsall, now stored in the United States Capitol Building, be, and the same is hereby, transferred to the permanent custody of the United States Naval Academy. The removal and transport of this painting from the Capitol to the United States Naval Academy at Annapolis, Maryland, shall be effected at the expense of said Academy, and the Architect of the Capitol shall act for the Joint Committee on the Library in carrying out the provisions of this joint resolution.

Transfer of painting.

Approved August 8, 1946.

[CHAPTER 928]

AN ACT

To authorize the course of instruction at the United States Merchant Marine Academy to be given to not exceeding twelve persons at a time from the American republics, other than the United States.

August 9, 1946
[H. R. 1751]
[Public Law 701]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chairman of the United States Maritime Commission is hereby authorized to permit, upon designation of the President of the United States, not exceeding twelve persons at a time from the American republics (other than the United States) to receive instruction in the United States Merchant Marine Cadet Corps and at the United States Merchant Marine Academy at Kings Point, New York. Not more than two persons from any of such republics shall receive instruction under authority of this Act at the same time. The persons receiving instruction under authority of this Act shall receive the same pay, allowances, and emoluments, to be paid from the same appropriations, and, subject to such exceptions as may be determined by the Chairman of the United States Maritime Commission, shall be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as cadet-midshipmen at the Merchant Marine Academy appointed from the United States; but such persons shall not be entitled to appointment to any office or position in the United States Merchant Marine by reason of their graduation from the Merchant Marine Academy.

U. S. Merchant
Marine Academy.
Instruction of persons from American
republics.

Approved August 9, 1946.

[CHAPTER 929]

AN ACT

To authorize the leasing of Indian lands situated within the State of Washington for business and other purposes.

August 9, 1946

[H. R. 2586]

[Public Law 702]

Washington.
Leasing of Indian
lands.

Restriction.

Leases by Indian
owner, etc.

25 U. S. C. § 380.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provisions of law, with the consent in writing of the individual Indian, association of Indians, or Indian tribe concerned, any restricted Indian lands situated within the State of Washington may be leased for religious, educational, recreational, business, or public purposes, including, but not limited to, airports, experimental station, stockyards, warehouses, and grain elevators, for periods not to exceed twenty-five years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That nothing in this Act shall be deemed to authorize such leases for the exploitation of any natural resources.

SEC. 2. Such leases may be made only by the individual Indian owner of the land or by the authorized representatives of the tribe or group of Indians to whom the land belongs, subject to the approval of the Secretary of the Interior or his authorized representative. Restricted allotments of deceased Indians, when the heirs or devisees cannot agree on a lease, may be leased for them in the manner prescribed by the Act of July 8, 1940 (54 Stat. 745, ch. 554). No lease shall be made by or on behalf of any tribe for a longer period than is or may be authorized by the tribal constitution, charter, or ordinances. Nothing contained in this Act shall be construed to repeal any authority to lease restricted lands which any Indian, Indian tribe, or official of the Department of the Interior would have in the absence of this Act.

Approved August 9, 1946.

[CHAPTER 930]

AN ACT

To amend the Act of February 15, 1929.

August 9, 1946

[H. R. 2893]

[Public Law 703]

Indian lands.
Inspection of health
and educational con-
ditions, etc.

25 U. S. C. § 231.

Nonapplicability.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 15, 1929 (45 Stat. L. 1185), is hereby amended to read as follows: "The Secretary of the Interior, under such rules and regulations as he may prescribe, shall permit the agents and employees of any State to enter upon Indian tribal lands, reservations, or allotments therein (1) for the purpose of making inspection of health and educational conditions and enforcing sanitation and quarantine regulations or (2) to enforce the penalties of State compulsory school attendance laws against Indian children, and parents, or other persons in loco parentis except that this subparagraph (2) shall not apply to Indians of any tribe in which a duly constituted governing body exists until such body has adopted a resolution consenting to such application.

Approved August 9, 1946.

[CHAPTER 931]

AN ACT

To grant to personnel of the armed forces equal treatment in the matter of leave, and for other purposes.

August 9, 1946
[H. R. 4051]
[Public Law 704]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Armed Forces Leave Act of 1946".

Armed Forces
Leave Act of 1946.
Ante, p. 912.

SEC. 2. As used in this Act—

(a) The term "member of the armed forces" means any member of the Army of the United States, United States Navy, United States Marine Corps, or the United States Coast Guard.

"Member of the
armed forces."

(b) The term "discharge" means (1), in the case of enlisted personnel, separation or release from active duty under honorable conditions or appointment as a commissioned officer or warrant officer; and (2), in the case of commissioned or warrant officers, separation or release from active duty under honorable conditions.

"Discharge."

(c) The term "spouse" means a lawful wife or husband.

"Spouse."

(d) The term "child" includes—

"Child."

(1) a legitimate child;

(2) a child legally adopted;

(3) a stepchild, if, at the time of death of the member or former member of the armed forces, such stepchild is a member of the deceased's household;

(4) an illegitimate child, but in the case of a male member or former male member of the armed forces only if he has been judicially ordered or decreed to contribute to such child's support; has been judicially decreed to be the putative father of such child; or has acknowledged under oath in writing that he is the father of such child; and

(5) a person to whom the member or former member of the armed forces at the time of death stands in loco parentis and so stood for not less than twelve months prior to the date of death.

(e) The term "parent" includes father and mother, grandfather and grandmother, stepfather and stepmother, father and mother through adoption, and persons who, for a period of not less than one year prior to the death of the member or former member of the armed forces, stood in loco parentis to such member or former member: *Provided*, That not more than two parents may receive the benefits provided under this Act and preference shall be given to the parent or parents, not exceeding two, who actually exercised parental relationship at the time of or most nearly prior to the date of the death of such member or former member of the armed forces.

"Parent."

(f) The term "Secretary" means in the case of personnel of the Army, the Secretary of War; in the case of personnel of the Navy and Marine Corps, the Secretary of the Navy; and in the case of personnel of the Coast Guard, the Secretary of the Treasury, and the designated representatives of each such Secretary.

"Secretary."

(g) The term "cash" includes a check upon the Treasurer of the United States.

"Cash."

SEC. 3. (a) Each member of the armed forces shall be entitled to leave at the rate of two and one-half calendar days for each month of active service, excluding periods of (1) absence from duty without leave, (2) absence over leave, and (3) confinement as the result of a sentence of court martial. Except as provided in subsection (b) of this section, such leave may be accumulated in an amount not to exceed one hundred and twenty calendar days. Any leave so accumulated shall not, however, survive death occurring during active military service. Enlisted members or former enlisted members of the armed forces shall be considered to be entitled to such leave from and after

Members entitled
to leave.

Accumulated leave.

September 8, 1939, but shall not be considered to have any leave accumulated or accrued as of the date of the enactment of this Act, or the date of discharge if prior to such date of enactment, in excess of the amount which would have been accumulated and accrued if their leave had been accumulated and accrued from and after September 8, 1939, on the same basis as leave is accumulated and accrued in the case of commissioned officers in the Regular components of their respective branches of the armed forces. Except in the case of leave to be settled and compensated for under section 6 of this Act, leave may be taken by a member on a calendar-day basis as vacation or absence from duty with pay, annually as accruing or otherwise, in accordance with regulations to be issued by the several Secretaries. Such regulations shall provide equal treatment for officers and enlisted men, shall establish to the fullest extent practicable uniform policies for the several branches of the armed forces, and shall provide that leave shall be taken annually as accruing to the extent consistent with military requirements and other exigencies. Members who reenlist after the date of enactment of this Act may be authorized reenlistment leave in the discretion of the Secretary, for a period not exceeding ninety days, and such leave shall be deducted from leave accrued during active service prior to reenlistment or charged against any leave which may accrue during future active service or both. In the case of members who are retired after the date of enactment of this Act and after retirement are continued on or recalled to active duty, leave accrued during service prior to retirement may be carried over to the period of service after retirement. Leave taken prior to discharge before or after the enactment of this Act shall be considered as active military service; but leave settled and compensated for under section 6 of this Act shall not be considered as active military service.

(b) Notwithstanding any other provision of this Act or of any other law or regulation, no member of the armed forces (other than a member on terminal leave on September 1, 1946) shall be permitted to accumulate or to have to his credit, at any time after August 31, 1946, accumulated or accrued leave aggregating in excess of sixty days.

SEC. 4. Leave to be settled and compensated for under section 6 of this Act shall be compensable as follows:

(a) In the case of leave accumulated as an enlisted member of the armed forces, on the basis of the base and longevity pay applicable to such member on the date of his discharge from enlisted service if discharged before August 31, 1946, or on August 31, 1946, if not so discharged, and an allowance computed at the rate of 70 cents a day for subsistence, plus, in the case of enlisted members of the first three grades with dependents on August 31, 1946, or former enlisted members of the first three grades with dependents at the time of discharge if prior to such date, an allowance computed at the rate of \$1.25 a day for quarters.

(b) In the case of leave accumulated or accrued as a member of the armed forces as a warrant or commissioned officer, on the basis of the base and longevity pay and allowances applicable to such member on August 31, 1946.

In the case of all other leave provided under this Act, members shall be entitled during such leave to the same pay and allowances they would receive if not on leave and to any additional or other allowance or allowances otherwise authorized or provided by law for members while on leave. Determination of the number of calendar days of leave to which a member or former member is entitled, including the number of calendar days of absence from duty or vacation to be counted or charged against such leave, shall be made

Leave taken on calendar-day basis.

Equal treatment, etc.

Reenlistment leave.

Retired members recalled, etc., to active duty.

Leave taken prior to discharge.

Accumulated leave after Aug. 31, 1946.

Compensable leave.

Enlisted members.

Warrant or commissioned officers.

Other leave.

Determination of number of days.

in accordance with regulations to be prescribed by the respective Secretaries, which regulations shall provide equal treatment of officers and enlisted men and shall establish to the fullest extent practicable uniform policies for the several branches of the armed forces. In the case of the leave of enlisted members or former enlisted members attributable to the period prior to the date of enactment of this Act, the Secretary may in the determination of the number of calendar days of absence from duty or vacation to be counted or charged against such leave rely on such records and evidence, including applicants' sworn statements as to the material facts, as he may determine proper. All decisions by the Secretary under this section shall be final and conclusive and shall not be subject to review by any court or by any officer of the United States.

Finality of decisions.

SEC. 5. (a) Leave to which enlisted members of the armed forces discharged prior to September 1, 1946, and former enlisted members of the armed forces discharged prior to the date of enactment of this Act, are entitled under the provisions of section 3 of this Act shall, to the extent not taken, be settled and compensated for only in the manner provided in section 6 of this Act and if application is made to the Secretary not later than September 1, 1947, or, in the case of any such member or former member whose record is corrected after the date of enactment of this Act to show discharge under honorable conditions, not later than September 1, 1947, or within one year after the date on which such record is corrected, whichever is later.

Members discharged prior to Sept. 1, 1946, etc.

(b) In any case in which a member of the armed forces on active duty on September 1, 1946 (other than a member on terminal leave on such date) has to his credit on August 31, 1946, accumulated or accrued leave aggregating in excess of sixty days, such leave in excess of sixty days shall be settled and compensated for only in the manner provided in section 6 of this Act and if application is made to the Secretary not later than September 1, 1947.

Leave in excess of 60 days.

(c) In no event shall the number of calendar days of leave settled and compensated for under section 6 of this Act exceed one hundred and twenty calendar days; and in no event shall the number of calendar days of leave so settled and compensated for, plus—

Maximum compensatory leave.

(1) in the case of a member on active duty on September 1, 1946 (other than a member on terminal leave on such date), the number of calendar days of leave accumulated or standing to such member's credit on such date; or

(2) in the case of a member or former member placed on terminal leave prior to September 1, 1946, the number of calendar days of such terminal leave,

exceed one hundred and twenty calendar days.

SEC. 6. (a) Leave by this Act provided to be settled and compensated for under this section shall be settled and compensated for as follows:

Settlement and compensation.

(1) Settlement and compensation shall be made entirely in cash—

Cash.

(i) when the amount due is less than \$50;

(ii) in the case of any enlisted member of the armed forces discharged prior to January 1, 1943; or

(iii) in any case covered by subsection (b) or (c) of this section.

(2) In all other cases settlement and compensation shall be made in bonds of the United States to the highest multiple of \$25 and in cash to the extent of the full amount of any difference. Any such bond issued pursuant to an application made under subsection (a) of section 5 shall be dated as of the 1st day of January, the 1st day of April, the 1st day of July, or the 1st day of October, whichever next follows the date of discharge, and any such bond issued pursuant to an application

U. S. bonds and cash.

made under subsection (b) of section 5 shall be dated as of October 1, 1946. Each such bond shall mature five years from the date thereof. The bonds issued under this Act shall be issued by the Secretary of the Treasury under the authority and subject to the provisions of the Second Liberty Bond Act, as amended, and through such agencies as he may designate. Except as provided in subsection (d), such bonds shall be nonnegotiable and shall not be transferable by sale, exchange, assignment, pledge, hypothecation, or otherwise. Such bonds shall be issued only to and in the names of living members or living former members of the armed forces. In the event of the death of any holder of any such bond or of any check issued pursuant to this subsection, payment of the bond shall be made by the Secretary of the Treasury prior to, upon, or after its maturity upon application at the option of such holder's survivors and payment of the check shall be made by the Secretary of the Treasury upon application by such survivors as follows: To such holder's surviving spouse and children, if any, in equal shares; and if such holder leaves no surviving spouse or child or children, then in equal shares to such holder's surviving parents, if any. If there is no such survivor, any such bond shall be retired, and any such check shall be canceled and the amount of the bond or check covered into the general fund of the Treasury. Payment of any such bond or any such check to any holder, or any survivor entitled thereto under the provisions of this subsection, between seventeen and twenty-one years of age shall constitute a complete discharge of the obligations of the United States under this Act. Where the Secretary of the Treasury is of the opinion that any holder of any such bond or any such check or any survivor entitled to payment under the provisions of this subsection is, by reason of being either under seventeen years of age or under mental disability, incapable of satisfactorily looking after his own interests, payment of such bond or such check may be made in the same manner, and with the same effect, as settlement and compensation made under the provisions of subsection (c). Interest on each bond issued under this Act shall accrue at the rate of 2½ per centum per annum from the date of such bond to the date of maturity or to the last day of the month in which payment of the principal of the bond is made, whichever is earlier, and shall be paid with such principal. All decisions by the Secretary of the Treasury under this section with respect to the issuance and payment of bonds and under this paragraph with respect to the issuance and payment of checks shall be final and conclusive and shall not be subject to review by any court or by any officer of the United States. The provisions of this section with respect to the issuance and payment of bonds shall be carried out subject to regulations of the Secretary of the Treasury.

(b) Leave by this Act provided to be settled and compensated for under this section shall, in the case of any member or former member of the armed forces who dies after discharge, or on or after September 1, 1946, if not discharged prior to such date, and before settlement and compensation has been effected, be settled and compensated for, on application therefor, with such member's or former member's survivors, as follows: To such member's or former member's surviving spouse and children, if any, in equal shares; and if such member or former member leaves no surviving spouse or child or children, then in equal shares to his surviving parents, if any. If there is no such survivor, no settlement and compensation shall be made under this Act. Settlement and compensation under this subsection with any such survivor between seventeen and twenty-one years of age shall constitute a complete discharge of the obligations of the United States under this Act.

40 Stat. 288.
31 U. S. C. § 774
(2); Supp. V, § 754a et
seq.
Ante, p. 316.

Payment in event
of death.

Payment to holder,
etc., between ages 17
and 21.

Interest:

Finality of deci-
sions.

Settlement with sur-
vivors.

(c) Where the Secretary is of the opinion that any member or former member of the armed forces or any survivor of any such member or former member is, by reason of being either under seventeen years of age or under mental disability, incapable of satisfactorily looking after his own interests, such Secretary may settle and compensate under this section with a proper person selected by him for the use and benefit of such member, former member or survivor, without the necessity of resorting to judicial proceedings for the appointment of a legal representative. Settlement and compensation made under the provisions of this subsection shall constitute a complete discharge of the obligations of the United States under this Act. The provisions of this subsection shall not apply when a legal guardian or committee has been judicially appointed for any such member, former member, or survivor, except as to any settlement and compensation made prior to the receipt of notice of appointment: *Provided*, That no fee, commission, or charge shall be demanded or accepted by any representative of any member, former member, or survivor appointed in accordance with the provisions of this subsection and the exaction or acceptance of any such fee, commission, or charge shall be deemed a misdemeanor punishable by a fine of not exceeding \$500 or imprisonment for not exceeding six months, or both.

Settlement for members, etc., under age or mentally disabled.

Nonapplicability.

Acceptance of fee etc.

Penalty.

(d) (1) Pursuant to regulations prescribed by him, the Administrator of Veterans' Affairs is authorized and directed to accept an assignment of a bond issued to the insured under this section, the proceeds of which shall be used in payment of premiums or in payment of the difference in reserve in case of conversion to insurance on another plan or in payment of a policy loan made prior to July 31, 1946, on a United States Government life insurance policy or a national service life insurance policy: *Provided*, That such assignment may not be used by the insured directly or indirectly as a means of securing in cash the proceeds of such bond or any portion thereof prior to the date of its maturity or the maturity of such policy by death, whichever is the earlier, and such assignment shall be deemed to constitute an agreement by the insured to this effect.

Assignment of bond for payment of insurance premiums.

Restriction.

(2) Any bond assigned under this subsection shall be redeemed at any time, upon presentation to the Secretary of the Treasury, and the proceeds thereof shall be paid and credited to the appropriate fund or appropriation designated by the Administrator.

Redemption of bond.

SEC. 7. All amounts paid or payable under section 6 of this Act, in cash, bonds, or both, shall not be assignable except as provided in subsection (d) of such section, shall be exempt from claims of creditors, including any claim of the United States, and shall not be subject to attachment, levy, or seizure by or under any legal or equitable process whatever. All such amounts (except interest in the case of bonds) shall be exempt from taxation.

Exemption from claims, taxation, etc.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Amounts expended hereunder shall be included in the annual reports to the Congress by the Departments concerned.

Appropriation authorized. *Ante*, p. 912. Reports to Congress.

SEC. 9. The Act approved May 8, 1874 (18 Stat. 43), as amended by the Act approved July 29, 1876 (19 Stat. 102; 10 U. S. C. 842), is hereby repealed. Such repeal shall not affect any unused leave accumulated (including leave accruing at the rate of two and one-half days per month after July 1, 1946) prior to the date of enactment of this Act.

Repeal.

Approved August 9, 1946.

[CHAPTER 932]

AN ACT

August 9, 1946

[H. R. 5380]

[Public Law 705]

To provide for the conferring of the degree of bachelor of science upon graduates of the United States Merchant Marine Academy.

48 Stat. 73.
10 U. S. C. § 486a.

Naval, Military,
Merchant Marine,
and Coast Guard
Academies.
Degree of bachelor
of science.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 25, 1933, as amended, relating to the conferring of degrees upon graduates of the Naval Academy, Military Academy, and Coast Guard Academy is hereby amended to read as follows:

“The superintendents of the United States Naval Academy, the United States Military Academy, the United States Merchant Marine Academy, and the United States Coast Guard Academy may, under such rules and regulations as the Secretary of the Navy, the Secretary of War, the United States Maritime Commission, and the Secretary of the Treasury, respectively may prescribe, confer the degree of bachelor of science upon all graduates of their respective academies, from and after the date of the accrediting of said academies by the Association of American Universities. On and after the date of the accrediting of the said academies by the Association of American Universities the superintendents of the respective academies may, under such rules and regulations as the respective Secretaries, or the Maritime Commission, may make, confer the degree of bachelor of science upon such other living graduates of the respective academies as shall have met the requirements of the respective academies for such degree.”

Approved August 9, 1946.

[CHAPTER 933]

AN ACT

August 9, 1946

[H. R. 6165]

[Public Law 706]

To provide for the preparation of a membership roll of the Indians of the Yakima Reservation, Washington, and for other purposes.

Yakima Tribes.
Membership roll.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed, with the advice and consent of the Yakima Tribal Council, to prepare a roll showing the members of the Yakima Tribes living on the date of the approval of this Act, which roll shall be kept current and shall constitute the official membership roll of the Yakima Tribes for all purposes. No person who is enrolled with any other tribe of Indians or who has received an allotment of land on any other reservation shall be enrolled under the provisions of this Act. The following shall be placed on the roll:

(a) All living persons who received allotments on the Yakima Reservation, except by fraud.

(b) All living persons who are of the blood of the fourteen original Yakima Tribes, parties to the treaty of June 9, 1855 (12 Stat. 951), and who have received allotments on the public domain within the area ceded to the United States by the Yakima Tribes by the treaty of 1855.

(c) All living persons who have maintained a domicile continuously from January 1, 1941, until the date of approval of this Act on the Yakima Reservation or within the area ceded by the treaty of June 9, 1855 (12 Stat. 951), and who are (1) descendants of persons who received allotments on the Yakima Reservation, except by fraud, or (2) descendants of persons of the blood of the fourteen original Yakima Tribes who received allotments on the public domain within the area ceded by the said treaty of 1855. All living children born after January 1, 1941, but prior to the date of approval

of this Act to a person entitled to enrollment under this subsection shall likewise be entitled to enrollment hereunder.

(d) All children of one-fourth or more blood of the Yakima Tribes born after the date of approval of this Act to a parent who is an enrolled member and maintains a domicile on the Yakima Reservation or within the area ceded by the treaty of June 9, 1855, at the time of the birth of the child.

SEC. 2. Any person of one-fourth or more of the blood of the Yakima Tribes who may be excluded from enrollment under the provisions of section 1 of this Act may apply for membership at any time and be enrolled upon the approval of the application by a two-thirds vote of the Yakima Tribal Council. Applications for enrollment under this section on behalf of minors and persons mentally incompetent may be filed by any enrolled member of the Yakima Tribes.

Applications for membership.

SEC. 3. Corrections in the roll prepared hereunder, by striking therefrom the name of any person erroneously placed on the roll or by adding to the roll the name of any person erroneously omitted therefrom, may be made at any time by the Yakima Tribal Council.

Corrections in roll.

SEC. 4. Every person whose name appears on the roll prepared hereunder who holds no vested right, title, or interest in or to any restricted or trust land on the Yakima Reservation or within the area ceded by the treaty of June 9, 1855, and who has failed to maintain any tribal affiliations or a residence on the reservation or within the ceded area for a period of five consecutive years, shall no longer be considered a member of the Yakima Tribes, and his name shall be removed from the rolls. It shall be the duty of the Yakima Tribal Council to determine, subject to review by the Secretary of the Interior, loss of membership in each case.

Loss of membership.

12 Stat. 951.

SEC. 5. The Yakima Tribal Council may adopt and enforce ordinances, subject to review by the Secretary of the Interior, governing the expulsion of members for any cause deemed by the council to be sufficient.

Ordinances governing expulsion.

SEC. 6. No person whose name shall hereafter be placed on the roll of the Yakima Tribes shall be entitled to any back annuities or per capita payments made to the members of the tribes out of tribal funds which were authorized to be paid to the members of the tribes before such person's name shall have been placed upon such roll.

Back annuities, etc.

SEC. 7. Hereafter only enrolled members of the Yakima Tribes of one-fourth or more blood of such tribes shall take by inheritance or by will any interest in that part of the restricted or trust estate of a deceased member of such tribes which came to the decedent through his membership in such tribes or which consists of any interest in or the rents, issues, or profits from an allotment of land within the Yakima Reservation or within the area ceded by the treaty of June 9, 1855 (12 Stat. 951), except that a surviving spouse of less than one-fourth of the blood of the Yakima Tribes may receive by inheritance or devise the use for life of one-half of the restricted or trust lands of the decedent located within the Yakima Reservation or within the area ceded by the said treaty of June 9, 1855.

Inheritance, etc.

Surviving spouse of less than one-fourth blood.

Approved August 9, 1946.

[CHAPTER 934]

AN ACT

To provide for continuance of the farm labor supply program up to and including June 30, 1947.

August 9, 1946
[H. R. 6828]
[Public Law 707]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the farm labor supply program conducted pursuant to the Farm Labor Supply

58 Stat. 11.
50 U. S. C., Supp.
V, app. §§ 1351-1355.
Appropriations
authorized.
Ante, p. 617.

Appropriation Act, 1944 (Public Law 229, Seventy-eighth Congress, title I), as amended, shall be continued up to and including June 30, 1947. Such amounts as may be necessary for the continuance of such program as provided in this Act are hereby authorized to be appropriated.

Approved August 9, 1946.

[CHAPTER 935]

AN ACT

To revise the boundaries of Wind Cave National Park in the State of South Dakota, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Wind Cave National Park is hereby established as follows:

Beginning at the southeast corner of section 13, township 6 south, range 5 east; thence west to the southwest corner of section 15, township 6 south, range 5 east; thence north to the west quarter corner of section 10, township 6 south, range 5 east; thence to the north quarter corner of section 10, township 6 south, range 5 east; thence to the west quarter corner of section 2, township 6 south, range 5 east; thence north to the northwest corner of the southwest quarter of the northwest quarter of section 11, township 5 south, range 5 east; thence to the north quarter corner of section 11, township 5 south, range 5 east; thence to the northeast corner of the southeast quarter of the southeast quarter of section 2, township 5 south, range 5 east, thence east to the northeast corner of the southwest quarter of the southwest quarter of section 6, township 5 south, range 6 east; thence in a southeasterly direction to the southeast corner of the northeast quarter of section 7, township 5 south, range 6 east along a line to be mutually acceptable to the South Dakota Game, Fish, and Parks Commission and the Secretary of the Interior; thence from the southeast corner of the northeast quarter of section 7, township 5 south, range 6 east; east to the northeast corner of the southwest quarter of section 12, township 5 south, range 6 east; thence south to the northeast corner of the southeast quarter of the southwest quarter of section 12, township 5 south, range 6 east; thence east to the northeast corner of the southwest quarter of the southwest quarter of section 7, township 5 south, range 7 east; thence south to the southeast corner of the southwest quarter of the southwest quarter of section 18, township 5 south, range 7 east; thence west to the northeast corner of section 24, township 5 south, range 6 east; thence south to the southeast corner of section 24, township 5 south, range 6 east; thence west to the southwest corner of section 24, township 5 south, range 6 east; thence south to the southeast corner of the northeast quarter of the southeast quarter of section 35, township 5 south, range 6 east; thence west to the southwest corner of the northwest quarter of the southwest quarter of section 35, township 5 south, range 6 east; thence south to the southeast corner of section 34, township 5 south, range 6 east; thence west to the southwest corner of the southeast quarter of the southwest quarter of section 33, township 5 south, range 6 east; thence north to the northeast corner of the northwest quarter of the southwest quarter of section 28, township 5 south, range 6 east; thence west to the northwest corner of the southwest quarter of section 29, township 5 south, range 6 east; thence south to the southeast corner of section 7, township 6 south, range 6 east; thence west to the southwest corner of section 7, township 6 south, range 6 east; thence south to the southeast corner of section 13, township 6 south, range 5 east; the point of beginning, and all of those lands lying within the boundary above described, together with the south half of the northeast quarter

August 9, 1946

[H. R. 7004]

[Public Law 708]

Wind Cave National
Park, S. Dak.
Boundary.

and the west half of the northeast quarter of the northeast quarter of section 32, township 5 south, range 5 east, are hereby included in and made a part of the Wind Cave National Park and shall be subject to all laws and regulations applicable thereto.

SEC. 2. All those lands which by section 1 hereof are excluded from the Wind Cave National Park as heretofore constituted and those lands of the Custer Recreational Demonstration Area lying in section 2, township 5 south, range 5 east, Black Hills meridian, are hereby included in and made a part of the Harney National Forest, and hereafter shall be subject to all laws and regulations applicable to the national forests.

Lands included in Harney National Forest.

SEC. 3. All those lands heretofore within the Custer Recreational Demonstration Area and which are not included within the Wind Cave National Park by virtue of section 1 hereof, except those lands of the Custer Recreational Demonstration Area lying in section 2, township 5 south, range 5 east, Black Hills meridian, which are included within the Harney National Forest by virtue of section 2 hereof, shall be conveyed by the Secretary of the Interior to the State of South Dakota for addition to the Custer State Park for public park, recreational, and conservation purposes (subject, however, to a proviso that the State of South Dakota will allow a minimum of ten thousand gallons of water per day to pass from springs or streams in these lands into the lands of Wind Cave National Park as herein described) as soon as all lands owned by the State of South Dakota lying within the boundaries of the Wind Cave National Park as described in section 1 hereof are conveyed to the United States; and the southwest quarter of the southwest quarter of the southwest quarter of section 2, township 5 south, range 5 east, Black Hills meridian, owned by the State of South Dakota, is conveyed to the United States to be included in the Harney National Forest as provided in section 2 hereof: *Provided, however,* That section 25, township 5 south, range 6 east, of the Custer Recreational Demonstration Area shall be conveyed by the Secretary of the Interior to the State of South Dakota as State school lands.

Conveyances.

State school lands.

Approved August 9, 1946.

[CHAPTER 936]

AN ACT

To amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps.

August 9, 1946
[S. 1560]

[Public Law 709]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Service Extension Act of 1941, approved August 18, 1941 (55 Stat. 627), as amended (50 U. S. C. App., Supp. IV 357), is further amended by inserting "(a)" after "Sec. 7." and by adding at the end of such section a new subsection (b) to read as follows:

Service Extension Act of 1941, amendment.
50 U. S. C., Supp. V, app. § 357.

"(b) Any former member of the Women's Army Auxiliary Corps who, within ninety days after termination of her service in that corps, entered active military service by enlistment or appointment in the Women's Army Corps without having accepted a position, other than a temporary position, in the employ of any employer during such ninety-day period, shall be entitled to all the reemployment benefits of section 8 of the Selective Training and Service Act of 1940, as amended, with respect to a position which she left to enter service in the Women's Army Auxiliary Corps, to the same extent that a person inducted under said Act is entitled to reemployment benefits with respect to a position which he left in order to perform training and

W.A.C. Reemployment benefits.

54 Stat. 890.
50 U. S. C. app. § 308; Supp. V, § 308.

Application for re-employment.

54 Stat. 890.
50 U. S. C. app.
§ 308(b)(A); Supp. V,
§ 308(b)(A).

service: *Provided*, That, in the case of any such former member who has been discharged from or relieved from active duty in the Women's Army Corps prior to the effective date of this subsection, application for reemployment may be made at any time within ninety days after such effective date. The provisions of section 8 (b) (A) of the Selective Training and Service Act of 1940, as amended, shall be applicable to any such former member without regard to whether the position which she held shall have been covered into the classified civil service during the period of her military service or during the period of her service in the Women's Army Auxiliary Corps."

Approved August 9, 1946.

[CHAPTER 937]

AN ACT

To authorize the Secretary of War to grant Georgia Power Company a one-hundred-foot perpetual easement across certain land in the State of Alabama constituting a portion of the military reservation designated as Fort Benning, Georgia.

August 9, 1946
[S. 2306]
[Public Law 710]

Fort Benning, Ga.
Easement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as he may deem advisable, to grant to the Georgia Power Company, its successors and/or assigns for transmission-line purposes, a one-hundred-foot perpetual easement over, across, in, and upon certain land in the State of Alabama constituting a portion of the military reservation designated as Fort Benning, Georgia.

Approved August 9, 1946.

[CHAPTER 943]

AN ACT

To provide for investigating the matter of the establishment of a national park in the old part of the city of Philadelphia, for the purpose of conserving the historical objects and buildings therein.

August 9, 1946
[H. R. 2851]
[Public Law 711]

Philadelphia.

Whereas thousands of residents of the city of Philadelphia, comprising part of the Third Congressional District of Pennsylvania, have petitioned their representatives in the Congress of the United States upon the matters more fully hereinafter set forth; and Whereas the petition of the residents of the city of Philadelphia calls attention to the existence of many shrines hallowed in American history, as well as several modern buildings owned by the Federal Government, in the area of the city of Philadelphia, beginning at the southeast corner of Sixth Street and Chestnut Street and proceeding southwardly to the northeast corner of Sixth Street and Walnut Street; thence proceeding eastwardly to the northwest corner of Fifth Street and Walnut Street; thence proceeding northwardly to a point on the west side of Fifth Street which would be made by extending the north line of Sansom Street to the east side of Fifth Street; thence proceeding eastwardly along the north line of the said Sansom Street to a point in the east side of Fourth Street which would be made by extending the north line of the said Sansom Street to the east side of the said Fourth Street; thence southwardly to the northeast corner of Harmony and Fourth Streets; thence eastwardly to the northwest corner of Harmony and Third Streets; thence northwardly to a point at which a line extended perpendicularly from the east side of Third Street would meet the angle created by the lines forming the northeast corner of Third and Dock Streets; thence eastwardly along the northerly line

of said Dock Street to the northeast corner of Dock, South American, and Moravian Streets; thence eastwardly to the northwest corner of Moravian and Second Streets; thence northwardly to the southwest corner of Second and Chestnut Streets; thence westwardly to the southeast corner of Sixth and Chestnut Streets, to the place of beginning; and calls attention to the fact that much of the area above described is run down, some properties are demolished, and others are in such dilapidated condition as to constitute a serious fire hazard of such proportions as to endanger Independence Hall, Carpenters' Hall, the Old Custom House, and the First Bank of the United States, as well as other landmarks and shrines of patriotism, and that such unsightly condition is not conducive to a proper respect and reverence for those American ideals which are symbolized by those shrines; and recommends that the Federal Government establish a national park in the above vicinity and also in the area bounded by Fifth Street on the east, Race Street on the north, Sixth Street on the west, and Chestnut Street on the south, which will assure at once a beautiful setting for those shrines and maximum protection against fire or other disaster; and

Whereas during these troubled times it is desirable to augment the defense effort of our Nation not only with arms but with proper emphasis on spiritual values; and

Whereas an attractive and inspiring setting will create a stronger sense of reverence for American institutions, laws and orders, which had their beginnings, in large part, in this group of shrines in the formative years around 1776; and

Whereas it is proper, fitting, and desirable that the United States of America should properly enshrine these jewels of democracy, so that all who visit these hallowed places from the far corners of this glorious democracy and the four corners of the world may be stirred with a feeling of patriotic reverence: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created for the purpose of investigating the matter of the establishment in the city of Philadelphia, in the Commonwealth of Pennsylvania, of a Federal area to be called Philadelphia National Shrines Park, or by some other appropriate name, to encompass within its area the buildings of historical significance in the old part of the city of Philadelphia, and to be operated and maintained by the National Park Service, for the purpose of conserving the historical objects and buildings in the said area and to provide for the enjoyment and appreciation thereof in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

Philadelphia National Shrines Park.

SEC. 2. The Commission shall be known as the Philadelphia National Shrines Park Commission, and shall be composed of seven individuals, who shall serve without compensation, to be appointed as follows: One Member of the United States Senate, to be appointed by the President of the Senate; one Member of the United States House of Representatives, to be appointed by the Speaker of the House; one member to be appointed by the Secretary of the Interior, and four persons, one of whom shall be a resident of the city of Philadelphia, to be appointed by the President of the United States. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

Commission.

SEC. 3. The Commission shall meet for the purpose of organizing within thirty days after the enactment of this Act. Rooms shall be provided for the use of the Commission in the New Custom House at Philadelphia. The Commission shall elect a Chairman and executive secretary from among its members.

Meeting for organizing.

Study of historic area, etc.

Report.

Termination of Commission.

Functions, etc., of Commission.

SEC. 4. The Commission shall make a study of the historic area and the area surrounding and contiguous to the locality involved, the buildings now in existence there, comparative real-estate costs, the advisability of condemnation of all or any part of the said locality and area, which of the present buildings should remain privately owned, if any, and shall prepare a report on all phases of the problem. Such report shall be transmitted to the Congress by the Secretary of the Interior not later than January 3, 1947. Upon submission of the report to Congress, the Commission shall cease to exist.

SEC. 5. The Commission, or any member thereof, may, for the purpose of carrying out the provisions of this Act, hold hearings and sit and act at such places and times, require by subpoena the attendance of such witnesses other than persons engaged in essential war industries as defined by the War Manpower Commission, and the production of such books, papers, and documents, administer such oaths, and take such testimony, as the Commission or such member deems advisable. Subpenas shall be issued under the signature of the Chairman of the Commission and shall be served by any person designated by him. For purposes of the exercise of the functions, powers, and duties conferred or imposed by this Act, the provisions of sections 9 and 10 (relating to the attendance and testimony of witnesses and the production of evidence) of the Federal Trade Commission Act of September 16, 1914, as amended (U. S. C., 1940 edition, title 15, secs. 49 and 50), are hereby made applicable so far as is consistent with the provisions of this Act.

38 Stat. 722, 723.

Employees, expenditures, etc.

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 et seq.
Ante, pp. 216, 219.

SEC. 6. (a) The Secretary of the Interior may appoint and fix the compensation, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended, of such experts, advisers, and other employees, and may make such expenditures, including expenditures for actual travel and subsistence expense of members, employees, and witnesses (not exceeding \$15 for subsistence expense for any one person for any one calendar day), for personal services at the seat of government and elsewhere, and for printing and binding, as are necessary for the efficient execution of the functions, powers, and duties of the Commission under this Act. The Commission is authorized to utilize voluntary and uncompensated services for the purposes of this Act. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000 to carry out the provisions of this Act.

Voluntary services.

Appropriation authorized.

Free transmission of mail.

(b) The Commission shall have the same privilege of free transmission of official mail matter as is granted by law to officers of the United States Government.

Approved August 9, 1946.

[CHAPTER 944]

AN ACT

To authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands of the United States located in the State of Oklahoma and held for Indian school purposes, to wit: All those parts of the northeast quarter southeast quarter section 20, and the northeast quarter southwest quarter, southeast quarter southwest quarter, southwest quarter southeast quarter, and southeast quarter southeast quarter section 21, township 27 north, range 24 east, Indian meridian, Wyandotte Reserve, in Ottawa County, lying between elevations 750 and 760 feet above mean sea level, may be used perpetually by the United

August 9, 1946
[H. R. 3058]
[Public Law 712]

Oklahoma.
Use of U. S. lands for waters of Grand River Dam project.

States, and its duly authorized agencies and representatives, to flow thereon and withdraw therefrom the waters of the Pensacola Reservoir of the Grand River Dam project for the purpose of and in connection with controlling floods and the production of hydroelectric power.

SEC. 2. The Secretary of the Interior is hereby authorized to determine, in such manner as he may deem appropriate, the reasonable value of such use, including therein all damages to adjacent lands not now subject to flowage rights, together with the improvements and crops thereon, and also the damages caused by the flood of May 1943, and, when so determined, the amount of such compensation and damages shall be deposited in the United States Treasury to the credit of the Seneca Indian School at Wyandotte, Oklahoma, pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560). The unobligated balance of funds under any allotment heretofore made for the acquisition of additional storage space in the Pensacola Reservoir shall be available to the Secretary of the Interior for payment of such compensation and damages, notwithstanding any time limitations heretofore established by the Congress with respect to the availability of such funds.

Determination of value.

25 U. S. C. § 155.

Approved August 9, 1946.

[CHAPTER 945]

AN ACT

To place Chinese wives of American citizens on a nonquota basis.

August 9, 1946
[H. R. 4844]
[Public Law 713]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 13 of the Immigration Act of 1924, approved May 26, 1924, as amended by the Act of June 13, 1930 (43 Stat. 162; 46 Stat. 581; 8 U. S. C. 213 (c)), is amended by adding the word "or" at the end of clause (2), substituting a period for the comma at the end of clause (3), and striking out the rest of the subsection, which reads, "or (4) is the Chinese wife of an American citizen who was married prior to the approval of the Immigration Act of 1924, approved May 26, 1924".

Immigration Act of 1924, amendment.

SEC. 2. The first sentence of section 2 of the Act entitled "An Act to repeal the Chinese Exclusion Acts, to establish quotas, and for other purposes", approved December 17, 1943 (57 Stat. 600; 8 U. S. C. 212 (a)), is amended to read as follows: "With the exception of Chinese alien wives of American citizens and those Chinese aliens coming under subsections (b), (d), (e), and (f) of section 4, Immigration Act of 1924 (43 Stat. 155; 44 Stat. 812; 45 Stat. 1009; 46 Stat. 854; 47 Stat. 656; 8 U. S. C. 204), all Chinese persons entering the United States annually as immigrants shall be allocated to the quota for the Chinese computed under the provisions of section 11 of the said Act."

8 U. S. C., Supp. V, § 212a.
Chinese alien wives of American citizens, etc.

43 Stat. 159.
8 U. S. C. § 211; Supp. V, § 211 note.

Approved August 9, 1946.

[CHAPTER 946]

AN ACT

Providing for the conveyance to the city of Atlantic City, in the State of New Jersey, of lighthouse property at Atlantic City, for public use.

August 9, 1946
[H. R. 6023]
[Public Law 714]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Coast Guard or such agency of the United States as holds title be, and hereby is, authorized and directed to convey to the city of Atlantic City, in the State of New Jersey, for use as a public park, the lighthouse property at Atlantic City, which is no longer required for lighthouse purposes, comprising an area approximately three hundred and fifty feet in length and two hundred and seventy-five feet in

Atlantic City, N. J. Conveyance.

Reversion to U. S.

Exception.

width, situated on Pacific Avenue, between Vermont and Rhode Island Avenues, and including structures thereon: *Provided*, That the city of Atlantic City shall not have the right to sell or convey aforesaid property, nor to devote the same to any other than a public use; and in the event that said property shall not be used as above provided, the right, title, and interest hereby authorized to be conveyed shall revert to the United States: *Provided*, That there shall be excepted from this conveyance the building occupied by the United States Weather Bureau, and the land on which it is situated, not exceeding fifty by one hundred and fifty feet.

Approved August 9, 1946.

[CHAPTER 947]

AN ACT

August 10, 1946

[H. R. 341]

[Public Law 715]

Relating to the status of Keetoowah Indians of the Cherokee Nation in Oklahoma, and for other purposes, and authorizing conveyance of the Seger Indian School to the Cheyenne and Arapaho Indians of Oklahoma.

Status of Keetoowah Indians.

25 U. S. C. § 503.

Seger School Reserve. Use, etc., of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Keetoowah Indians of the Cherokee Nation of Oklahoma shall be recognized as a band of Indians residing in Oklahoma within the meaning of section 3 of the Act of June 26, 1936 (49 Stat. 1967).

SEC. 2. That there is hereby set aside for the use and benefit of the Indians of the Cheyenne and Arapaho Reservation in Oklahoma the remainder of the lands comprising the diminished Seger School Reserve containing approximately five hundred and thirty-seven acres, and the improvements thereon, in section 15, township 10 north, range 14 west, of the Indian meridian, Oklahoma.

Agreement.

Subject to the consent of the business committee of the Cheyenne and Arapaho Tribes thereto, the Secretary of the Interior is authorized to enter into an agreement with the Colony Union Graded School District Numbered 1, Colony, Oklahoma, for the use by the district of all or any portion of the land, and improvements thereon, described in this Act: *Provided*, That any such agreement shall contain the express condition that the land therein described and the improvements thereon shall revert to the use of the Indians of the Cheyenne and Arapaho Tribes when no longer used by the said school district for school purposes.

Condition.

Approved August 10, 1946.

[CHAPTER 948]

AN ACT

August 10, 1946

[H. R. 4842]

[Public Law 716]

To amend the Act of April 29, 1943, so as to afford a preference for veterans in acquiring certain vessels.

Veterans' preference in acquiring certain vessels.

57 Stat. 69.
50 U. S. C., Supp. V, § 1303.

Vessel not returned to owner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the return to private ownership of certain vessels formerly used or suitable for use in the fisheries or industries related thereto", approved April 29, 1943, as amended (U. S. C. 1940 edition, Supp. V, title 50 App., secs. 1301-1304), is amended by inserting in section 3 after the words "advertise the vessel" the following: "except any vessel acquired by a veteran pursuant to section 5 (a) (1)," and by adding at the end thereof the following section:

"SEC. 5. (a) (1) If any such vessel of sixty-five feet or less in length between perpendiculars is not returned to such owner as provided in section 3, then, prior to advertising such vessel for sale, the War Shipping Administration or the Maritime Commission shall make

such vessel available for acquisition by a veteran, as defined in subsection (b), in accordance with the provisions of the Surplus Property Act of 1944, as amended (U. S. C., 1940 edition, Supp. V, title 50 App., secs. 1611-1646), and regulations made thereunder, as property for exclusive disposal to veterans.

“(2) In the case of any vessel of sixty-five feet or less in length between perpendiculars to be disposed of by the War Shipping Administration or the Maritime Commission as surplus property by virtue of any law other than this Act, such vessel shall be available for acquisition by a veteran, as defined in subsection (b), in accordance with the provisions of the Surplus Property Act of 1944, as amended (U. S. C., 1940 edition, Supp. V, title 50 App., secs. 1611-1646), and regulations made thereunder, as property for exclusive disposal to veterans.

“(b) For purposes of this Act, the terms ‘veteran’ means any person in the active military or naval service of the United States during the present war, or any person who served in the active military or naval service of the United States on or after September 16, 1940, and prior to the termination of the present war, and who has been discharged or released therefrom under honorable conditions, or any person who is or has been eligible to receive a certificate for substantially continuous service in the merchant marine as provided in the Act of June 23, 1943 (U. S. C., 1940 edition, Supp. V, title 50 App., sec. 1471).”

Approved August 10, 1946.

[CHAPTER 949]

AN ACT

Relating to the sale by the United States of surplus vessels suitable for fishing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That vessels which are determined to be surplus property under the Surplus Property Act of 1944, as amended, and which are suitable for use as fishing vessels shall not be disposed of until offered for sale by the United States Maritime Commission (hereinafter referred to as the “Commission”) in accordance with the provisions of this Act.

SEC. 2. (a) As used in this Act the term “former owners” means former owners of fishing vessels purchased or requisitioned by the United States who on or before the date of the enactment of this Act have not been notified that their vessels may be returned to them under the provisions of the Act entitled “An Act to authorize the return to private ownership of certain vessels formerly used or suitable for use in the fisheries or industries related thereto”, approved April 29, 1943, as amended (U. S. C., 1940 edition, Supp. IV, title 50, App., sec. 1301).

(b) Former owners shall be given notice by the Commission, in such manner (which may include publication) as it may prescribe, that vessels suitable for use as fishing vessels are to be disposed of by the United States and shall be entitled to purchase such vessels at private sale within a reasonable time after such notice. Such reasonable time shall be specified in the notice but may be extended by the Commission when it appears to it that an extension is necessary or appropriate to facilitate the sale of any vessel or vessels under this Act.

SEC. 3. (a) Sales of vessels to former owners under this Act shall be upon such terms and conditions as the Commission deems proper.

(b) Any vessels suitable for use as fishing vessels not disposed of by the Commission as provided in this Act shall be disposed of as otherwise provided by law.

Approved August 10, 1946.

58 Stat. 765.
Ante, pp. 168, 169,
599, 754, 886.

Vessel to be dis-
posed of as surplus
property.

Supra.

“Veteran.”

57 Stat. 162.
Ante, pp. 906, 945.

August 10, 1946
[H. R. 5552]
[Public Law 717]

Surplus vessels suit-
able for fishing.

58 Stat. 765.
50 U. S. C., Supp.
V, app. §§ 1611-1646.
Ante, pp. 168, 169,
599, 754, 886.

“Former owners.”

57 Stat. 69.
50 U. S. C., Supp.
V, §§ 1301-1304.
Ante, p. 976.
Notice of disposal.

Terms, etc., of sale.

[CHAPTER 950]

AN ACT

August 10, 1946
[H. R. 5626]
[Public Law 718]

To authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes.

Veterans' Administration.
Employment of retired officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 2 of the Act of July 31, 1894 (28 Stat. 205), as amended (5 U. S. C. 62), or section 6 of the Act of May 10, 1916 (39 Stat. 120), as amended (5 U. S. C. 58, 59), the Administrator of Veterans' Affairs may appoint to, and employ in, any civilian office or position in the Veterans' Administration, and pay, any retired commissioned officer, or retired warrant officer, of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service. The retired status, office, rank, and grade of retired commissioned officers, or retired warrant officers, so appointed or employed and, except as provided in section 212 of the Act of June 30, 1932 (47 Stat. 406), as amended (5 U. S. C. 59a), any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, shall be in no way affected by reason of such appointment to or employment in, or by reason of service in, or acceptance or holding of, any civilian office or position in the Veterans' Administration or the receipt of the pay thereof.

Effective period.

SEC. 2. The authority to employ retired commissioned officers or retired warrant officers contained in section 1 of this Act shall be effective for a period of five years from the date of enactment.

Approved August 10, 1946.

[CHAPTER 951]

AN ACT

August 10, 1946
[H. R. 7037]
[Public Law 719]

To amend the Social Security Act and the Internal Revenue Code, and for other purposes.

Social Security Act Amendments of 1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Social Security Act Amendments of 1946".

TITLE I—SOCIAL SECURITY TAXES

SEC. 101. RATES OF TAX ON EMPLOYEES.

Clauses (1) and (2) of section 1400 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1400), as amended, are amended to read as follows:

53 Stat. 175.
26 U. S. C. § 1400 (1),
(2); Supp. V, § 1400
(1), (2).

"(1) With respect to wages received during the calendar years 1939 to 1947, both inclusive, the rate shall be 1 per centum.

"(2) With respect to wages received during the calendar year 1948, the rate shall be 2½ per centum."

SEC. 102. RATES OF TAX ON EMPLOYERS.

Clauses (1) and (2) of section 1410 of such Act (Internal Revenue Code, sec. 1410), as amended, are amended to read as follows:

53 Stat. 175.
26 U. S. C. § 1410
(1), (2); Supp. V, §
1410 (1), (2).

"(1) With respect to wages paid during the calendar years 1939 to 1947, both inclusive, the rate shall be 1 per centum.

"(2) With respect to wages paid during the calendar year 1948, the rate shall be 2½ per centum."

TITLE II—BENEFITS IN CASE OF DECEASED WORLD WAR II VETERANS

SEC. 201. The Social Security Act, as amended, is amended by adding after subsection (r) of section 209 of Title II (added to such section by section 411 of this Act) a new section to read as follows:

49 Stat. 620.
42 U. S. C. §§ 301-
1307; Supp. V, § 401
et seq.
Anic., p. 732; *post*,
pp. 981, 982 *et seq.*

“BENEFITS IN CASE OF DECEASED WORLD WAR II VETERANS

“SEC. 210. (a) Any individual who has served in the active military or naval service of the United States at any time on or after September 16, 1940, and prior to the date of the termination of World War II, and who has been discharged or released therefrom under conditions other than dishonorable after active service of ninety days or more, or by reason of a disability or injury incurred or aggravated in service in line of duty, shall in the event of his death during the period of three years immediately following separation from the active military or naval service, whether his death occurs on, before, or after the date of the enactment of this section, be deemed—

“(1) to have died a fully insured individual;

“(2) to have an average monthly wage of not less than \$160;
and

“(3) for the purposes of section 209 (e) (2), to have been paid not less than \$200 of wages in each calendar year in which he had thirty days or more of active service after September 16, 1940.

53 Stat. 1373.
42 U. S. C. § 409 (e)
(2).

This section shall not apply in the case of the death of any individual occurring (either on, before, or after the date of the enactment of this section) while he is in the active military or naval service, or in the case of the death of any individual who has been discharged or released from the active military or naval service of the United States subsequent to the expiration of four years and one day after the date of the termination of World War II.

Nonapplicability.

“(b) (1) If any pension or compensation is determined by the Veterans' Administration to be payable on the basis of the death of any individual referred to in subsection (a) of this section, any monthly benefits or lump-sum death payment payable under this title with respect to the wages of such individual shall be determined without regard to such subsection (a).

Monthly benefits,
etc.

“(2) Upon an application for benefits or a lump-sum death payment with respect to the death of any individual referred to in subsection (a), the Federal Security Administrator shall make a decision without regard to paragraph (1) of this subsection unless he has been notified by the Veterans' Administration that pension or compensation is determined to be payable by the Veterans' Administration by reason of the death of such individual. The Federal Security Administrator shall notify the Veterans' Administration of any decision made by him authorizing payment, pursuant to subsection (a), of monthly benefits or of a lump-sum death payment. If the Veterans' Administration in any such case has made an adjudication or thereafter makes an adjudication that any pension or compensation is payable under any law administered by it, by reason of the death of any such individual, it shall notify the Federal Security Administrator, and the Administrator shall certify no further benefits for payment, or shall recompute the amount of any further benefits payable,

Decision by Admin-
istrator.

Notice of adjudica-
tion.

as may be required by paragraph (1) of this subsection. Any payments theretofore certified by the Federal Security Administrator pursuant to subsection (a) to any individual, not exceeding the amount of any accrued pension or compensation payable to him by the Veterans' Administration, shall (notwithstanding the provisions of sec. 3 of the Act of August 12, 1935, as amended (U. S. C., 1940 edition, title 38, sec. 454a)) be deemed to have been paid to him by the Veterans' Administration on account of such accrued pension or compensation. No such payment certified by the Federal Security Administrator, and no payment certified by him for any month prior to the first month for which any pension or compensation is paid by the Veterans' Administration, shall be deemed by reason of this subsection to have been an erroneous payment.

49 Stat. 609.

Person dying prior to enactment of section.

"(c) In the event any individual referred to in subsection (a) has died during such three-year period but before the date of the enactment of this section—

"(1) upon application filed within six months after the date of the enactment of this section, any monthly benefits payable with respect to the wages of such individual (including benefits for months before such date) shall be computed or recomputed and shall be paid in accordance with subsection (a), in the same manner as though such application had been filed in the first month in which all conditions of entitlement to such benefits, other than the filing of an application, were met;

"(2) if any individual who upon filing application would have been entitled to benefits or to a recomputation of benefits under paragraph (1) has died before the expiration of six months after the date of the enactment of this section, the application may be filed within the same period by any other individual entitled to benefits with respect to the same wages, and the nonpayment or underpayment to the deceased individual shall be treated as erroneous within the meaning of section 204;

"(3) the time within which proof of dependency under section 202 (f) or any application under 202 (g) may be filed shall be not less than six months after the date of the enactment of this section; and

"(4) application for a lump-sum death payment or recomputation, pursuant to this section, of a lump-sum death payment certified by the Board or the Federal Security Administrator, prior to the date of the enactment of this section, for payment with respect to the wages of any such individual may be filed within a period not less than six months from the date of the enactment of this section or a period of two years after the date of the death of any individual specified in subsection (a), whichever is the later, and any additional payment shall be made to the same individual or individuals as though the application were an original application for a lump-sum death payment with respect to such wages.

No lump-sum death payment shall be made or recomputed with respect to the wages of an individual if any monthly benefit with respect to his wages is, or upon filing application would be, payable for the month in which he died; but except as otherwise specifically provided in this section no payment heretofore made shall be rendered erroneous by the enactment of this section.

"(d) There are hereby authorized to be appropriated to the Trust Fund from time to time such sums as may be necessary to meet the additional cost, resulting from this section, of the benefits (including lump-sum death payments) payable under this title.

49 Stat. 624.
42 U. S. C. § 404.

53 Stat. 1366.
42 U. S. C. § 402 (f),

(g).
Post, p. 987.

Appropriation authorized.

“(e) For the purposes of this section the term ‘date of the termination of World War II’ means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.”

“Date of the termination of World War II.”

SEC. 202. When used in the Social Security Act, as amended by this Act, the term “Administrator”, except where the context otherwise requires, means the Federal Security Administrator.

“Administrator.”

TITLE III—UNEMPLOYMENT COMPENSATION FOR MARITIME WORKERS

SEC. 301. STATE COVERAGE OF MARITIME WORKERS.

(a) The Internal Revenue Code, as amended, is amended by adding after section 1606 (e) a new subsection to read as follows:

“(f) The legislature of any State in which a person maintains the operating office, from which the operations of an American vessel operating on navigable waters within or within and without the United States are ordinarily and regularly supervised, managed, directed and controlled, may require such person and the officers and members of the crew of such vessel to make contributions to its unemployment fund under its State unemployment compensation law approved by the Federal Security Administrator (or approved by the Social Security Board prior to July 16, 1946) under section 1603 and otherwise to comply with its unemployment compensation law with respect to the service performed by an officer or member of the crew on or in connection with such vessel to the same extent and with the same effect as though such service was performed entirely within such State. Such person and the officers and members of the crew of such vessel shall not be required to make contributions, with respect to such service, to the unemployment fund of any other State. The permission granted by this subsection is subject to the condition that such service shall be treated, for purposes of wage credits given employees, like other service subject to such State unemployment compensation law performed for such person in such State, and also subject to the same limitation, with respect to contributions required from such person and from the officers and members of the crew of such vessel, as is imposed by the second sentence (other than clause (2) thereof) of subsection (b) of this section with respect to contributions required from instrumentalities of the United States and from individuals in their employ.”

59 Stat. 549.
26 U. S. C., Supp.
V, 1606 (e).

53 Stat. 185.
26 U. S. C. § 1603.

(b) The amendment effected by subsection (a) shall not operate, prior to January 1, 1948, to invalidate any provision, in effect on the date of enactment of this Act, in any State unemployment compensation law.

SEC. 302. DEFINITION OF EMPLOYMENT.

That part of section 1607 (c) of the Internal Revenue Code, as amended, which reads as follows:

53 Stat. 187.
26 U. S. C. § 1607
(c); Supp. V, 1607 (c).

“(c) EMPLOYMENT.—The term ‘employment’ means any service performed prior to January 1, 1940, which was employment as defined in this section prior to such date, and any service, of whatever nature, performed after December 31, 1939, within the United States by an employee for the person employing him, irrespective of the citizenship or residence of either, except—”

is amended, effective July 1, 1946, to read as follows:

“(c) EMPLOYMENT.—The term ‘employment’ means any service performed prior to July 1, 1946, which was employment as defined in this

section as in effect at the time the service was performed; and any service, of whatever nature, performed after June 30, 1946, by an employee for the person employing him, irrespective of the citizenship or residence of either, (A) within the United States, or (B) on or in connection with an American vessel under a contract of service which is entered into within the United States or during the performance of which the vessel touches at a port in the United States, if the employee is employed on and in connection with such vessel when outside the United States, except—”.

SEC. 303. SERVICE ON FOREIGN VESSELS.

Section 1607 (c) (4) of the Internal Revenue Code, as amended, is amended, effective July 1, 1946, to read as follows:

“(4) Service performed on or in connection with a vessel not an American vessel by an employee, if the employee is employed on and in connection with such vessel when outside the United States;”.

SEC. 304. CERTAIN FISHING SERVICES.

(a) Section 1607 (c) (15) of such Code is amended by striking out “or” at the end thereof.

(b) Section 1607 (c) (16) of such Code is amended by striking out the period and inserting in lieu thereof the following: “; or”.

(c) Section 1607 (c) of such Code is further amended by adding after paragraph (16) a new paragraph to read as follows:

“(17) Service performed by an individual in (or as an officer or member of the crew of a vessel while it is engaged in) the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life (including service performed by any such individual as an ordinary incident to any such activity), except (A) service performed in connection with the catching or taking of salmon or halibut, for commercial purposes, and (B) service performed on or in connection with a vessel of more than ten net tons (determined in the manner provided for determining the register tonnage of merchant vessels under the laws of the United States).”

(d) The amendments made by this section shall take effect July 1, 1946.

SEC. 305. DEFINITION OF AMERICAN VESSEL.

Section 1607 of such Code, as amended, is further amended, effective July 1, 1946, by adding after subsection (m) a new subsection to read as follows:

“(n) AMERICAN VESSEL.—The term ‘American vessel’ means any vessel documented or numbered under the laws of the United States; and includes any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country, if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any State.”

SEC. 306. RECONVERSION UNEMPLOYMENT BENEFITS FOR SEAMEN.

The Social Security Act, as amended, is amended by adding after section 1201 (c) a new title to read as follows:

53 Stat. 187.
26 U. S. C. § 1607 (c)
(4).

53 Stat. 1395.
26 U. S. C. § 1607 (c)
(15); Supp. V, § 1607
(c) (15).
59 Stat. 670.
26 U. S. C., Supp.
V, § 1607 (c) (16).

53 Stat. 187; 59 Stat.
549.
26 U. S. C. § 1607;
Supp. V, 1607.
Supra; post, p. 989.

58 Stat. 791.
42 U. S. C., Supp.
V, § 1321(c).

"TITLE XIII—RECONVERSION UNEMPLOYMENT BENEFITS FOR SEAMEN

"SEC. 1301. This title shall be administered by the Federal Security Administrator.

"DEFINITIONS

"SEC. 1302. When used in this title—

"(a) The term 'reconversion period' means the period (1) beginning with the fifth Sunday after the date of the enactment of this title, and (2) ending June 30, 1949.

"(b) The term 'compensation' means cash benefits payable to individuals with respect to their unemployment (including any portion thereof payable with respect to dependents).

"(c) The term 'Federal maritime service' means service determined to be employment pursuant to section 209 (o).

"(d) The term 'Federal maritime wages' means remuneration determined pursuant to section 209 (o) to be remuneration for service referred to in section 209 (o) (1).

57 Stat. 47.
42 U. S. C., Supp.
V, § 409 (o).

"COMPENSATION FOR SEAMEN

"SEC. 1303. (a) The Administrator is authorized on behalf of the United States to enter into an agreement with any State, or with the unemployment compensation agency of such State, under which such State agency (1) will make, as agent of the United States, payments of compensation, on the basis provided in subsection (b), to individuals who have performed Federal maritime service, and (2) will otherwise cooperate with the Administrator and with other State unemployment compensation agencies in making payments of compensation authorized by this title.

Agreement with
State.

"(b) Any such agreement shall provide that compensation will be paid to such individuals, with respect to unemployment occurring in the reconversion period, in the same amounts, on the same terms, and subject to the same conditions as the compensation which would be payable to such individuals under the State unemployment compensation law if such individuals' Federal maritime service and Federal maritime wages had (subject to regulations of the Administrator concerning the allocation of such service and wages among the several States) been included as employment and wages under such law; except that the compensation to which an individual is entitled under such an agreement for any week shall be reduced by 15 per centum of the amount of any annuity or retirement pay which such individual is entitled to receive, under any law of the United States relating to the retirement of officers or employees of the United States, for the month in which such week begins, unless a deduction from such compensation on account of such annuity or retirement pay is otherwise provided for by the applicable State law.

"(c) If in the case of any State an agreement is not entered into under this section or the unemployment compensation agency of such State fails to make payments in accordance with such an agreement, the Administrator, in accordance with regulations prescribed by him, shall make payments of compensation to individuals who file a claim for compensation which is payable under such agreement, or would be payable if such agreement were entered into, on a basis which will provide that they will be paid compensation in the same amounts, on substantially the same terms, and subject to substantially the same conditions as though such agreement had been entered into and such agency made such payments. Final determinations by the Administrator of entitlement to such payments shall be subject to review by the courts in the same manner and to the same extent as is provided in

Payments by Ad-
ministrator.

49 Stat. 622.
42 U. S. C. §§ 401-
409; Supp. V, § 401
et seq.
Anie., p. 732; post,
p. 986 et seq.

Title II with respect to decisions by the Administrator under such title.

“(d) Operators of vessels who are or were general agents of the War Shipping Administration or of the United States Maritime Commission shall furnish to individuals who have been in Federal maritime service, to the appropriate State agency, and to the Administrator such information with respect to wages and salaries as the Administrator may determine to be practicable and necessary to carry out the purposes of this title.

“(e) Pursuant to regulations prescribed by the Administrator, he, and any State agency making payments of compensation pursuant to an agreement under this section, may—

Determination of
amount, etc.

“(1) to the extent that the Administrator finds that it is not feasible for Federal agencies or operators of vessels to furnish information necessary to permit exact and reasonably prompt determinations of the wages or salaries of individuals who have performed Federal maritime service, determine the amount of and pay compensation to any individual under this section, or an agreement thereunder, as if the wages or salary paid such individual for each week of such service were in an amount equal to his average weekly wages or salary for the last pay period of such service occurring prior to the time he files his initial claim for compensation; and

Acceptance of certi-
fication.

“(2) to the extent that information is inadequate to assure the prompt payment of compensation authorized by this section (either on the basis of the exact wages or salaries of the individuals concerned or on the basis prescribed in clause (1) of this subsection), accept certification under oath by individuals of facts relating to their Federal maritime service and to wages and salaries paid them with respect to such service.

“ADMINISTRATION

“SEC. 1304. (a) Determinations of entitlement to payments of compensation by a State unemployment compensation agency under an agreement under this title shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in such manner and to such extent.

49 Stat. 626.
42 U. S. C. §§ 501-
503.
Post, p. 991.

“(b) For the purpose of payments made to a State under Title III administration by the unemployment compensation agency of such State pursuant to an agreement under this title shall be deemed to be a part of the administration of the State unemployment compensation law.

“(c) The State unemployment compensation agency of each State shall furnish to the Administrator such information as the Administrator may find necessary in carrying out the provisions of this title, and such information shall be deemed reports required by the Administrator for the purposes of section 303 (a) (6).

49 Stat. 626.
42 U. S. C. § 503 (a)
(6).

“PAYMENTS TO STATES

“SEC. 1305. (a) Each State shall be entitled to be paid by the United States an amount equal to the additional cost to the State of payments of compensation made under and in accordance with an agreement under this title, which would not have been incurred by the State but for the agreement.

“(b) In making payments pursuant to subsection (a) of this section, there shall be paid to the State, either in advance or by way of reimbursement, as may be determined by the Administrator, such sum as

the Administrator estimates the State will be entitled to receive under this title for each calendar quarter; reduced or increased, as the case may be, by any sum by which the Administrator finds that his estimates for any prior calendar quarter were greater or less than the amounts which should have been paid to the State. The amount of such payments may be determined by such statistical, sampling, or other method as may be agreed upon by the Administrator and the State agency.

“(c) The Administrator shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment, at the time or times fixed by the Administrator, in accordance with certification, from the funds for carrying out the purposes of this title. Notwithstanding any other provision of this title, no compensation shall be paid to any individual pursuant to this title with respect to unemployment occurring prior to the date when funds are made available for such payments.

Certification of sums payable.

“(d) All money paid to a State under this section shall be used solely for the purposes for which it is paid; and any money so paid which is not used for such purposes shall be returned to the Treasury upon termination of the agreement or termination of the reconversion period, whichever first occurs.

Use.

“(e) An agreement under this title may require any officer or employee of the State certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give a surety bond to the United States in such amount as the Administrator may deem necessary, and may provide for the payment of the cost of such bond from appropriations for carrying out the purposes of this title.

Surety bond.

“(f) No person designated by the Administrator, or designated pursuant to an agreement under this title, as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any compensation certified by him under this title.

Liability of certifying officer.

“(g) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this title if it was based upon a voucher signed by a certifying officer designated as provided in subsection (f).

Liability of disbursing officer.

“PENALTIES

“SEC. 1306. (a) Whoever, for the purpose of causing any compensation to be paid under this title or under an agreement thereunder where none is authorized to be so paid, shall make or cause to be made any false statement or representation as to any wages paid or received, or whoever makes or causes to be made any false statement of a material fact in any claim for any compensation authorized to be paid under this title or under an agreement thereunder, or whoever makes or causes to be made any false statement, representation, affidavit, or document in connection with such claim, shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than one year, or both.

False statement or representation.

“(b) Whoever shall obtain or receive any money, check or compensation under this title or an agreement thereunder, without being entitled thereto and with intent to defraud the United States, shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than one year, or both.

Intent to defraud.

“(c) Whoever willfully fails or refuses to furnish information which the Administrator requires him to furnish pursuant to authority

Failure, etc., to furnish information.

Ante, p. 984.

of section 1303 (d), or willfully furnishes false information pursuant to a requirement of the Administrator under such subsection, shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than six months, or both."

TITLE IV—TECHNICAL AND MISCELLANEOUS PROVISIONS

SEC. 401. AMENDMENTS OF TITLE V OF SOCIAL SECURITY ACT.

49 Stat. 647.
42 U. S. C. § 1301
(a) (1).

(a) Effective January 1, 1947, section 1101 (a) (1) of the Social Security Act, as amended, is amended to read as follows:

"(1) The term 'State' includes Alaska, Hawaii, and the District of Columbia, and when used in Title V includes Puerto Rico and the Virgin Islands."

(b) Effective with respect to the fiscal year ending June 30, 1947, and subsequent fiscal years, title V of the Social Security Act, as amended, is amended as follows:

49 Stat. 629.
42 U. S. C. § 701.

(1) Section 501 is amended by striking out "\$5,820,000" and inserting in lieu thereof "\$11,000,000".

49 Stat. 629.
42 U. S. C. § 702 (a).

(2) Section 502 (a) is amended to read as follows:

Supra.

"SEC. 502. (a) Out of the sums appropriated pursuant to section 501 for each fiscal year the Federal Security Administrator shall allot \$5,500,000 as follows: He shall allot to each State \$35,000, and shall allot to each State such part of the remainder of the \$5,500,000 as he finds that the number of live births in such State bore to the total number of live births in the United States, in the latest calendar year for which the Administrator has available statistics."

49 Stat. 629.
42 U. S. C. § 702 (b).

(3) Section 502 (b) is amended by striking out "\$1,980,000" and inserting in lieu thereof "\$5,500,000".

49 Stat. 631.
42 U. S. C. § 711.

(4) Section 511 is amended by striking out "\$3,870,000" and inserting in lieu thereof "\$7,500,000".

49 Stat. 631.
42 U. S. C. § 712 (a).

(5) Section 512 (a) is amended to read as follows:

Supra.

"SEC. 512. (a) Out of the sums appropriated pursuant to section 511 for each fiscal year the Federal Security Administrator shall allot \$3,750,000 as follows: He shall allot to each State \$30,000, and shall allot the remainder of the \$3,750,000 to the States according to the need of each State as determined by him after taking into consideration the number of crippled children in such State in need of the services referred to in section 511 and the cost of furnishing such services to them."

49 Stat. 631.
42 U. S. C. § 712 (b).

(6) Section 512 (b) is amended by striking out "\$1,000,000" and inserting in lieu thereof "\$3,750,000".

49 Stat. 633.
42 U. S. C. § 721 (a).

(7) Section 521 (a) is amended by striking out "\$1,510,000" and inserting in lieu thereof "\$3,500,000" and is further amended by striking out "\$10,000" and inserting in lieu thereof "\$20,000".

49 Stat. 634.
42 U. S. C. § 731 (a).

(8) Section 541 (a) is amended to read as follows:

Appropriation authorized.
Ante, pp. 913, 914.

"SEC. 541. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1947, the sum of \$1,000,000 for all necessary expenses of the Federal Security Agency in administering the provisions of this title."

(c) The amendments made by subsection (b) shall not require amended allotments for the fiscal year 1947 until sufficient appropriations have been made to carry out such amendments, and allotments from such appropriations shall be made in amounts not exceeding the amounts authorized by the amendments made by this section.

SEC. 402. CHILD'S INSURANCE BENEFITS.

53 Stat. 1364.
42 U. S. C. § 402 (c)
(1).

(a) Section 202 (c) (1) of such Act is amended by striking out the word "adopted" and substituting in lieu thereof the following:

“adopted (except for adoption by a stepparent, grandparent, aunt, or uncle subsequent to the death of such fully or currently insured individual)”.

(b) Section 202 (c) (3) (C) is amended to read as follows:

53 Stat. 1364.
42 U. S. C. § 402 (c)
(3) (C).

“(C) such child was living with and was chiefly supported by such child’s stepfather.”

SEC. 403. PARENTS’ INSURANCE BENEFITS.

(a) Section 202 (f) (1) of such Act is amended by striking out “leaving no widow and no unmarried surviving child under the age of eighteen” and inserting in lieu thereof “if such individual did not leave a widow who meets the conditions in subsection (d) (1) (D) and (E) or an unmarried child under the age of eighteen deemed dependent on such individual under subsection (c) (3) or (4), and”; and by striking out in clause (B) thereof the word “wholly” and inserting in lieu thereof the word “chiefly”.

53 Stat. 1366.
42 U. S. C. § 402 (f)
(1).

53 Stat. 1365.
42 U. S. C. § 402 (d)
(1) (D), (E).

Supra.

(b) The amendment made by subsection (a) of this section shall be applicable only in cases of applications for benefits under this Act filed after December 31, 1946.

Applicability.

SEC. 404. LUMP-SUM DEATH PAYMENTS.

(a) Section 202 (g) of such Act is amended to read as follows:

53 Stat. 1366.
42 U. S. C. § 402 (g)

“LUMP-SUM DEATH PAYMENTS

“(g) Upon the death, after December 31, 1939, of an individual who died a fully or currently insured individual leaving no surviving widow, child, or parent who would, on filing application in the month in which such individual died, be entitled to a benefit for such month under subsection (c), (d), (e), or (f) of this section, an amount equal to six times a primary insurance benefit of such individual shall be paid in a lump sum to the person, if any, determined by the Administrator to be the widow or widower of the deceased and to have been living with the deceased at the time of death. If there is no such person, or if such person dies before receiving payment, then such amount shall be paid to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid the expenses of burial of such insured individual. No payment shall be made to any person under this subsection, unless application therefor shall have been filed, by or on behalf of any such person (whether or not legally competent), prior to the expiration of two years after the date of death of such insured individual.”

Ante, p. 986; *supra*.
53 Stat. 1365.
42 U. S. C. § 402(d),
(e).

(b) The amendment made by subsection (a) of this section shall be applicable only in cases where the death of the insured individual occurs after December 31, 1946.

Applicability.

(c) In the case of any individual who, after December 6, 1941, and before the date of the enactment of this Act, died outside the United States (as defined in section 1101 (a) (2) of the Social Security Act, as amended), the two-year period prescribed by section 202 (g) of such Act for the filing of application for a lump-sum death payment shall not be deemed to have commenced until the date of enactment of this Act.

49 Stat. 647.
42 U. S. C. § 1301 (a)
(2).
Supra.

SEC. 405. APPLICATION FOR PRIMARY INSURANCE BENEFITS.

(a) Section 202 (h) of such Act is amended to read as follows:

“(h) An individual who would have been entitled to a benefit under subsection (a), (b), (c), (d), (e), or (f) for any month had he filed application therefor prior to the end of such month, shall be entitled to such benefit for such month if he files application therefor prior

53 Stat. 1367.
42 U. S. C. § 402 (b).

Ante, p. 986; *supra*.
53 Stat. 1363-1365.
42 U. S. C. § 402 (a),
(b), (d), (e).

to the end of the third month immediately succeeding such month. Any benefit for a month prior to the month in which application is filed shall be reduced, to any extent that may be necessary, so that it will not render erroneous any benefit which, before the filing of such application, the Administrator has certified for payment for such prior month."

Applicability.

(b) The amendment made by subsection (a) of this section shall be applicable only in cases of applications for benefits under this title filed after December 31, 1946.

SEC. 406. DEDUCTIONS FROM INSURANCE BENEFITS.

53 Stat. 1367.
42 U. S. C. § 403 (d)
(2).

(a) Section 203 (d) (2) of such Act (relating to deductions for failure to attend school) is repealed.

53 Stat. 1368.
42 U. S. C. § 403 (g).

(b) Section 203 (g) of such Act (relating to failure to make certain reports) is amended by inserting before the period at the end thereof a comma and the following: "except that the first additional deduction imposed by this subsection in the case of any individual shall not exceed an amount equal to one month's benefit even though the failure to report is with respect to more than one month".

SEC. 407. DEFINITION OF "CURRENTLY INSURED INDIVIDUAL".

53 Stat. 1377.
42 U. S. C. § 409 (h).

(a) Section 209 (h) of such Act is amended to read as follows:
"(h) The term 'currently insured individual' means any individual with respect to whom it appears to the satisfaction of the Administrator that he had not less than six quarters of coverage during the period consisting of the quarter in which he died and the twelve quarters immediately preceding such quarter."

Applicability.

(b) The amendment made by subsection (a) of this section shall be applicable only in cases of applications for benefits under this title filed after December 31, 1946.

SEC. 408. DEFINITION OF WIFE.

53 Stat. 1377.
42 U. S. C. § 409 (i).

(a) Section 209 (i) of such Act is amended to read as follows:

"(i) The term 'wife' means the wife of an individual who either (1) is the mother of such individual's son or daughter, or (2) was married to him for a period of not less than thirty-six months immediately preceding the month in which her application is filed."

Applicability.

(b) The amendment made by subsection (a) of this section shall be applicable only in cases of applications for benefits under this title filed after December 31, 1946.

SEC. 409. DEFINITION OF CHILD.

53 Stat. 1377.
42 U. S. C. § 409 (k).

(a) Section 209 (k) of such Act is amended to read as follows:

"(k) The term 'child' means (1) the child of an individual, and (2) in the case of a living individual, a stepchild or adopted child who has been such stepchild or adopted child for thirty-six months immediately preceding the month in which application for child's benefits is filed, and (3) in the case of a deceased individual, a stepchild or adopted child who was such stepchild or adopted child for twelve months immediately preceding the month in which such individual died."

Applicability.

(b) The amendment made by subsection (a) of this section shall be applicable only in cases of applications for benefits under this title filed after December 31, 1946.

SEC. 410. AUTHORIZATION FOR RECOMPUTATION OF BENEFITS.

Section 209 of such Act is amended by adding after subsection (p) a new subsection to read as follows:

“(q) Subject to such limitation as may be prescribed by regulation, the Administrator shall determine (or upon application shall recompute) the amount of any monthly benefit as though application for such benefit (or for recomputation) had been filed in the calendar quarter in which, all other conditions of entitlement being met, an application for such benefit would have yielded the highest monthly rate of benefit. This subsection shall not authorize the payment of a benefit for any month for which no benefit would, apart from this subsection, be payable, or, in the case of recomputation of a benefit, of the recomputed benefit for any month prior to the month for which application for recomputation is filed.”

53 Stat. 1373; 59 Stat. 548.
42 U. S. C. § 409; Supp. V, § 409.
Ante, pp. 732, 988; *post*, pp. 990, 991.

SEC. 411. ALLOCATION OF 1937 WAGES.

Section 209 of such Act is amended by adding after subsection (q) a new subsection to read as follows:

“(r) With respect to wages paid to an individual in the six-month periods commencing either January 1, 1937, or July 1, 1937; (A) if wages of not less than \$100 were paid in any such period, one-half of the total amount thereof shall be deemed to have been paid in each of the calendar quarters in such period; and (B) if wages of less than \$100 were paid in any such period, the total amount thereof shall be deemed to have been paid in the latter quarter of such period, except that if in any such period, the individual attained age sixty-five, all of the wages paid in such period shall be deemed to have been paid before such age was attained.”

Supra.

SEC. 412. DEFINITION OF WAGES—INTERNAL REVENUE CODE.

(a) **FEDERAL INSURANCE CONTRIBUTIONS ACT.**—Section 1426 (a) (1) of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1426 (a) (1)) is amended to read as follows:

53 Stat. 1383.
26 U. S. C. § 1426 (a) (1).

“(1) That part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual by an employer with respect to employment during any calendar year, is paid, prior to January 1, 1947, to such individual by such employer with respect to employment during such calendar year; or that part of the remuneration which, after remuneration equal to \$3,000 with respect to employment after 1936 has been paid to an individual by an employer during any calendar year after 1946, is paid to such individual by such employer during such calendar year;”

(b) **FEDERAL UNEMPLOYMENT TAX ACT.**—Section 1607 (b) (1) of the Federal Unemployment Tax Act (Internal Revenue Code, sec. 1607 (b) (1)) is amended to read as follows:

53 Stat. 1393.
26 U. S. C. § 1607 (b) (1).

“(1) That part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual by an employer with respect to employment during any calendar year, is paid after December 31, 1939, and prior to January 1, 1947, to such individual by such employer with respect to employment during such calendar year; or that part of the remuneration which, after remuneration equal to \$3,000 with respect to employment after 1938 has been paid to an individual by an employer during any calendar year after 1946, is paid to such individual by such employer during such calendar year;”

SEC. 413. SPECIAL REFUNDS TO EMPLOYEES.

53 Stat. 1382.
26 U. S. C. § 1401 (d).

Section 1401 (d) of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1401 (d)) is amended to read as follows:

“(d) **SPECIAL REFUNDS.**—

“(1) **WAGES RECEIVED BEFORE 1947.**—If by reason of an employee rendering service for more than one employer during any calendar year after the calendar year 1939, the wages of the employee with respect to employment during such year exceed \$3,000, the employee shall be entitled to a refund of any amount of tax, with respect to such wages, imposed by section 1400, deducted from such wages and paid to the collector, which exceeds the tax with respect to the first \$3,000 of such wages received. Refund under this section may be made in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax; except that no such refund shall be made unless (A) the employee makes a claim, establishing his right thereto, after the calendar year in which the employment was performed with respect to which refund of tax is claimed, and (B) such claim is made within two years after the calendar year in which the wages are received with respect to which refund of tax is claimed. No interest shall be allowed or paid with respect to any such refund. No refund shall be made under this paragraph with respect to wages received after December 31, 1946.

53 Stat. 175.
26 U. S. C. § 1400;
Supp. V, § 1400.
Ante, p. 978.

“(2) **WAGES RECEIVED AFTER 1946.**—If by reason of an employee receiving wages from more than one employer during any calendar year after the calendar year 1946, the wages received by him during such year exceed \$3,000, the employee shall be entitled to a refund of any amount of tax, with respect to such wages, imposed by section 1400 and deducted from the employee's wages (whether or not paid to the collector), which exceeds the tax with respect to the first \$3,000 of such wages received. Refund under this section may be made in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax; except that no such refund shall be made unless (A) the employee makes a claim, establishing his right thereto, after the calendar year in which the wages were received with respect to which refund of tax is claimed, and (B) such claim is made within two years after the calendar year in which such wages were received. No interest shall be allowed or paid with respect to any such refund.”

53 Stat. 175.
26 U. S. C. § 1400;
Supp. V, § 1400.
Ante, p. 978.

SEC. 414. DEFINITION OF WAGES UNDER TITLE II OF SOCIAL SECURITY ACT.

53 Stat. 1373.
42 U. S. C. § 409 (a).

(a) So much of section 209 (a) of the Social Security Act, as amended, as precedes paragraph (3) thereof is amended to read as follows:

“(a) The term ‘wages’ means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include—

“(1) That part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual by an employer with respect to employment during any calendar year prior to 1940, is paid, prior to January 1, 1947, to such individual by such employer with respect to employment during such calendar year;

“(2) That part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual with respect to employment during any calendar year after 1939, is paid to such individual, prior to January 1, 1947, with respect to employment during such calendar year;

“(3) That part of the remuneration which, after remuneration equal to \$3,000 with respect to employment has been paid to an individual during any calendar year after 1946, is paid to such individual during such calendar year;”.

(b) The paragraphs of section 209 (a) of such Act heretofore designated “(3)”, “(4)”, “(5)”, and “(6)” are redesignated “(4)”, “(5)”, “(6)”, and “(7)”, respectively.

SEC. 415. TIME LIMITATION ON LUMP-SUM PAYMENTS UNDER 1935 LAW.

No lump-sum payment shall be made under section 204 of the Social Security Act (as enacted in 1935), or under section 902 (g) of the Social Security Act Amendments of 1939, unless application therefor has been filed prior to the expiration of six months after the date of the enactment of this Act.

49 Stat. 624.
42 U. S. C. § 404.

53 Stat. 1400.

SEC. 416. WITHDRAWAL OF EMPLOYEE CONTRIBUTIONS FOR DISABILITY BENEFITS.

(a) Paragraph (4) of subsection (a) of section 1603 of the Federal Unemployment Tax Act, as amended, is amended by striking out the semicolon at the end thereof and inserting in lieu thereof the following: “: *Provided*, That an amount equal to the amount of employee payments into the unemployment fund of a State may be used in the payment of cash benefits to individuals with respect to their disability, exclusive of expenses of administration;”.

53 Stat. 185.
26 U. S. C. § 1603 (a)
(4).

(b) The last sentence of subsection (f) of section 1607 of the Federal Unemployment Tax Act, as amended, is amended by striking out the period at the end thereof and inserting in lieu thereof the following: “: *Provided*, That an amount equal to the amount of employee payments into the unemployment fund of a State may be used in the payment of cash benefits to individuals with respect to their disability, exclusive of expenses of administration.”

53 Stat. 187.
26 U. S. C. § 1607 (f).

(c) Paragraph (5) of subsection (a) of section 303 of the Social Security Act, as amended, is amended by striking out the semicolon immediately before the word “and” at the end thereof and inserting in lieu of such semicolon the following: “: *Provided*, That an amount equal to the amount of employee payments into the unemployment fund of a State may be used in the payment of cash benefits to individuals with respect to their disability, exclusive of expenses of administration;”.

49 Stat. 626.
42 U. S. C. § 503 (a)
(5).

TITLE V—STATE GRANTS FOR OLD-AGE ASSISTANCE, AID TO DEPENDENT CHILDREN, AND AID TO THE BLIND

SEC. 501. OLD-AGE ASSISTANCE.

(a) Section 3 (a) of the Social Security Act, as amended, is amended to read as follows:

“SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing October 1, 1946, (1) an amount, which shall be used exclusively as old-age assistance, equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan with respect to each needy individual who at the time of such expenditure is sixty-five years of age or older and is not an inmate of a public institution, not counting so much of such

49 Stat. 621.
42 U. S. C. § 303 (a).

expenditure with respect to any such individual for any month as exceeds \$45—

“(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of \$15 multiplied by the total number of such individuals who received old-age assistance for such month, plus

“(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A); and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose.”

49 Stat. 621.
42 U. S. C. § 303 (b).

(b) Section 3 (b) of such Act is amended (1) by striking out “one-half”, and inserting in lieu thereof “the State’s proportionate share”; (2) by striking out “clause (1) of” wherever it appears in such subsection; (3) by striking out “in accordance with the provisions of such clause” and inserting in lieu thereof “in accordance with the provisions of such subsection”; and (4) by striking out “, increased by 5 per centum”.

SEC. 502. AID TO DEPENDENT CHILDREN.

49 Stat. 628.
42 U. S. C. § 603 (a).

(a) Section 403 (a) of the Social Security Act, as amended, is amended to read as follows:

“SEC. 403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to dependent children, for each quarter, beginning with the quarter commencing October 1, 1946, (1) an amount, which shall be used exclusively as aid to dependent children, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds \$24, or if there is more than one dependent child in the same home, as exceeds \$24 with respect to one such dependent child and \$15 with respect to each of the other dependent children—

“(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of \$9 multiplied by the total number of dependent children with respect to whom aid to dependent children is paid for such month, plus

“(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A); and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to dependent children, or both, and for no other purpose.

49 Stat. 628.
42 U. S. C. § 603 (b).

(b) Section 403 (b) of such Act is amended by striking out “one-half” and inserting in lieu thereof “the State’s proportionate share”.

SEC. 503. AID TO THE BLIND.

49 Stat. 646.
42 U. S. C. § 1203 (a).

(a) Section 1003 (a) of the Social Security Act, as amended, is amended to read as follows:

“Sec. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, beginning with the quarter commencing October 1, 1946, (1) an amount, which shall be used exclusively as aid to the blind, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under

the State plan with respect to each needy individual who is blind and is not an inmate of a public institution, not counting so much of such expenditure with respect to any such individual for any month as exceeds \$45—

“(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of \$15 multiplied by the total number of such individuals who received aid to the blind for such month, plus

“(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose.”

(b) Section 1003 (b) of such Act is amended by striking out “one-half”, and inserting in lieu thereof “the State’s proportionate share”.

49 Stat. 646.
42 U. S. C. § 1203 (b).

SEC. 504. EFFECTIVE PERIOD.

Sections 501, 502, and 503 shall be effective with respect to the period commencing October 1, 1946, and ending on December 31, 1947.

Ante, pp. 991, 992.

TITLE VI—VETERANS’ EMERGENCY HOUSING ACT OF 1946

SEC. 601. Section 2 (a) of the Act of June 11, 1946 (Public Law 404, Seventy-ninth Congress), is amended by striking out the period at the end thereof and inserting a semicolon and the following: “and the Veterans’ Emergency Housing Act of 1946”.

Ante, p. 237.

Approved August 10, 1946.

Ante, p. 207.

[CHAPTER 952]

AN ACT

To provide additional inducements to citizens of the United States to make a career of the United States military or naval service, and for other purposes.

August 10, 1946
[S. 2460]

[Public Law 720]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Naval Reserve Act of 1938 (52 Stat. 1176) is hereby amended by inserting after the words “insular possessions of the United States” a comma and the following: “including citizens of the Philippine Islands who are members of the naval service at the time independence of the Philippine Islands becomes effective.”

Naval Reserve Act
of 1938, amendments.
34 U. S. C. § 853b.

SEC. 2. Section 204 of the Naval Reserve Act of 1938 (52 Stat. 1179) is hereby amended to read as follows:

34 U. S. C. § 854c.

“SEC. 204. Members of the Navy who first enlisted in the Navy after July 1, 1925, or who reenlisted therein after July 1, 1925, having been out of the Regular Navy for more than three months, may upon their own request be transferred to the Fleet Reserve upon the completion of at least twenty years’ active Federal service. After such transfer, except when on active duty, they shall be paid at the annual rate of 2½ per centum of the annual base and longevity pay they are receiving at the time of transfer multiplied by the number of years of active Federal service: *Provided*, That the pay authorized in this section shall be increased 10 per centum for all men who may be credited with extraordinary heroism in the line of duty: *Provided further*, That the determination of the Secretary of the Navy as to the definition of extraordinary heroism shall be final and conclusive

Transfer to Fleet
Reserve.

Heroism in line of
duty.

for all purposes: *Provided further*, That the pay authorized in this section shall not exceed 75 per centum of the active-duty base and longevity pay they were receiving at the time of transfer: *Provided further*, That all enlisted men transferred to the Fleet Reserve in accordance with the provisions of this section and of sections 1 and 203 of this Act shall, upon completion of thirty years' service, be transferred to the retired list of the Regular Navy, with the pay they were then legally entitled to receive: *Provided further*, That nothing contained within this section shall be construed to prevent persons who qualify for transfer to the Fleet Reserve under the provisions of section 203 of this Act from being transferred in accordance with the provisions of this section if they so elect: *Provided further*, That a fractional year of six months or more shall be considered a full year for purposes of this section and section 203 in computing years of active Federal service and base and longevity pay: *And provided further*, That the provisions of this section shall apply to all persons of the class described herein heretofore or hereafter transferred to the Fleet Reserve, except that no increase in pay or allowances shall be deemed to have accrued prior to the date of the enactment of this amendment. For the purposes of this section, all active service in the Army of the United States, the Navy, the Marine Corps, the Coast Guard, or any component thereof, shall be deemed to be active Federal service."

Transfer to retired list of Regular Navy.

52 Stat. 1175, 1178.
34 U. S. C. §§ 853, 854b.

Fractional year.

Applicability.

Active service.

34 U. S. C. §§ 854-854f.

Ante, p. 993.

Active duty after July 1, 1925.

52 Stat. 1170.
34 U. S. C. § 854e.

Period of national emergency.

Pay and allowances.

Fractional year.

Prior retirement, etc.

Appointment of chief petty officers to commissioned grades.
34 U. S. C., Supp. V, §§ 338-338g.

SEC. 3. Title II of the Naval Reserve Act of 1938 (52 Stat. 1178) is hereby amended by adding thereto a new section to read as follows:

"SEC. 208. Whenever enlisted men of the Fleet Reserve, transferred thereto after more than sixteen years' service, or enlisted men transferred from the Fleet Reserve to the retired list of the Regular Navy, perform active duty after July 1, 1925, such active duty, except that which they are required to perform in time of peace under section 206 of this title, shall be included in the computation of their total service for the purpose of computing their retainer or retired pay when in an inactive-duty status, and in the computation of their retainer or retired pay all active duty so performed subsequent to the effective date of transfer to the Fleet Reserve or to the retired list shall be counted for the purpose of computing percentage rates and increases with respect to their retainer or retired pay and shall be based on the enlisted pay received by them at the time they resume an inactive-duty status, including increases in consequence of advancement in rating, longevity, and extraordinary heroism: *Provided*, That such pay shall not exceed 75 per centum of the base and longevity pay of the highest rating to which entitled under the provisions of this section: *Provided further*, That active duty performed during any period of national emergency declared by the President shall be considered for the purpose of this section as not being active duty in time of peace required by section 206: *Provided further*, That nothing contained in this section shall operate to reduce the retainer or retired pay and allowances to which any enlisted man would otherwise have been entitled: *Provided further*, That a fractional year of six months or more shall be considered a full year for purposes of this section in computing years of active Federal service and base and longevity pay: *And provided further*, That persons of the classes described in this section who have been retired or returned to an inactive duty status prior to the date of approval of this section shall be entitled to the benefits of this section from the date of retirement or return to an inactive duty status."

SEC. 4. (a) The authority conferred upon the President by the Act approved June 27, 1942 (56 Stat. 422), as amended, to appoint commissioned warrant and warrant officers of the Regular Navy to commissioned grades or ranks is hereby extended to include authority to appoint chief petty officers of the Regular Navy who have completed

not less than three years of service as chief petty officers to commissioned grades or ranks in like manner and under the same conditions and circumstances, except as otherwise provided in this subsection, as is provided in that Act, as amended, for the appointment of commissioned warrant and warrant officers to commissioned grades or ranks.

(b) The authority conferred upon the President by the Act approved June 27, 1942 (56 Stat. 422), as amended, to appoint commissioned warrant and warrant officers of the Regular Navy to commissioned grades or ranks is hereby extended to include authority to appoint any enlisted man of the Regular Navy who has not, on the date of such appointment, attained his thirty-third birthday and who has served continuously and immediately prior to such appointment in the Regular Navy for a period of not less than four years to the commissioned grade or rank of ensign in the line or staff corps of the Regular Navy in like manner and under the same conditions and circumstances, except as otherwise provided in this subsection, as is provided in that Act, as amended, for the appointment of commissioned warrant and warrant officers to commissioned grades or ranks: *Provided*, That the authorized number of commissioned officers of the line and of each staff corps to which appointments pursuant to this subsection may be made will not be increased according to the number of appointments made, and officers appointed pursuant to this subsection shall not be carried as extra numbers in the grades or ranks in which appointed.

(c) In computing the years of service necessary for appointment to commissioned grade or rank pursuant to the Act approved June 27, 1942 (56 Stat. 422), and pursuant to this section, at least one year of such service shall have been in the Regular Navy. The remaining portion of such service may have been active duty in a reserve component of the Navy after September 8, 1939, and before the termination of the present war as proclaimed by the President or established by Act or resolution of the Congress.

SEC. 5. (a) Subsection 8 (c) of the Act approved July 24, 1941 (55 Stat. 604), is hereby amended to read as follows:

"(c) An officer or enlisted man on the retired list of the Regular Navy or Marine Corps who was placed thereon by reason of physical disability shall, if he incurs physical disability while serving under a temporary appointment in a higher rank, subject to the provisions of subsection (e) hereof, be advanced on the retired list to such higher rank with retired pay at the rate of 75 per centum of the active-duty pay to which he was entitled while serving in that rank."

(b) Subsection 8 (e) of the Act approved July 24, 1941 (55 Stat. 604), is hereby amended to read as follows:

"(e). The benefits of this section shall apply only to an individual who incurs physical disability in line of duty in time of war or national emergency. In the case of those officers and enlisted men to whom subsection (c) hereof is applicable retirement in the next higher rank shall be effected upon a finding by a naval retiring board that the disability was incident to the service while on active duty in the higher rank and upon a rating by such board, in accordance with regulations prescribed by the Secretary of the Navy, at not less than 30 per centum permanent disability. In all other cases officers and enlisted men shall be retired in accordance with existing law providing for the retirement of officers or enlisted men."

SEC. 6. (a) Section 4 of the Act approved October 6, 1945 (Public Law 190, Seventy-ninth Congress), is hereby amended to read as follows:

Appointment of enlisted men as ensigns.
34 U. S. C., Supp.
V, §§ 338-338g.

Restriction.

Computation of service.

34 U. S. C., Supp.
V, §§ 338-338g.

34 U. S. C., Supp.
V, § 350g (c).

Disability while serving under temporary appointment.

Infra.

34 U. S. C., Supp.
V, § 350g (e).

Benefits, etc.

Supra.

59 Stat. 539.
10 U. S. C., Supp.
V, § 948.

Transfer to Enlisted Reserve Corps.

"SEC. 4. Whenever any enlisted man of the Regular Army shall have completed a minimum of twenty but less than thirty years of active Federal service, he may, under such regulations as the Secretary of War shall prescribe, upon his own request be transferred to the Enlisted Reserve Corps and thereupon will be placed on the retired list of the Regular Army. An enlisted man so transferred and retired shall receive, except when on active duty, monthly retired pay at the rate of $21\frac{1}{2}$ per centum of the base and longevity pay of the enlisted grade held at the time he made application for retirement multiplied by the number of years of active Federal service, not to exceed thirty years. The retired pay authorized by this section shall be increased 10 per centum for any enlisted man who is credited with extraordinary heroism in line of duty: *Provided*, That the determination of the Secretary of War as to extraordinary heroism for purposes of this section shall be final and conclusive for all purposes: *Provided further*, That the total retired pay (including the 10 per centum increase for extraordinary heroism) authorized by this section shall not in any case exceed 75 per centum of the total enlisted base and longevity pay such enlisted man was receiving at the time he made application for retirement: *And provided further*, That any fractional part of a year amounting to six months or more shall be counted as a complete year for the purpose of computing retired pay, but shall not be counted for the purpose of determining eligibility for retirement under this section."

Heroism in line of duty.

Fractional part of year.

Service to be credited for retirement.

(b) The number of years of service to be credited in computing eligibility for retirement under this Act or any other Act providing for retirement of enlisted men of the Army shall include all active Federal service performed in the Army of the United States, the Navy, the Marine Corps, the Coast Guard, or any component thereof.

Ante, p. 995.

(c) Any enlisted man retired under the provisions of section 4 of the Act approved October 6, 1945 (Public Law 190, Seventy-ninth Congress), shall, commencing the first day of the month following the effective date of this Act, receive retired pay computed as provided in section 6 of this Act.

Service requirements.

SEC. 7. Any enlisted man who is transferred to the Enlisted Reserve Corps pursuant to the provisions of section 6 of this Act shall remain a member thereof until his active Federal military service performed prior to such transfer plus the period of his service in such corps equals thirty years, and while a member of such corps shall be subject to perform such periods of active duty as may now or hereafter be prescribed by law.

Army. Retired pay.

Ante, p. 995.

SEC. 8. (a) Each enlisted man of the Regular Army retired under the provisions of section 6 of this Act or the provisions of section 4 of the Act approved October 6, 1945 (Public Law 190, Seventy-ninth Congress), who performs or has performed active military service subsequent to retirement shall, upon relief from such active duty, receive retired pay on the same basis as received by him prior to his recall to active duty, or in the amount resulting from a recomputation, as provided herein, whichever is the greater. Such recomputation shall be made in the same manner as provided in section 6 of this Act on the basis of the enlisted grade held at the time of relief from active military service, or the enlisted grade in which originally retired, whichever is higher: *Provided*, That the service to be credited shall include periods of active Federal service subsequent to retirement: *Provided further*, That the retired pay shall not exceed 75 per centum of the enlisted base and longevity pay he was receiving in his active-duty status.

Active Federal service.

(b) Each enlisted man of the Regular Army retired under the provisions of the Act of March 2, 1907 (34 Stat. 1217; 10 U. S. C. 947),

or under the provisions of the Act of June 30, 1941 (55 Stat. 394; 10 U. S. C. 982a), who performs or has performed active military service subsequent to retirement shall, upon relief from such active duty, receive retired pay in the amount received by him prior to his recall to active duty, or on the basis of his grade and length of service at the time of relief from active duty, whichever is the greater: *Provided*, That the amount of his retired pay shall not in any event exceed 75 per centum of the enlisted base and longevity pay of the highest enlisted grade held by him.

SEC. 9. No back pay for any period prior to the date of enactment of this Act shall accrue to any person by reason of the enactment of this Act except as otherwise provided in section 3. No person, active or retired, of any of the armed forces, shall suffer, by reason of this Act, any reduction in any pay, allowances, or compensation to which he was entitled upon the effective date of this Act. Retired enlisted personnel of the Navy and Marine Corps, personnel of the Navy and Marine Corps who are members of the Fleet Reserve or Fleet Marine Corps Reserve, and personnel of the Navy and Marine Corps who become eligible and who apply for transfer to the Fleet Reserve or Fleet Marine Corps Reserve shall receive an opportunity to elect to receive retainer and retired pay under the provisions of this Act or to receive such pay under the provisions of law in effect immediately prior to the date of the enactment of this Act, and these persons shall be entitled to receive the pay elected.

Approved August 10, 1946.

[CHAPTER 954]

AN ACT

To establish the Castle Clinton National Monument, in the city of New York, and for other purposes.

August 12, 1946
[H. R. 5125]
[Public Law 721]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept, on behalf of the United States, title to the site, comprising approximately one acre and situated in Battery Park, New York City, of the historic structure known as Castle Clinton, together with such structure and any other improvement on or appurtenant to such site. When title to such property is vested in the United States, it shall constitute the Castle Clinton National Monument.

SEC. 2. The administration, protection, and development of the Castle Clinton National Monument shall be under the supervision of the Secretary of the Interior, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended.

Approved August 12, 1946.

39 Stat. 536.
5 U. S. C. § 435; 16
U. S. C. §§ 1, 2-4, 22,
43.

[CHAPTER 955]

AN ACT

To establish a national air museum, and for other purposes.

August 12, 1946
[H. R. 5144]
[Public Law 722]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established under the Smithsonian Institution a bureau to be known as a national air museum, which shall be administered by the Smithsonian Institution with the advice of a board to be composed of the Commanding General of the Army Air Forces, or his successor, the Chief of Naval Operations, or his successor, the Secretary of the Smithsonian Institution, and two citizens of the United

Smithsonian Institution.
National air museum.

Board.

Back pay, etc.

Ante, p. 994.

10 U. S. C. § 980;
Supp. V, §§ 947 note,
980 note, 982a.

States appointed by the President from civilian life who shall serve at the pleasure of the President. The members of the board shall serve as such members without compensation.

Pay and duties of head of museum.

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 et seq.
Ante, pp. 216, 219.

Functions of museum.

(b) The Secretary of the Smithsonian Institution with the advice of the board may appoint and fix the compensation and duties of the head of a national air museum whose appointment and salary shall not be subject to the civil-service laws or the Classification Act of 1923, as amended. The Smithsonian Institution may employ such other officers and employees as may be necessary for the efficient operation and administration of the museum.

SEC. 2. Said national air museum shall memorialize the national development of aviation; collect, preserve, and display aeronautical equipment of historical interest and significance; serve as a repository for scientific equipment and data pertaining to the development of aviation; and provide educational material for the historical study of aviation.

Site. SEC. 3. The Secretary of the Smithsonian Institution with the advice of the advisory board is hereby directed to investigate and survey suitable lands and buildings for selection as a site for said national air museum and to make recommendations to Congress for the acquisition of suitable lands and buildings for said national air museum.

Seal, etc. SEC. 4. (a) The board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations as it deems necessary for the administration of its functions. The board may function notwithstanding vacancies and three members of the board shall constitute a quorum for transaction of business.

Report to Congress. (b) The Smithsonian Institution shall include in its annual report of its operations to Congress a statement of the operations of said national air museum, including all public and private moneys received and disbursed.

Transfer of equipment, etc., from Government departments.

SEC. 5. (a) The heads of executive departments of the Government are authorized to transfer or loan to said national air museum without charge therefor aircraft, aircraft parts, instruments, engines, or other aeronautical equipment or records for exhibition, historical, or educational purposes.

Statue of Brig. Gen. William L. Mitchell.

(b) The Secretary of the Smithsonian Institution, with the advice of the Commission of Fine Arts, is authorized (1) to accept as a gift to the Smithsonian Institution from George H. Stephenson, of Philadelphia, Pennsylvania, a statue of Brigadier General William L. Mitchell of such character as may be deemed appropriate, and (2) without expense to the United States, to cause such statue to be erected at a suitable location on the grounds of the national air museum.

Appropriations authorized.

SEC. 6. There is hereby authorized to be appropriated the sum of \$50,000 for the purposes of this Act and there are hereby authorized to be appropriated annually hereafter such sums as may be necessary to maintain and administer said national air museum including salaries and all other necessary expenses.

Approved August 12, 1946.

[CHAPTER 956]

AN ACT

Providing for the conveyance to the city of Canton, South Dakota, of the Canton Insane Asylum, located in Lincoln County, South Dakota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Public Buildings is authorized and directed to convey by

August 12, 1946
[S. 2426]
[Public Law 723]

Canton, S. Dak.
Conveyance.

quitclaim deed to the city of Canton, South Dakota, all right, title, and interest of the United States in and to all lands, including the buildings and other improvements thereon, constituting the old Canton Insane Asylum, located to the east of the city of Canton, Lincoln County, South Dakota.

SEC. 2. The lands conveyed pursuant to the provisions of the first section of this Act shall be used by the grantee for park, recreation, airport, or other public purposes; and the deed of conveyance of such lands shall contain the express condition that if the grantee shall fail or cease to use such lands for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

Approved August 12, 1946.

Use of lands.

Reversion to U. S.

[CHAPTER 957]

AN ACT

To improve, strengthen, and expand the Foreign Service of the United States and to consolidate and revise the laws relating to its administration.

August 13, 1946
[H. R. 6967]
[Public Law 724]

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

TITLE I—SHORT TITLE, OBJECTIVES, AND DEFINITIONS

PART A—SHORT TITLE

SEC. 101. Titles I to X, inclusive, of this Act may be cited as the "Foreign Service Act of 1946".

Foreign Service Act
of 1946.
Ante, p. 426.

PART B—OBJECTIVES

SEC. 111. The Congress hereby declares that the objectives of this Act are to develop and strengthen the Foreign Service of the United States so as—

(1) to enable the Foreign Service effectively to serve abroad the interests of the United States;

(2) to insure that the officers and employees of the Foreign Service are broadly representative of the American people and are aware of and fully informed in respect to current trends in American life;

(3) to enable the Foreign Service adequately to fulfill the functions devolving on it by reason of the transfer to the Department of State of functions heretofore performed by other Government agencies;

(4) to provide improvements in the recruitment and training of the personnel of the Foreign Service;

(5) to provide that promotions leading to positions of authority and responsibility shall be on the basis of merit and to insure the selection on an impartial basis of outstanding persons for such positions;

(6) to provide for the temporary appointment or assignment to the Foreign Service of representative and outstanding citizens of the United States possessing special skills and abilities;

(7) to provide salaries, allowances, and benefits that will permit the Foreign Service to draw its personnel from all walks of American life and to appoint persons to the highest positions in the Service solely on the basis of their demonstrated ability;

(8) to provide a flexible and comprehensive framework for the

direction of the Foreign Service in accordance with modern practices in public administration; and

(9) to codify into one Act all provisions of law relating to the administration of the Foreign Service.

PART C—DEFINITIONS

SEC. 121. When used in this Act, the term—

- (1) "Service" means the Foreign Service of the United States;
- (2) "Secretary" means the Secretary of State;
- (3) "Department" means the Department of State;
- (4) "Government agency" means any executive department, board, bureau, commission, or other agency in the executive branch of the Federal Government, or any corporation wholly owned (either directly or through one or more corporations) by the United States;
- (5) "Government" means the Government of the United States of America;
- (6) "Continental United States" means the States and the District of Columbia;
- (7) "Abroad" means all areas not included in the continental United States as defined in paragraph (6) of this section;
- (8) "Principal officer" means the officer in charge of an embassy, legation, or other diplomatic mission or of a consulate general, consulate, or vice consulate of the United States; and
- (9) "Chief of mission" means a principal officer appointed by the President, by and with the advice and consent of the Senate, to be in charge of an embassy or legation or other diplomatic mission of the United States, or any person assigned under the terms of this Act to be minister resident, chargé d'affaires, commissioner, or diplomatic agent.

TITLE II—GOVERNING BODIES FOR THE DIRECTION OF THE SERVICE

PART A—OFFICERS

DIRECTOR GENERAL

SEC. 201. The Service shall be administered by a Director General of the Foreign Service, hereinafter referred to as the Director General, who shall be appointed by the Secretary from among Foreign Service officers in the class of career minister or in class 1. Under the general supervision of the Secretary and the Assistant Secretary of State in charge of the administration of the Department, the Director General shall, in addition to administering the Service and performing the duties specifically vested in him by this or any other Act, coordinate the activities of the Service with the needs of the Department and of other Government agencies and direct the performance by officers and employees of the Service of the duties imposed on them by the terms of any law or by any order or regulation issued pursuant to law or by any international agreement to which the United States is a party.

DEPUTY DIRECTOR GENERAL

SEC. 202. The Director General shall be assisted by a Deputy Director General of the Foreign Service, hereinafter referred to as the Deputy Director General, who shall be appointed by the Secretary. If he is a Foreign Service officer, he shall be selected from among officers in the class of career minister or in class 1. The Deputy Director General shall act in the place of the Director General in the event of his absence or incapacity.

PART B—BOARDS

BOARD OF THE FOREIGN SERVICE

SEC. 211. (a) The Board of the Foreign Service shall be composed of the Assistant Secretary of State in charge of the administration of the Department, who shall be Chairman; two other Assistant Secretaries of State, designated by the Secretary to serve on the Board; the Director General; and one representative each, occupying positions with comparable responsibilities, from the Departments of Agriculture, Commerce, and Labor, designated, respectively, by the heads of such departments. The Secretary may request the head of any other Government department to designate a representative, occupying a position with comparable responsibilities, to attend meetings of the Board whenever matters affecting the interest of such department are under consideration.

Composition.

Meetings.

(b) The Board of the Foreign Service shall make recommendations to the Secretary concerning the functions of the Service; the policies and procedures to govern the selection, assignment, rating, and promotion of Foreign Service officers; and the policies and procedures to govern the administration and personnel management of the Service; and shall perform such other duties as are vested in it by other sections of this Act or by the terms of any other Act.

Duties.

THE BOARD OF EXAMINERS FOR THE FOREIGN SERVICE

SEC. 212. (a) The Board of Examiners for the Foreign Service, shall, in accordance with regulations prescribed by the Secretary and under the general supervision of the Board of the Foreign Service, provide for and supervise the conduct of such examinations as may be given to candidates for appointment as Foreign Service officers in accordance with the provisions of sections 516 and 517 or to any other person to whom an examination for admission to the Service shall be given in accordance with the provisions of this or any other Act or any regulations issued pursuant thereto, and provide for such procedures as may be necessary to determine the loyalty of such persons to the United States and their attachment to the principles of the Constitution.

Duties.

Post, p. 1008.

(b) The membership of the Board of Examiners for the Foreign Service, not more than half of which shall consist of Foreign Service officers, shall be constituted in accordance with regulations prescribed by the Secretary.

Membership.

TITLE III—DUTIES

PART A—GENERAL DUTIES

COMPLIANCE WITH TERMS OF STATUTES, INTERNATIONAL AGREEMENTS,
AND EXECUTIVE ORDERS

SEC. 301. Officers and employees of the Service shall, under the direction of the Secretary, represent abroad the interests of the United States and shall perform the duties and comply with the obligations resulting from the nature of their appointments or assignments or imposed on them by the terms of any law or by any order or regulation issued pursuant to law or by any international agreement to which the United States is a party.

DUTIES FOR WHICH REGULATIONS MAY BE PRESCRIBED

SEC. 302. The Secretary shall, except in an instance where the authority is specifically vested in the President, have authority to prescribe regulations not inconsistent with the Constitution and the

laws of the United States in relation to the duties, functions, and obligations of officers and employees of the Service and the administration of the Service.

DELEGATION OF AUTHORITY TO PRESCRIBE REGULATIONS

SEC. 303. In cases where authority to prescribe regulations relating to the Service or the duties and obligations of officers and employees of the Service is specifically vested in the President by the terms of this or any other Act, the President may, nevertheless, authorize the Secretary to prescribe such regulations.

PART B—SERVICES FOR GOVERNMENT AGENCIES AND OTHER ESTABLISHMENTS OF THE GOVERNMENT

SEC. 311. The officers and employees of the Service shall, under such regulations as the President may prescribe, perform duties and functions in behalf of any Government agency or any other establishment of the Government requiring their services, including those in the legislative and judicial branches, but the absence of such regulations shall not preclude officers and employees of the Service from acting for and on behalf of any such Government agency or establishment whenever it shall, through the Department, request their services.

TITLE IV—CATEGORIES AND SALARIES OF PERSONNEL

PART A—CATEGORIES OF PERSONNEL

SEC. 401. The personnel of the Service shall consist of the following categories of officers and employees:

- Post*, p. 1007. (1) Chiefs of mission, who shall be appointed or assigned in accordance with the provisions of section 501;
- Post*, p. 1007. (2) Foreign Service officers, who shall be appointed in accordance with section 511, including those serving as chiefs of mission;
- Post*, p. 1009. (3) Foreign Service Reserve officers, who shall be assigned to the Service on a temporary basis from Government agencies or appointed on a temporary basis from outside the Government in accordance with the provisions of section 522, in order to make available to the Service such specialized skills as may from time to time be required;
- Post*, p. 1010. (4) Foreign Service staff officers and employees, who shall be appointed in accordance with the provisions of section 531 and who shall include all personnel who are citizens of the United States, not comprehended under paragraphs (1), (2), (3), and (6) of this section, and who shall occupy positions with technical, administrative, fiscal, clerical, or custodial responsibilities.
- Post*, p. 1011. (5) Alien clerks and employees, who shall be appointed in accordance with the provisions of section 541; and
- Post*, p. 1011. (6) Consular agents, who shall be appointed in accordance with the provisions of section 551.

PART B—SALARIES

CHIEFS OF MISSION

SEC. 411. The President shall for salary purposes classify into four classes the positions which are to be occupied by chiefs of mission. The per annum salaries of chiefs of mission within each class shall be as follows: Class 1, \$25,000 per annum; class 2, \$20,000; class 3, \$17,500; and class 4, \$15,000.

FOREIGN SERVICE OFFICERS

SEC. 412. There shall be seven classes of Foreign Service officers, including the class of career minister. The per annum salary of a career minister shall be \$13,500. The per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

Career minister.

Class 1, \$12,000, \$12,400, \$12,800, \$13,200, \$13,500;
 Class 2, \$10,000, \$10,350, \$10,700, \$11,050, \$11,400, \$11,750, \$11,900;
 Class 3, \$8,000, \$8,300, \$8,600, \$8,900, \$9,200, \$9,500, \$9,800, \$9,900;
 Class 4, \$6,000, \$6,300, \$6,600, \$6,900, \$7,200, \$7,500, \$7,800, \$7,900;
 Class 5, \$4,500, \$4,700, \$4,900, \$5,100, \$5,300, \$5,500, \$5,700, \$5,900;
 Class 6, \$3,300, \$3,500, \$3,700, \$3,900, \$4,100, \$4,300, \$4,400.

SALARIES AT WHICH FOREIGN SERVICE OFFICERS MAY BE APPOINTED

SEC. 413. (a) A person appointed as a Foreign Service officer of class 6 shall receive salary at that one of the rates provided for that class by section 412 which the Secretary shall, taking into consideration his age, qualifications, and experience, determine to be appropriate for him to receive.

(b) A person appointed as a Foreign Service officer of classes 1 through 5, inclusive, shall receive salary at the minimum rate provided for the class to which he has been appointed.

FOREIGN SERVICE RESERVE OFFICERS

SEC. 414. (a) There shall be six classes of Foreign Service Reserve officers, referred to hereafter as Reserve officers, which classes shall correspond to classes 1 to 6 of Foreign Service officers.

(b) A Reserve officer shall receive salary at any one of the rates provided for the class to which he is appointed or assigned in accordance with the provisions of section 523.

Post, p. 1000.

(c) A person assigned as a Reserve officer from any Government agency shall receive his salary from appropriations provided for the Department during the period of his service as a Reserve officer.

FOREIGN SERVICE STAFF OFFICERS AND EMPLOYEES

SEC. 415. There shall be twenty-two classes of Foreign Service staff officers and employees, referred to hereafter as staff officers and employees. The per annum rates of salary of staff officers and employees within each class shall be as follows:

Class 1, \$8,820, \$9,120, \$9,420, \$9,720, \$10,000;
 Class 2, \$8,100, \$8,340, \$8,580, \$8,820, \$9,120;
 Class 3, \$7,380, \$7,620, \$7,860, \$8,100, \$8,340;
 Class 4, \$6,660, \$6,900, \$7,140, \$7,380, \$7,620;
 Class 5, \$6,120, \$6,300, \$6,480, \$6,660, \$6,900, \$7,140;
 Class 6, \$5,580, \$5,760, \$5,940, \$6,120, \$6,300, \$6,480;
 Class 7, \$5,040, \$5,220, \$5,400, \$5,580, \$5,760, \$5,940;
 Class 8, \$4,500, \$4,680, \$4,860, \$5,040, \$5,220, \$5,400;
 Class 9, \$3,960, \$4,140, \$4,320, \$4,500, \$4,680, \$4,860;
 Class 10, \$3,600, \$3,720, \$3,840, \$3,960, \$4,140, \$4,320, \$4,500;
 Class 11, \$3,240, \$3,360, \$3,480, \$3,600, \$3,720, \$3,840, \$3,960;
 Class 12, \$2,880, \$3,000, \$3,120, \$3,240, \$3,360, \$3,480, \$3,600;
 Class 13, \$2,520, \$2,640, \$2,760, \$2,880, \$3,000, \$3,120, \$3,240;
 Class 14, \$2,160, \$2,280, \$2,400, \$2,520, \$2,640, \$2,760, \$2,880;
 Class 15, \$1,980, \$2,040, \$2,100, \$2,160, \$2,280, \$2,400, \$2,520;
 Class 16, \$1,800, \$1,860, \$1,920, \$1,980, \$2,040, \$2,100, \$2,160;
 Class 17, \$1,620, \$1,680, \$1,740, \$1,800, \$1,860, \$1,920, \$1,980;
 Class 18, \$1,440, \$1,500, \$1,560, \$1,620, \$1,680, \$1,740, \$1,800;
 Class 19, \$1,260, \$1,320, \$1,380, \$1,440, \$1,500, \$1,560, \$1,620;

Class 20, \$1,080, \$1,140, \$1,200, \$1,260, \$1,320, \$1,380, \$1,440;
 Class 21, \$900, \$960, \$1,020, \$1,080, \$1,140, \$1,200, \$1,260;
 Class 22, \$720, \$780, \$840, \$900, \$960, \$1,020, \$1,080.

**SALARIES AT WHICH FOREIGN SERVICE STAFF OFFICERS AND EMPLOYEES MAY
 BE APPOINTED**

SEC. 416. A person appointed as a staff officer or employee shall receive salary at the minimum rate provided for the class to which appointed except as otherwise provided in accordance with the provisions of part E of this title.

Post, p. 1005.

SALARIES OF ALIEN CLERKS AND EMPLOYEES

SEC. 417. The salary or compensation of an alien clerk or employee shall be fixed by the Secretary in accordance with such regulations as he shall prescribe and, as soon as practicable, in accordance with the provisions of section 444 (b). The salary or compensation of an alien clerk or employee fixed on a per annum basis may, notwithstanding the provisions of any other law, be payable on a weekly or biweekly basis. When a one- or two-week pay period of such a clerk or employee begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period.

Post, p. 1006.

SALARIES OF CONSULAR AGENTS

SEC. 418. The salary or compensation of a consular agent shall be fixed by the Secretary in accordance with such regulations as he shall prescribe and, as soon as practicable, in accordance with the provisions of section 445.

Post, p. 1006.

PART C—SALARIES OF OFFICERS TEMPORARILY IN CHARGE

AS CHARGÉS D'AFFAIRES AD INTERIM

SEC. 421. For such time as any Foreign Service officer shall be authorized to act as chargé d'affaires ad interim at the post to which he is assigned, he shall receive, in addition to his basic salary as Foreign Service officer, compensation equal to that portion of the difference between such salary and the basic salary provided for the chief of mission as the Secretary may determine to be appropriate.

AS OFFICERS IN CHARGE OF CONSULATES GENERAL OR CONSULATES

SEC. 422. For such time as any Foreign Service officer or any consul or vice consul who is not a Foreign Service officer is temporarily in charge of a consulate general or consulate during the absence or incapacity of the principal officer, he shall receive, in addition to his basic salary as Foreign Service officer or consul or vice consul, compensation equal to that portion which the Secretary shall determine to be appropriate of the difference between such salary and the basic salary provided for the principal officer, or, if there be none, of the former principal officer.

PART D—TIME OF RECEIVING SALARY

CHIEFS OF MISSION

SEC. 431. (a) Under such regulations as the Secretary may prescribe, a chief of mission may be entitled to receive salary from the effective date of his appointment to the date marking his return to his place of residence at the conclusion of the period of his official service

as chief of mission or the termination of time spent on authorized leave, whichever shall be later, but no chief of mission shall be entitled to receive salary while absent from his post whenever the Secretary shall find that such absence was without authorization or justification. If a chief of mission in one position is appointed as chief of mission in another position, he shall be entitled to receive the salary pertaining to the new position commencing on the effective date of the new appointment.

Change of position.

(b) The official services of a chief of mission shall not be deemed terminated by the appointment of a successor but shall continue until he has relinquished charge of the mission and has rendered such additional services to the Department as the Secretary may require him to render in the interests of the Government for a period not in excess of thirty days, exclusive of time spent in transit.

Continuation of services after appointment of successor.

(c) During the service of a Foreign Service officer as chief of mission he shall receive, in addition to his salary as Foreign Service officer, compensation equal to the difference, if any, between such salary and the salary of the position to which he is appointed or assigned.

Additional pay.

OTHER OFFICERS AND EMPLOYEES

SEC. 432. (a) Under such regulations as the Secretary may prescribe, any officer or employee appointed to the Service may be entitled to receive salary from the effective date of his appointment to the date when he shall have returned to his place of residence at the conclusion of the period of his official service, or the termination of time spent on authorized leave, whichever shall be later, but no such officer or employee shall be entitled to receive salary while absent from his post whenever the Secretary shall find that such absence was without authorization or justification.

(b) A Foreign Service officer, appointed during a recess of the Senate, shall be paid salary from the effective date of his appointment until the end of the next session of the Senate, if he has not theretofore been confirmed by the Senate, or until his rejection by the Senate before the end of its next session.

Appointment during Senate recess.

(c) A Foreign Service officer promoted to a higher class shall receive salary at the rate prescribed in section 412 for the class to which he is promoted from the effective date of his appointment to such class. A Foreign Service officer promoted to a higher class during a recess of the Senate shall receive salary at the rate prescribed for the class to which he is promoted from the effective date of his appointment to such class until the end of the next session. If the Senate should reject or fail to confirm the promotion of such an officer during the session following the date of his promotion, the Foreign Service officer shall, unless he has become liable to separation in accordance with the provisions of section 633 or 634, be automatically reinstated in the class from which he was promoted and receive the salary he was receiving prior to his promotion, such reinstatement to be effective, in the event of rejection of the nomination, from the date of rejection; and in the event of the failure of the Senate to act on the nomination during the session following a promotion, from the termination of that session.

Promotion.
Ante, p. 1003.

Rejection of nomination.

Post, p. 1015.

PART E—CLASSIFICATION

CLASSIFICATION OF POSITIONS IN THE FOREIGN SERVICE

SEC. 441. Under such regulations as he may prescribe, the Secretary shall classify all positions in the Service, including those positions at foreign posts which may be held by career ministers, and

Ante, p. 1003.

shall allocate all positions occupied or to be occupied by staff officers or employees to classes and subclasses established by sections 415 and 442, respectively, and by alien employees and consular agents to such classes as may be established by regulation.

ADMINISTRATIVE ESTABLISHMENT OF NEW GROUPS OF POSITIONS FOR
FOREIGN SERVICE STAFF OFFICERS AND EMPLOYEES

Subclasses.

SEC. 442. The Secretary may, whenever he deems such action to be in the interests of good administration and warranted by the nature of the duties and responsibilities of any group of positions occupied or to be occupied by staff officers and employees in comparison with other positions in the same class, establish by regulation for any such group of positions a minimum salary computed at any one of the rates of salary above the minimum for a given class but not in excess of the middle rate provided for that class in section 415. Such groups of positions shall, for the purposes of this Act, be known as subclasses.

Ante, p. 1003.

ADMINISTRATIVE ESTABLISHMENT OF SALARY DIFFERENTIALS

Schedules.

SEC. 443. Whenever the President shall find and declare that the rates of salary provided for Foreign Service staff officers and employees in section 415 are inadequate for any positions allocated to any particular class or subclass, he may, under such regulations as he may prescribe, establish necessary schedules of differentials in the rates of salary prescribed for such classes or subclasses, but the differential in salary of a person holding any such position shall not exceed 25 per centum of the salary he would otherwise receive. Such differentials shall be granted only with respect to positions at posts at which extraordinarily difficult living conditions or excessive physical hardship prevail or at which notably unhealthful conditions exist. The Secretary shall prepare and maintain a list of such posts.

Ante, p. 1003.Maximum differ-
ential.

List of posts.

CLASSIFICATION OF POSITIONS OF ALIEN CLERKS AND EMPLOYEES

Salary schedules.

SEC. 444. (a) Upon the basis of the classification provided for in section 441, the Secretary shall, with the advice of the Board of the Foreign Service, from time to time prepare schedules of salaries for classes of positions of alien clerks and employees of the Service, which classes shall be established by regulation, and shall allocate all such positions to the appropriate classes.

Equal pay.

(b) All alien employees in an area of comparatively uniform wage scales and standards of living, occupying positions of equal responsibility, shall receive equal pay except as there may be increases provided for length of service in accordance with uniform procedures.

CLASSIFICATION OF CONSULAR AGENTS

Salary schedules.

SEC. 445. Upon the basis of the classification provided for in section 441, the Secretary shall, with the advice of the Board of the Foreign Service, from time to time prepare schedules of salaries for classes of positions of consular agents, which classes shall be established by regulation, and shall allocate all such positions to the appropriate classes.

EXEMPTION FROM THE APPLICATION OF THE CLASSIFICATION ACT

SEC. 446. Title II of the Act of November 26, 1940, entitled "An Act extending the classified executive Civil Service of the United

States" (54 Stat. 1212; 5 U. S. C. 681), is hereby further amended by deleting paragraph (vii) of section 3 (d) and by substituting in lieu of the present language of paragraph (vi) of section 3 (d) the following language: "Officers or positions of officers and employees of the Foreign Service".

TITLE V—APPOINTMENTS AND ASSIGNMENTS

PART A—PRINCIPAL DIPLOMATIC REPRESENTATIVES

APPOINTMENTS

SEC. 501. (a) The President shall, by and with the advice and consent of the Senate, appoint ambassadors and ministers, including career ministers.

Ambassadors and ministers.

(b) The President may, in his discretion, assign any Foreign Service officer to serve as minister resident, chargé d'affaires, commissioner, or diplomatic agent for such period as the public interest may require.

Minister resident, etc.

LISTS OF FOREIGN SERVICE OFFICERS QUALIFIED TO BE CAREER MINISTERS OR CHIEFS OF MISSION TO BE FURNISHED TO THE PRESIDENT

SEC. 502. (a) The Secretary shall, on the basis of recommendations made by the Board of the Foreign Service, from time to time furnish the President with the names of Foreign Service officers qualified for appointment to the class of career minister together with pertinent information about such officers, but no person shall be appointed into the class of career minister who has not been appointed to serve as a chief of mission or appointed or assigned to serve in a position which, in the opinion of the Secretary, is of comparable importance. A list of such positions shall from time to time be published by the Secretary.

(b) The Secretary shall also, on the basis of recommendations made by the Board of the Foreign Service, from time to time furnish the President with the names of Foreign Service officers qualified for appointment or assignment as chief of mission, together with pertinent information about such officers, in order to assist the President in selecting qualified candidates for appointment or assignment in such capacity.

PART B—FOREIGN SERVICE OFFICERS

APPOINTMENTS

SEC. 511. The President shall appoint Foreign Service officers by and with the advice and consent of the Senate. All appointments of Foreign Service officers shall be by appointment to a class and not to a particular post.

COMMISSIONS

SEC. 512. Foreign Service officers may be commissioned as diplomatic or consular officers or both and all official acts of such officers while serving under diplomatic or consular commissions shall be performed under their respective commissions as diplomatic or consular officers.

LIMITS OF CONSULAR DISTRICTS

SEC. 513. The Secretary shall define the limits of consular districts.

ASSIGNMENTS AND TRANSFERS

SEC. 514. A Foreign Service officer, commissioned as a diplomatic or consular officer, may be assigned by the Secretary to serve in any diplomatic position other than that of chief of mission or in any consular position, and he may also be assigned to serve in any other capacity in which he is eligible to serve under the terms of this or any other Act. He may be transferred from one post to another by order of the Secretary as the interests of the Service may require.

CITIZENSHIP REQUIREMENTS

SEC. 515. No person shall be eligible for appointment as a Foreign Service officer unless he is a citizen of the United States and has been such for at least ten years.

ADMISSION TO CLASS 6

SEC. 516. No person shall be eligible for appointment as a Foreign Service officer of class 6 unless he has passed such written, oral, physical, and other examinations as the Board of Examiners for the Foreign Service may prescribe to determine his fitness and aptitude for the work of the Service and has demonstrated his loyalty to the Government of the United States and his attachment to the principles of the Constitution. The Secretary shall furnish the President with the names of those persons who have passed such examinations and are eligible for appointment as Foreign Service officers of class 6.

Names of persons eligible for appointment.

ADMISSION TO CLASSES 1, 2, 3, 4, AND 5 WITHOUT PRIOR SERVICE IN CLASS 6

SEC. 517. A person who has not served in class 6 shall not be eligible for appointment as a Foreign Service officer of classes 1 to 5, inclusive, unless he has passed such written, oral, physical, and other examinations as the Board of Examiners for the Foreign Service may prescribe to determine his fitness and aptitude for the work of the Service; demonstrated his loyalty to the Government of the United States and his attachment to the principles of the Constitution; and rendered at least four years of actual service immediately prior to appointment in a position of responsibility in the Service or in the Department or both, except that, if he has reached the age of thirty-one years, the requirement as to service may be reduced to three years. The Secretary shall furnish the President with the names of those persons who shall have passed such examinations and are eligible for appointment as Foreign Service officers of classes 1 to 5, inclusive. The Secretary shall, taking into consideration the age, qualifications, and experience of each candidate for appointment, recommend the class to which he shall be appointed in accordance with the provisions of this section.

Names of persons eligible for appointment.

Recommendation of class.

ADMISSION TO THE CLASS OF CAREER MINISTER

SEC. 518. No person shall be eligible for appointment to the class of career minister who is not a Foreign Service officer.

REASSIGNMENT TO FOREIGN SERVICE OF FORMER AMBASSADORS AND MINISTERS

SEC. 519. If, within three months of the date of the termination of his services as chief of mission and of any period of authorized leave, a Foreign Service officer has not again been appointed or assigned as chief of mission or assigned in accordance with the provisions of section 514, he shall be retired from the Service and receive retirement benefits in accordance with the provisions of section 821.

Retirement.

Post, p. 1020.

REINSTATEMENT AND RECALL OF FOREIGN SERVICE OFFICERS

SEC. 520. (a) The President may, by and with the advice and consent of the Senate, reappoint to the Service a former Foreign Service officer who has been separated from the Service by reason of appointment to some other position in the Government service and who has served continuously in the Government up to the time of reinstatement. The Secretary shall, taking into consideration the qualifications and experience of each candidate for reappointment and the rank of his contemporaries in the Service, recommend the class to which he shall be reappointed in accordance with the provisions of this section.

(b) Whenever the Secretary shall determine an emergency to exist, the Secretary may recall any retired Foreign Service officer temporarily to active service.

Emergency.

PART C—FOREIGN SERVICE RESERVE OFFICERS

ESTABLISHMENT OF RESERVE

SEC. 521. In accordance with the terms of this Act and under such regulations as the Secretary shall prescribe, there shall be organized and maintained a Foreign Service Reserve, referred to hereafter as the Reserve.

Foreign Service Reserve.

APPOINTMENTS AND ASSIGNMENTS TO THE RESERVE

SEC. 522. Whenever the services of a person who is a citizen of the United States and who has been such for at least five years are required by the Service, the Secretary may—

(1) appoint as a Reserve officer for nonconsecutive periods of not more than four years each, a person not in the employ of the Government whom the Board of the Foreign Service shall deem to have outstanding qualifications of a specialized character; and

Person not in Government employ.

(2) assign as a Reserve officer for nonconsecutive periods of not more than four years each a person regularly employed in any Government agency, subject, in the case of an employee of a Government agency other than the Department of State, to the consent of the head of the agency concerned.

Person employed in Government agency.

APPOINTMENT OR ASSIGNMENT TO A CLASS

SEC. 523. A Reserve officer, appointed or assigned to active duty, shall be appointed or assigned to a class and not to a particular post, and such an officer may be assigned to posts and may be transferred from one post to another by order of the Secretary as the interests of the Service may require. The class to which he shall be appointed or assigned shall depend on his age, qualifications, and experience.

COMMISSIONS

SEC. 524. Whenever the Secretary shall deem it in the interests of the Service that a Reserve officer shall serve in a diplomatic or consular capacity, he may recommend to the President that such officer be commissioned as a diplomatic or consular officer or both. The President may, by and with the advice and consent of the Senate, commission such officer as a diplomatic or consular officer or both, and all official acts of such an officer while serving under a diplomatic or consular commission shall be performed under his commission as a diplomatic or consular officer. In all other cases, appropriate rank and status, analogous to that of Foreign Service officers engaged in work of comparable importance shall be provided to permit Reserve officers to carry out their duties effectively.

ACTIVE DUTY

SEC. 525. The Secretary shall by regulation define the period during which a Reserve officer shall be considered as being on active duty.

BENEFITS

SEC. 526. A Reserve officer shall, except as otherwise provided in regulations which the Secretary may prescribe, receive all the allowances, privileges, and benefits which Foreign Service officers are entitled to receive in accordance with the provisions of title IX.

Post, p. 1025

REAPPOINTMENT OR REASSIGNMENT OF RESERVE OFFICERS

SEC. 527. A person who has served as a Reserve officer may not be reappointed or reassigned to active duty until the expiration of a period of time equal to his preceding tour of duty or until the expiration of a year, whichever is the shorter.

REINSTATEMENT OF RESERVE OFFICERS

SEC. 528. Upon the termination of the assignment of a Reserve officer assigned from any Government agency, such person shall be entitled to reinstatement in the Government agency by which he is regularly employed in the same position he occupied at the time of assignment, or in a corresponding or higher position. Upon reinstatement he shall receive the within-grade salary advancements he would have been entitled to receive had he remained in the position in which he is regularly employed under subsection (d), section 7, of the Classification Act of 1923, as amended, or any corresponding provision of law applicable to the position in which he is serving. A certificate of the Secretary that such person has met the standards required for the efficient conduct of the work of the Foreign Service shall satisfy any requirements as to the holding of minimum ratings as a prerequisite to the receipt of such salary advancements.

Within-grade salary advancements.

55 Stat. 614.
5 U. S. C., Supp. V,
§ 667 (d).
Certificate.

PART D—FOREIGN SERVICE STAFF OFFICERS AND EMPLOYEES

APPOINTMENTS

SEC. 531. The Secretary shall appoint staff officers and employees under such regulations as he may prescribe and, as soon as practicable, in accordance with the provisions of sections 441, 442, and 443.

Ante, pp. 1005, 1006.

ASSIGNMENTS AND TRANSFERS

SEC. 532. The Secretary may, in accordance with uniform procedures established in such regulations as he may prescribe, assign a staff officer or employee to a position at any post and transfer such a person from a position in one class to a vacant position within the same class, and from one post to another. Upon demonstration of ability to assume duties of greater responsibility, such person may, as provided in section 641, be promoted to a vacant position in a higher class at the same or at a higher rate of salary and he may be transferred from one post to another in connection with such promotion.

Promotions.

Post, p. 1017.

COMMISSION AS CONSUL OR VICE CONSUL

SEC. 533. On the recommendation of the Secretary, the President may, by and with the advice and consent of the Senate, commission a staff officer or employee as consul. The Secretary may commission a staff officer or employee as vice consul. Official acts of staff officers

or employees while serving under consular commissions in the Service shall be performed under their respective commissions as consular officers.

CITIZENSHIP REQUIREMENT

SEC. 534. No person shall be eligible for appointment as staff officer or employee who is not a citizen of the United States at the time of his appointment.

PART E—ALIEN CLERKS AND EMPLOYEES

APPOINTMENTS

SEC. 541. The Secretary shall appoint alien clerks and employees at posts abroad under such regulations as he may prescribe and, as soon as practicable, in accordance with the provisions of section 444.

Ante, p. 1006.

ASSIGNMENTS AND TRANSFERS

SEC. 542. The Secretary may assign an alien clerk or employee to a position at any post, and any such clerk or employee may be transferred from a position at one post to a position at another as the interests of the Service may require.

PART F—CONSULAR AGENTS

SEC. 551. The Secretary may appoint consular agents under such regulations as he may prescribe and, as soon as practicable, in accordance with the provisions of section 445.

Ante, p. 1006.

PART G—ASSIGNMENT OF PERSONNEL BY THE WAR AND NAVY DEPARTMENTS

AS COURIERS AND INSPECTORS OF BUILDINGS

SEC. 561. The Secretaries of War and Navy are authorized, upon the request of the Secretary, to assign or detail military and naval personnel serving under their supervision for duty as inspectors of buildings owned or occupied abroad by the United States or as inspectors or supervisors of buildings under construction or repair abroad by or for the United States, or for duty as couriers of the Department; and, when so assigned or detailed, they may receive the same traveling expenses as are authorized for officers of the Service, payable from applicable appropriations of the Department. Such assignments or details may, in the discretion of the head of the department concerned, be made without reimbursement from the Department of State.

Traveling expenses.

AS CUSTODIANS

SEC. 562. The Secretary of the Navy is authorized, upon request of the Secretary of State, to assign enlisted men of the Navy and the Marine Corps to serve as custodians under the supervision of the principal officer at an embassy, legation, or consulate.

PART H—ASSIGNMENT OF FOREIGN SERVICE PERSONNEL

ASSIGNMENTS TO ANY GOVERNMENT AGENCY

SEC. 571. (a) Any officer or employee of the Service may, in the discretion of the Director General, be assigned or detailed for duty in any Government agency, such an assignment or combination of assignments to be for a period of not more than four years. He may not again be assigned for duty in a Government agency until the expiration of a period of time equal to his preceding tour of duty on

Reassignment.

such assignment or until the expiration of two years, whichever is the shorter.

Director General or Deputy Director General.

(b) A Foreign Service officer may be appointed as Director General or Deputy Director General, notwithstanding the provisions of the last sentence of paragraph (a) of this section, but any such officer may not serve longer than four years in such position or positions and upon the completion of such service may not again be assigned to a position in the Department until the expiration of a period of time equal to his tour of duty as Director General or Deputy Director General or until the expiration of two years, whichever is shorter.

Position in Department.

(c) If a Foreign Service officer shall be appointed by the President, by and with the advice and consent of the Senate, to a position in the Department, the period of his service in such capacity shall be construed as constituting an assignment for duty in the Department within the meaning of paragraph (a) of this section and such person shall not, by virtue of the acceptance of such an assignment, lose his status as a Foreign Service officer. Service in such a position shall not, however, be subject to the limitations concerning the duration of an assignment or concerning reassignment contained in that paragraph.

Salary.

(d) If the basic minimum salary of the position to which an officer or employee of the Service is assigned pursuant to the terms of this section is higher than the salary such officer or employee is entitled to receive as an officer or employee of the Service, such officer or employee shall, during the period such difference in salary exists, receive the salary of the position in which he is serving in lieu of his salary as an officer or employee of the Service. Any salary paid under the provisions of this section shall be paid from appropriations made available for the payment of salaries of officers and employees of the Service and shall be the salary on the basis of which computations and payments shall be made in accordance with the provisions of title VIII.

Post, p. 1019.

COMPULSORY SERVICE OF FOREIGN SERVICE OFFICERS IN THE CONTINENTAL UNITED STATES

SEC. 572. Every Foreign Service officer shall, during his first fifteen years of service in such capacity, be assigned for duty in the continental United States in accordance with the provisions of section 571 for periods totaling not less than three years.

ASSIGNMENT FOR CONSULTATION OR INSTRUCTION

Government agency.

SEC. 573. (a) Any officer or employee of the Service may, in the discretion of the Secretary, be assigned or detailed to any Government agency for consultation or specific instruction either at the commencement, during the course of, or at the close of the period of his official service; and any such detail or assignment, if not more than four months in duration, shall not be considered as an assignment within the meaning of section 571.

Commercial firms, etc.

(b) Any officer or employee of the Service may be assigned or detailed for special instruction or training at or with public or private nonprofit institutions; trade, labor, agricultural, or scientific associations; or commercial firms.

ASSIGNMENT TO TRADE, LABOR, AGRICULTURAL, SCIENTIFIC, OR OTHER CONFERENCES

SEC. 574. An officer or employee of the Service may, in the discretion of the Secretary, be assigned or detailed for duty with domestic or international trade, labor, agricultural, scientific, or other conferences, congresses, or gatherings, including those whose place of meeting is

in the continental United States; or for other special duties, including temporary details under commission not at his post or in the Department.

ASSIGNMENTS TO FOREIGN GOVERNMENTS

SEC. 575. The Secretary may, in his discretion, assign or detail an officer or employee of the Service for temporary service to or in cooperation with the government of another country in accordance with the provisions of the Act of May 25, 1938, as amended (52 Stat. 442; 53 Stat. 652; 5 U. S. C. 118e).

ASSIGNMENTS TO INTERNATIONAL ORGANIZATIONS

SEC. 576. The Secretary may, in his discretion, assign or detail an officer or employee of the Service for temporary service to or in cooperation with an international organization in which the United States participates under the same conditions as those governing the assignment or detail of officers or employees of the Service to the government of another country in accordance with the provisions of the Act of May 25, 1938, as amended (52 Stat. 442; 53 Stat. 652; 5 U. S. C. 118e).

ASSIGNMENT OR DETAIL TO THE UNITED STATES NOT TO AFFECT PERSONNEL CEILINGS

SEC. 577. An officer or employee of the Service assigned or detailed to the continental United States in accordance with the provisions of this Act shall not be counted as a civilian employee within the meaning of section 607 of the Federal Employees' Pay Act of 1945, as amended by section 14 of the Federal Employees' Pay Act of 1946.

59 Stat. 304.
5 U. S. C., Supp. V,
§ 947.
Ante, p. 219.

TITLE VI—PERSONNEL ADMINISTRATION

PART A—DEFINITIONS

SEC. 601. For the purposes of this title—

(1) "Efficiency record" is the term which describes those materials considered by the Director General to be pertinent to the preparation of an evaluation of the performance of an officer or employee of the Service.

"Efficiency record."

(2) "Efficiency report" is the term which designates the analysis of the performance of an officer or employee made by his supervising officer or by a Foreign Service inspector in accordance with such regulations as may be prescribed by the Secretary.

"Efficiency report."

PART B—EFFICIENCY RECORDS

RESPONSIBILITY OF THE DIRECTOR GENERAL FOR THE KEEPING OF EFFICIENCY RECORDS

SEC. 611. The Director General, acting under the general direction of the Board of the Foreign Service, shall be responsible for the keeping of accurate and impartial efficiency records. Under his direction there shall be assembled, recorded, and preserved all available information in regard to the character, ability, conduct, quality of work, industry, experience, dependability, and general usefulness of all officers and employees of the Service, including the reports of Foreign Service inspectors and the efficiency reports of supervising officers. The Director General shall undertake such statistical and other analyses as may be necessary to develop the validity and reliability of efficiency reporting forms and procedures.

Statistical, etc.,
analyses.

TO WHOM RECORDS SHALL BE AVAILABLE

SEC. 612. The correspondence and records of the Department relating to the officers and employees of the Service, including efficiency records as defined in section 601 (1) but not including records pertaining to the receipt, disbursement, and accounting for public funds, shall be confidential and subject to inspection only by the President, the Secretary, the Under Secretary, the Counselor of the Department, the legislative and appropriations committees of the Congress charged with considering legislation and appropriations for the Service or representatives duly authorized by such committees, the members of the Board of the Foreign Service, the Director General, and such officers and employees of the Government as may be assigned by the Secretary to work on such records. Under such regulations as the Secretary may prescribe and in the interest of efficient personnel administration, the whole or any portion of an efficiency record shall, upon written request, be divulged to the officer or employee to whom such record relates.

PART C—PROMOTION OF FOREIGN SERVICE OFFICERS AND FOREIGN SERVICE RESERVE OFFICERS

PROMOTION OF FOREIGN SERVICE OFFICERS BY SELECTION

SEC. 621. All promotions of Foreign Service officers shall be made by the President, in accordance with such regulations as he may prescribe, by appointment to a higher class, by and with the advice and consent of the Senate. Promotion shall be by selection on the basis of merit.

ELIGIBILITY

SEC. 622. The Secretary shall, by regulation, determine the minimum period Foreign Service officers must serve in each class and a standard for performance for each class which they must meet in order to become eligible for promotion to a higher class. In the event the Director General shall certify to the Board of the Foreign Service that a Foreign Service officer has rendered extraordinarily meritorious service, the Board of the Foreign Service may recommend to the Secretary that such officer shall not be required to serve such minimum period in class as a prerequisite to promotion, and the Secretary may exempt such officer from such requirement.

Exemption.

RECOMMENDATIONS FOR PROMOTION

SEC. 623. The Secretary is authorized to establish, with the advice of the Board of the Foreign Service, selection boards to evaluate the performance of Foreign Service officers, and upon the basis of their findings the Secretary shall make recommendations to the President for the promotion of Foreign Service officers. No person assigned to serve on any such board shall serve in such capacity for any two consecutive years.

Establishment of selection boards.

PROMOTION OF FOREIGN SERVICE RESERVE OFFICERS

SEC. 624. Any Reserve officer may receive promotions from one class to a next higher class in accordance with regulations prescribed by the Secretary.

IN-CLASS PROMOTIONS OF FOREIGN SERVICE OFFICERS AND RESERVE OFFICERS

SEC. 625. Any Foreign Service officer or any Reserve officer, whose services meet the standards required for the efficient conduct of the work of the Foreign Service and who shall have been in a given class

for a continuous period of nine months or more, shall, on the first day of each fiscal year, receive an increase in salary to the next higher rate for the class in which he is serving. The Secretary is authorized to grant to a Foreign Service officer or a Reserve officer, in any class, additional increases in salary within the salary range established for the class in which he is serving, based upon especially meritorious service.

PART D—SEPARATION OF FOREIGN SERVICE OFFICERS FROM THE SERVICE

FOREIGN SERVICE OFFICERS WHO ARE CAREER MINISTERS

SEC. 631. Any Foreign Service officer who is a career minister, other than one occupying a position as chief of mission, shall, upon reaching the age of sixty-five, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine an emergency to exist, he may, in the public interest, extend such an officer's service for a period not to exceed five years.

Retirement at age
65.

Post, p. 1020.

FOREIGN SERVICE OFFICERS WHO ARE NOT CAREER MINISTERS

SEC. 632. Any Foreign Service officer who is not a career minister shall, upon reaching the age of sixty, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821 but when the Secretary shall determine an emergency to exist, he may, in the public interest, extend such an officer's service for a period not to exceed five years.

Retirement at age
60.

Post, p. 1020.

FOREIGN SERVICE OFFICERS IN CLASSES 2 AND 3

SEC. 633. The Secretary shall prescribe the maximum period during which Foreign Service officers in classes 2 or 3 shall be permitted to remain in such classes without promotion. Any officer who does not receive a promotion to a higher class within that period shall be retired from the Service and receive retirement benefits in accordance with the provisions of section 821.

Retirement.

Post, p. 1020.

FOREIGN SERVICE OFFICERS IN CLASSES 4 AND 5

SEC. 634. (a) The Secretary shall prescribe the maximum period during which Foreign Service officers in classes 4 or 5 shall be permitted to remain in such classes without promotion. Any officer who does not receive a promotion to a higher class within that period shall be retired from the Service and receive benefits as follows:

Retirement.

Benefits.

(1) One-twelfth of a year's salary at his then current salary rate for each year of service and proportionately for a fraction of a year, payable without interest, in three equal installments on the 1st day of January following the officer's retirement and on the two anniversaries of this date immediately following; and

(2) A refund of the contributions made to the Foreign Service Retirement and Disability Fund, with interest thereon at 4 per centum, compounded annually, except that in lieu of such refund such officer may elect to receive retirement benefits on reaching the age of sixty-two, in accordance with the provisions of section 821. In the event that an officer who was separated from class 4 and who has elected to receive retirement benefits dies before reaching the age of sixty-two, his death shall be considered a death in service within the meaning of section 832. In the event that an officer who was separated from class 5 and who has elected to receive retirement benefits dies before reaching the age of sixty-two, the total amount of his contributions made to the Foreign

Refund of contributions.

Post, p. 1020.

Post, p. 1022.

Service Retirement and Disability Fund, with interest thereon at 4 per centum, compounded annually, shall be paid in accordance with the provisions of section 841.

Post, p. 1022.
Assignment.

(b) Notwithstanding the provisions of section 3477 of the Revised Statutes (31 U. S. C. 203) or the provisions of any other law, a Foreign Service officer who is retired in accordance with the provisions of this section shall have the right to assign to any person or corporation the whole or any part of the benefits receivable by him pursuant to paragraph (a) (1) of this section. Any such assignment shall be on a form approved by the Secretary of the Treasury and a copy thereof shall be deposited with the Secretary of the Treasury by the officer executing the assignment.

FOREIGN SERVICE OFFICERS RETIRED FROM CLASS 6

Probationary status. SEC. 635. Any Foreign Service officer in class 6 shall occupy probationary status. The Secretary may terminate his service at any time.

VOLUNTARY RETIREMENT

Post, p. 1024.
Post, p. 1020. SEC. 636. Any Foreign Service officer who is at least fifty years of age and has rendered twenty years of service, including service within the meaning of section 853, may on his own application and with the consent of the Secretary be retired from the Service and receive benefits in accordance with the provisions of section 821.

SEPARATION FOR UNSATISFACTORY PERFORMANCE OF DUTY

Hearing. SEC. 637. (a) The Secretary may, under such regulations as he may prescribe, separate from the Service any Foreign Service officer above class 6 on account of the unsatisfactory performance of his duties; but no such officer shall be so separated from the Service until he shall have been granted a hearing by the Board of the Foreign Service and the unsatisfactory performance of his duties shall have been established at such hearing.

Annuity.
Post, p. 1020. (b) Any Foreign Service officer over forty-five years of age, separated from the Service in accordance with the provisions of paragraph (a) of this section, shall be retired upon an annuity computed in accordance with the provisions of section 821 but not in excess of 25 per centum of his per annum salary at the time of his separation.

Payment at time of separation. (c) Any Foreign Service officer under forty-five years of age, separated from the Service in accordance with the provisions of paragraph (a) of this section, shall at the time of separation receive a payment equal to one year's salary or the refund of the contributions made by him to the Foreign Service Retirement and Disability Fund, whichever shall be greater.

Payments from Fund. (d) Any payments made in accordance with the provisions of this section shall be made out of the Foreign Service Retirement and Disability Fund.

SEPARATION FOR MISCONDUCT OR MALFEASANCE

Hearing.
Post, p. 1019.
Post, p. 1022. SEC. 638. The Secretary shall separate from the Service any Foreign Service officer or Reserve officer who shall be guilty of misconduct or malfeasance in office, but no such officer shall be so separated from the Service until he shall have been granted a hearing by the Board of the Foreign Service and his misconduct or malfeasance shall have been established at such hearing. Any officer separated from the Service in accordance with the provisions of this section shall not be eligible to receive the benefits provided by title VIII of this Act, but his contributions to the Foreign Service Retirement and Disability Fund shall be returned to him in accordance with the provisions of section 841 (a).

**PART E—PROMOTION OF FOREIGN SERVICE STAFF OFFICERS AND
EMPLOYEES**

CLASS PROMOTION OF STAFF PERSONNEL

SEC. 641. Any staff officer or employee may, in accordance with uniform procedures established in regulations prescribed by the Secretary, upon demonstration of ability to assume duties of greater responsibility, be promoted to a vacant position in a higher class at the same or at a higher rate of salary.

IN-CLASS PROMOTIONS OF STAFF OFFICERS AND EMPLOYEES

SEC. 642. In-class promotions of staff officers and employees shall be granted in accordance with regulations prescribed by the Secretary.

PART F—SEPARATION OF STAFF OFFICERS AND EMPLOYEES

FOR UNSATISFACTORY PERFORMANCE OF DUTY

SEC. 651. The Secretary may, under such regulations as he may prescribe, separate from the Service any staff officer or employee on account of the unsatisfactory performance of his duties, but no such officer or employee shall be so separated from the Service until he shall have been granted a hearing by the Board of the Foreign Service and the unsatisfactory performance of his duties shall have been established at such hearing.

Hearing.

FOR MISCONDUCT OR MALFEASANCE

SEC. 652. The Secretary shall separate from the Service any staff officer or employee who shall be guilty of misconduct or malfeasance in office, but no such officer or employee shall be so separated from the Service until he shall have been granted a hearing by the Board of the Foreign Service and his misconduct or malfeasance shall have been established at such hearing.

Hearing.

**PART G—PROMOTION AND SEPARATION OF ALIEN CLERKS AND
EMPLOYEES**

PROMOTION

SEC. 661. Alien clerks and employees shall receive promotions from one class to a higher class and in-class promotions in accordance with regulations prescribed by the Secretary.

FOR UNSATISFACTORY PERFORMANCE OF DUTY

SEC. 662. The Secretary may, under such regulations as he may prescribe, separate from the Service any alien clerk or employee on account of the unsatisfactory performance of his duties.

SEPARATION FOR MISCONDUCT OR MALFEASANCE

SEC. 663. The Secretary shall separate from the Service any alien clerk or employee who shall be found guilty of misconduct or malfeasance.

PART H—SEPARATION OF CONSULAR AGENTS

SEC. 671. The Secretary may, under such regulations as he may prescribe, separate any consular agent from the Service on account of—

- (a) the unsatisfactory performance of his duties; or
- (b) misconduct or malfeasance.

PART I—INSPECTIONS

Inspectors.

SEC. 681. The Secretary shall assign or detail Foreign Service officers as Foreign Service inspectors to inspect in a substantially uniform manner and at least once every two years the work of the diplomatic and consular establishments of the United States. Whenever the Secretary has reason to believe that the business of a consulate is not being properly conducted and that it is necessary in the public interest, he may authorize any Foreign Service inspector to suspend the principal officer or any subordinate consular officer and to administer the office in the place of the principal officer for a period not exceeding ninety days. The Secretary may also authorize a Foreign Service inspector to suspend any diplomatic officer except a chief of mission. A Foreign Service inspector shall have the authority to suspend any other officer or employee of the Service.

Authority to suspend officer, etc.

TITLE VII—THE FOREIGN SERVICE INSTITUTE

ESTABLISHMENT OF THE INSTITUTE

SEC. 701. The Secretary shall, in order to furnish training and instruction to officers and employees of the Service and of the Department and to other officers and employees of the Government for whom training and instruction in the field of foreign relations is necessary, and in order to promote and foster programs of study incidental to such training, establish a Foreign Service Institute, hereinafter called the Institute.

THE DIRECTOR OF THE INSTITUTE—APPOINTMENT, SALARY, AND DUTIES

SEC. 702. The head of the Institute, who shall be known as its Director, shall be appointed by the Secretary. The Director shall, under the general supervision of the Director General and under such regulations as the Secretary may prescribe, establish the basic procedures to be followed by the Institute; plan and provide for the general nature of the training and instruction to be furnished at the Institute; correlate the training and instruction to be furnished at the Institute with the training activities of the Department and other Government agencies and with courses given at private institutions that are designed or may serve to furnish training and instruction to officers and employees of the Service; encourage and foster such programs outside of the Institute as will be complementary to those of the Institute; and take such other action as may be required for the proper administration of the Institute.

AID TO NONPROFIT INSTITUTIONS

SEC. 703. The Secretary may, within the limits of such appropriations as may be made specifically therefor, make grants or furnish such other gratuitous assistance as he may deem necessary or advisable to nonprofit institutions cooperating with the Institute in any of the programs conducted by the Director by authority of this title.

APPOINTMENT, ASSIGNMENT, AND DETAIL TO THE INSTITUTE

Faculty or staff.

SEC. 704. (a) The Secretary may appoint to the faculty or staff of the Institute on a full- or part-time basis such personnel as he may deem necessary to carry out the provisions of this title in accordance with the provisions of the civil-service laws and regulations and the Classification Act of 1923, as amended, except that, when deemed necessary by the Secretary for the effective administration of this title, personnel may be appointed without regard to such laws and regulations, but any person so appointed shall receive a salary at one of the

42 Stat. 1488.
5 U. S. C. §§ 661-
674; Supp. V, § 661 et
seq.

Ante, pp. 216, 219.

rates provided by the Classification Act of 1923, as amended. All appointments to the faculty or staff of the Institute shall be made without regard to political affiliations and shall be made solely on the basis of demonstrated interest in, and capacity to promote, the purposes of the Institute.

(b) The Secretary may, under such regulations as he may prescribe and on a full- or part-time basis, assign or detail officers and employees of the Service to serve on the faculty or staff of the Institute or to receive training at the Institute.

Officers, etc., of Service.

(c) The Secretary may, under such regulations as he may prescribe and on a full- or part-time basis, assign or detail any officer or employee of the Department, and, with the consent of the head of the Government agency concerned, any other officer or employee of the Government, to serve on the faculty or staff of the Institute, or to receive training. During the period of his assignment or detail, such officer or employee shall be considered as remaining in the position from which assigned.

Officers, etc., of Department or other agency.

(d) It shall be the duty of the Director to make recommendations to the Secretary with regard to the appointment, assignment, or detail of persons to serve on the faculty or staff of the Institute, and the Secretary shall in each case take such recommendations into consideration in making such appointments, assignments, or details.

Recommendations of Director.

INSTRUCTION AND EDUCATION AT OTHER LOCALITIES THAN THE INSTITUTE

SEC. 705. The Secretary may, under such regulations as he may prescribe, pay the tuition and other expenses of officers and employees of the Service, assigned or detailed in accordance with the provisions of section 573 (b) for special instruction or training at or with public or private nonprofit institutions, trade, labor, agricultural, or scientific associations, or commercial firms.

Ante, p. 1012.

ENDOWMENTS AND GIFTS TO THE INSTITUTE

SEC. 706. The Secretary may accept, receive, hold, and administer gifts, bequests, or devises of money, securities, or property made for the benefit of, or in connection with, the Foreign Service Institute in accordance with part C of title X.

Post, p. 1081.

ACQUISITION OF REAL PROPERTY FOR THE INSTITUTE

SEC. 707. The Secretary may, in the name of the United States, acquire such real property as may be necessary for the operation and maintenance of the Institute and, without regard to section 3709 of the Revised Statutes, such other property and equipment as may be necessary for its operation and maintenance.

Ante, p. 809.

TITLE VIII—THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

PART A—ESTABLISHMENT OF SYSTEM

RULES AND REGULATIONS

SEC. 801. (a) The President may prescribe rules and regulations for the maintenance of a Foreign Service Retirement and Disability System, originally established by section 18 of the Act of May 24, 1924 (43 Stat. 144), referred to hereafter as the System.

Post, p. 1038. Administration.

(b) The Secretary shall administer the System in accordance with such rules and regulations and with the principles established by this Act.

MAINTENANCE OF FUND

SEC. 802. The Secretary of the Treasury shall maintain the special fund, known as the Foreign Service Retirement and Disability Fund, referred to hereafter as the Fund, originally constituted by section 18 of the Act of May 24, 1924 (43 Stat. 144).

Post, p. 1038.

PARTICIPANTS

Persons entitled to benefits.

SEC. 803. (a) The following persons, hereafter referred to as participants, shall be entitled to the benefits of the System:

- (1) All Foreign Service officers;
- (2) All other persons making contributions to the Fund on the effective date of this Act;
- (3) Any chief of mission who is not otherwise entitled to be a participant and who fulfills the conditions of paragraph (b) of this section;

(b) A person to become a participant in accordance with the provisions of paragraphs (a) (3) of this section must—

(1) have served as chief of mission for an aggregate period of twenty years or more, exclusive of extra service credit in accordance with the provisions of section 853; and

(2) have paid into the Fund a special contribution equal to 5 per centum of his basic salary for each year of such service with interest thereon to date of payment, compounded annually at 4 per centum.

Post, p. 1024.

ANNUITANTS

SEC. 804. Annuitants shall be persons who are receiving annuities from the Fund on the effective date of this Act, persons who shall become entitled to receive annuities in accordance with the provisions of sections 519, 631, 632, 633, 634, 636, 637, 831, 832, and 833, and all widows and beneficiaries of participants who are entitled to receive annuities in accordance with the terms of this title.

Ante, pp. 1008, 1015, 1016; *post*, pp. 1021, 1022.

PART B—COMPULSORY CONTRIBUTIONS

SEC. 811. (a) Five per centum of the basic salary of all participants shall be contributed to the Fund, and the Secretary of the Treasury is directed to cause such deductions to be made and the sums transferred on the books of the Treasury Department to the credit of the Fund for the payment of annuities, cash benefits, refunds, and allowances.

(b) All basic salaries in excess of \$13,500 per annum shall be treated as \$13,500 for the purposes of this title.

Salaries in excess of \$13,500.

PART C—COMPUTATION OF ANNUITIES

SEC. 821. (a) The annuity of a participant shall be equal to 2 per centum of his average basic salary, not exceeding \$13,500 per annum, for the five years next preceding the date of his retirement multiplied by the number of years of service, not exceeding thirty years. In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, shall not be counted.

(b) At the time of his retirement, a participant, if the husband of a wife to whom he has been married for at least three years or who is the mother of issue by such marriage, may elect to receive a reduced annuity for himself and to provide for an annuity payable to his widow, commencing on the date following his death and continuing as long as she may live. The annuity payable to his widow

Married participant.

Annuity payable to widow.

shall in no case exceed 25 per centum of his average basic salary for the five years next preceding his retirement or 66 $\frac{2}{3}$ per centum of his reduced annuity. If the age of the participant is less than the age of the wife or exceeds her age by not more than eight years, the annuity of the participant will be reduced by an amount equal to one-half of the annuity which he elects to have paid to his widow. If the age of the participant exceeds the age of the wife by more than eight years, the annuity of the participant will be reduced by an amount equal to one-half the annuity which he elects to have paid to his widow plus an additional reduction equal to 2 per centum of such widow's annuity for each year, or fraction thereof, that the difference in age exceeds eight. The participant may at his option also elect to have his annuity reduced by an additional 5 per centum of the amount which he elects to have paid to his widow, with a provision that, from and after the death of his wife, if the participant shall survive her, the annuity payable to the participant shall be that amount which would have been payable if no option had been elected.

Survivorship provision.

(c) A participant who is not married at the time of his retirement or who is married to a wife who is not entitled to an annuity in accordance with the provisions of paragraph (b) of this section may elect to receive a reduced annuity for himself and to provide for an additional annuity payable after his death to a beneficiary whose name shall be notified in writing to the Secretary at the time of his retirement and who is acceptable to the Secretary. The annuity payments payable to such beneficiary shall be either equal to the deceased participant's reduced annuity payments or equal to 50 per centum of such reduced annuity payments and upon the death of the surviving beneficiary all payments shall cease and no further annuity payments shall be due or payable. The combined actuarial value of the two annuities on the date of retirement as determined by the Secretary of the Treasury shall be the same as the actuarial value of the annuity provided by paragraph (a) of this section. No such election of a reduced annuity payable to a beneficiary other than a child of the participant shall be valid until the participant shall have satisfactorily passed a physical examination as prescribed by the Secretary. Annuity payments payable in accordance with the provisions of this section to a beneficiary who is a child of a participant shall cease when the beneficiary reaches the age of twenty-one years.

Unmarried participant, etc.

Annuity payable to beneficiary.

Physical examination.

Termination of payments to child beneficiary.

PART D—BENEFITS ACCRUING TO CERTAIN PARTICIPANTS

RETIREMENT FOR DISABILITY OR INCAPACITY—PHYSICAL EXAMINATION—RECOVERY

SEC. 831. (a) Any participant who, after serving for a total period of not less than five years, becomes totally disabled or incapacitated for useful and efficient service by reason of disease or injury incurred in the line of duty but not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the Secretary, be retired on an annuity computed as prescribed in section 821. If the disabled or incapacitated participant has had less than twenty years of service at the time he is retired, his annuity shall be computed on the assumption that he had had twenty years of service.

Total disability.

Ante, p. 1020.

(b) In each case such disability shall be determined by the report of a duly qualified physician or surgeon, designated by the Secretary to conduct the examination. Unless the disability is permanent, a like examination shall be made annually until the annuitant has reached the retirement age as defined in sections 631 and 632, and the payment

Examination.

Ante, p. 1018.

Fees and expenses. of the annuity shall cease from the date of a medical examination showing recovery. Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Fund.

Discontinuance of annuity. (c) When the annuity is discontinued under this provision before the annuitant has received a sum equal to the total amount of his contributions, with accrued interest, the difference shall be paid to him or his legal representatives in the order of precedence prescribed in section 841.

DEATH IN SERVICE

Death without establishment of claim. SEC. 832. In case a participant shall die without having established a valid claim for annuity, the total amount of his contributions with interest thereon at 4 per centum per annum, compounded on June 30 of each year, except as provided in section 881 and as hereinafter provided in this section, shall be paid to his legal representatives in the order of precedence given under section 841 upon the establishment of a valid claim therefor. If the deceased participant rendered at least five years of service, and is survived by a widow to whom he was married for at least three years, or who is the mother of issue by such marriage, such widow shall be paid an annuity equal to the annuity which she would have been entitled to receive if her husband had been retired on the date of his death and had elected to receive a reduced joint and survivorship annuity, computed as prescribed in section 821, providing the maximum annuity for his widow, unless prior to the date of his death he shall have elected, in lieu of such widow's annuity, and with the approval of the Secretary, to have his deductions returned with interest as provided in the first sentence of this section covering participants dying without having established a valid claim for annuity. If the deceased participant had had less than twenty years of service at the time of his death, the annuity payable to his widow shall be computed on the assumption that he had had twenty years of service.

Post, p. 1025.

Payment of annuity to widow.

Ante, p. 1020.

RETIREMENT OF PERSONS WHO ARE PARTICIPANTS UNDER SECTION 803 (A) (3)

Ante, p. 1020.

Person not a Foreign Service officer, etc. SEC. 833. (a) Any person who is a participant, has at least twenty years of service to his credit, and has reached the age of fifty years, but is not a Foreign Service officer at the time he is retired in accordance with the provisions of law governing retirement in the position that he occupies, shall be entitled to an annuity computed as prescribed in section 821.

Ante, p. 1020.

Voluntary retirement. (b) Any person who is a participant in accordance with the provisions of section 803 (a) (3) shall be entitled to voluntary retirement to the same extent and subject to the same conditions as a Foreign Service officer.

Ante, p. 1020.

PART E—DISPOSITION OF CONTRIBUTIONS AND INTEREST IN EXCESS OF BENEFITS RECEIVED

Return of contributions, etc., upon separation. SEC. 841. (a) Whenever a participant becomes separated from the Service without becoming eligible for an annuity or a deferred annuity in accordance with the provisions of this Act, the total amount of contributions from his salary with interest thereon at 4 per centum per annum, compounded annually up to the date of such separation, except as provided in section 881, shall be returned to him.

Post, p. 1025.

Payment of designated excess. (b) In the event that the total contributions of a retired participant, other than voluntary contributions made in accordance with the provisions of section 881, with interest compounded annually at 4

Post, p. 1025.

per centum added thereto, exceed the total amount returned to such participant or to an annuitant claiming through him, in the form of annuities, accumulated at the same rate of interest up to the date the annuity payments cease under the terms of the annuity, the excess of the accumulated contributions over the accumulated annuity payments shall be paid in the following order of precedence, upon the establishment of a valid claim therefor:

Order of precedence.

(1) To the beneficiary or beneficiaries designated by the retired participant in writing to the Secretary;

(2) If there be no such beneficiary, to the duly appointed executor or administrator of the estate of the retired participant;

(3) If there be no such beneficiary, or executor or administrator, payment may be made to such person or persons as may appear in the judgment of the Secretary to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

(c) No payment shall be made pursuant to paragraph (b) (3) of this section until after the expiration of thirty days from the death of the retired participant or his surviving annuitant.

PART F—PERIOD OF SERVICE FOR ANNUITIES

COMPUTATION OF LENGTH OF SERVICE

SEC. 851. For the purposes of this title, the period of service of a participant shall be computed from the effective date of appointment as Foreign Service officer, or, if appointed prior to July 1, 1924, as diplomatic secretary, consul general, consul, vice consul, deputy consul, consular assistant, consular agent, commercial agent, interpreter, or student interpreter, and shall include periods of service at different times as either a diplomatic or consular officer, or while on assignment to the Department, or while on special duty or service in another department or establishment of the Government, or while on any assignment in accordance with the provisions of part H of title V, but all periods of separation from the Service and so much of any leaves of absence as may exceed six months in the aggregate in any calendar year shall be excluded, except sick leaves of absence for illness or injury incurred in the line of duty, with or without pay, and leaves of absences granted participants while performing active military or naval service in the Army, Navy, Marine Corps, or Coast Guard of the United States.

Ante, p. 1011.

PRIOR SERVICE CREDIT

SEC. 852. (a) A participant may, subject to the provisions of this section, include in his period of service—

(1) service performed as a civilian officer or employee of the Government prior to becoming a participant; and

(2) active military or naval service in the Army, Navy, Marine Corps, or Coast Guard of the United States.

(b) A person may obtain credit for prior service by making a special contribution to the Fund equal to 5 per centum of his annual salary for each year of service for which credit is sought subsequent to July 1, 1924, with interest thereon to date of payment compounded annually at 4 per centum. Any such participant may, under such conditions as may be determined in each instance by the Secretary, pay such special contributions in installments during the continuance of his service.

Special contribution.

(c) Nothing in this Act shall be construed so as to affect in any manner a participant's right to retired pay, pension, or compensation in addition to the annuities herein provided, but no participant may

Participant's right to retired pay, etc.

obtain prior service credit toward an annuity under the Foreign Service Retirement and Disability System for any period of service, whether in a civilian or military capacity, on the basis of which he is receiving or will in the future be entitled to receive any annuity, pension, or other retirement or disability payment or allowance.

EXTRA SERVICE CREDIT FOR SERVICE AT UNHEALTHFUL POSTS

SEC. 853. The President may from time to time establish a list of places which by reason of climatic or other extreme conditions are to be classed as unhealthful posts, and each year of duty subsequent to January 1, 1900, at such posts inclusive of regular leaves of absence, of participants thereafter retired, shall be counted as one year and a half, and so on in like proportion in reckoning the length of service for the purpose of retirement, fractional months being considered as full months in computing such service. The President may at any time cancel the designation of any places as unhealthful without affecting any credit which has accrued for service at such posts prior to the date of the cancellation.

CREDIT FOR SERVICE WHILE ON MILITARY LEAVE

SEC. 854. Contributions shall not be required covering periods of leave of absence from the Service granted a participant while performing active military or naval service in the Army, Navy, Marine Corps, or Coast Guard of the United States.

PART G—MONEYS

ESTIMATE OF APPROPRIATIONS NEEDED

SEC. 861. The Secretary of the Treasury shall prepare the estimates of the annual appropriations required to be made to the Fund, and shall make actuarial valuations of such funds at intervals of five years, or oftener if deemed necessary by him. The Secretary of State may expend from money to the credit of the Fund an amount not exceeding \$5,000 per annum for the incidental expenses necessary in administering the provisions of this title, including actuarial advice.

Incidental expenses
of administration.

ANNUAL REPORT TO CONGRESS

SEC. 862. The Secretary shall submit annually to the President and to the Congress a comparative report showing the condition of the Fund and estimates of appropriations necessary to continue this title in full force.

INVESTMENT OF MONEYS IN THE FUND

SEC. 863. The Secretary of the Treasury shall invest from time to time in interest-bearing securities of the United States such portions of the Fund as in his judgment may not be immediately required for the payment of annuities, cash benefits, refunds, and allowances, and the income derived from such investments shall constitute a part of such Fund.

ATTACHMENT OF MONEYS

SEC. 864. None of the moneys mentioned in this title shall be assignable either in law or equity, or be subject to execution, levy, attachment, garnishment, or other legal process, except as provided in section 634 (b).

Ante, p 1016.

PART H—OFFICERS REINSTATED IN THE SERVICE

SEC. 871. A Foreign Service officer, reinstated in the Service in accordance with the provisions of section 520 (b) shall, while so serving, be entitled in lieu of his retirement allowance to the full pay of the class in which he is temporarily serving. During such service, he shall make contributions to the Fund in accordance with the provisions of section 811. If the annuity he was receiving prior to his reinstatement in the Service was based on less than thirty years of service credit, the amount of his annuity when he reverts to the retired list shall be recomputed on the basis of his total service credit.

Ante, p. 1009.

Ante, p. 1020.
Recomputation of annuity.

PART I—VOLUNTARY CONTRIBUTIONS

SEC. 881. (a) Any participant may, at his option and under such regulations as may be prescribed by the President, deposit additional sums in multiples of 1 per centum of his basic salary, but not in excess of 10 per centum of such salary, which amounts together with interest at 3 per centum per annum, compounded on June 30 of each year shall, at the date of his retirement and at his election, be—

Optional deposit of additional sums.

- (1) returned to him in a lump sum; or
- (2) used to purchase an additional life annuity; or
- (3) used to purchase an additional life annuity for himself and to provide for a cash payment on his death to a beneficiary whose name shall be notified in writing to the Secretary by the participant; or
- (4) used to purchase an additional life annuity for himself and a life annuity commencing on his death payable to a beneficiary whose name shall be notified in writing to the Secretary by the participant with a guaranteed return to the beneficiary or his legal representative of an amount equal to the cash payment referred to in paragraph 3.

(b) The benefits provided by subparagraphs 2, 3, or 4 of paragraph (a) of this section shall be actuarially equivalent in value to the payment provided for by paragraph (a) (1) of this section and shall be calculated upon such tables of mortality as may be from time to time prescribed for this purpose by the Secretary of the Treasury.

Actuarial value of benefits.

(c) In case a participant shall become separated from the Service for any reason except retirement on an annuity, the amount of any additional deposits with interest at 3 per centum per annum, compounded annually, made by him under the provisions of this paragraph shall be refunded in the manner provided in section 841 for the return of contributions and interest in the case of death or withdrawal from active service.

Refund of deposits upon separation.

Ante, p. 1022.

(d) Any benefits payable to an officer or to his beneficiary in respect to the additional deposits provided under this paragraph shall be in addition to the benefits otherwise provided under this title.

Additional benefits.

TITLE IX—ALLOWANCES AND BENEFITS

PART A—ALLOWANCES AND SPECIAL ALLOTMENTS

QUARTERS, COST OF LIVING, AND REPRESENTATION ALLOWANCES

SEC. 901. In accordance with such regulations as the President may prescribe and notwithstanding the provisions of section 1765 of the Revised Statutes (5 U. S. C. 70), the Secretary is authorized to grant to any officer or employee of the Service who is a citizen of the United States—

- (1) allowances, wherever Government owned or rented quarters are not available, for living quarters, heat, light, fuel, gas,

Allowances for living quarters, etc.

and electricity, including allowances for the cost of lodging at temporary quarters, incurred by an officer or employee of the Service and the members of his family upon first arrival at a new post, for a period not in excess of three months after such first arrival or until the occupation of residence quarters, whichever period shall be shorter, up to but not in excess of the aggregate amount of the per diem that would be allowable to such officer or employee for himself and the members of his family for such period if they were in travel status;

(2) cost-of-living allowances, whenever the Secretary shall determine—

(i) that the cost of living at a post abroad is proportionately so high that an allowance is necessary to enable an officer or employee of the Service at such post to carry on his work efficiently;

(ii) that extraordinary and necessary expenses, not otherwise compensated for, are incurred by an officer or employee of the Service incident to the establishment of his residence at his post of assignment;

(iii) that an allowance is necessary to assist an officer or employee of the Service who is compelled by reason of dangerous, notably unhealthful, or excessively adverse living conditions at his post abroad or for the convenience of the Government to meet the additional expense of maintaining his wife and minor children elsewhere than in the country of his assignment;

(3) allowances in order to provide for the proper representation of the United States by officers or employees of the Service.

ALLOTMENT FOR OFFICIAL RESIDENCE OF CHIEF AMERICAN REPRESENTATIVE

SEC. 902. The Secretary may, under such regulations as he may prescribe, make an allotment of funds to any post to defray the unusual expenses incident to the operation and maintenance of an official residence suitable for the chief representative of the United States at that post.

ACCOUNTING FOR ALLOWANCES

SEC. 903. All such allowances and allotments shall be accounted for to the Secretary in such manner and under such rules and regulations as the President may prescribe. The Secretary shall report all such expenditures annually to the Congress with the budget estimates of the Department.

PART B—TRAVEL AND RELATED EXPENSES

GENERAL PROVISIONS

SEC. 911. The Secretary may, under such regulations as he shall prescribe, pay—

(1) the travel expenses of officers and employees of the Service, including expenses incurred while traveling pursuant to orders issued by the Secretary in accordance with the provisions of section 933 with regard to the granting of home leave;

(2) the travel expenses of the members of the family of an officer or employee of the Service when proceeding to or returning from his post of duty; accompanying him on authorized home leave; or otherwise traveling in accordance with authority granted pursuant to the terms of this or any other Act;

Cost-of-living allowances.

Representation of U. S.

Report to Congress.

Travel expenses.

Post, p. 1028.

(3) the cost of transporting the furniture and household and personal effects of an officer or employee of the Service to his successive posts of duty and, on the termination of his services, to the place where he will reside;

Transportation of household and personal effects.

(4) the cost of storing the furniture and household and personal effects of an officer or employee of the Service who is absent under orders from his usual post of duty, or who is assigned to a post to which, because of emergency conditions, he cannot take or at which he is unable to use, his furniture and household and personal effects;

Storage.

(5) the cost of storing the furniture and household and personal effects of an officer or employee of the Service on first arrival at a post for a period not in excess of three months after such first arrival at such post or until the establishment of residence quarters, whichever shall be shorter;

(6) the travel expenses of the members of the family and the cost of transporting the personal effects and automobile of an officer or employee of the Service, whenever the travel of such officer or employee is occasioned by changes in the seat of the government whose capital is his post;

Changes in seat of government.

(7) the travel expenses and transportation costs incident to the removal of the members of the family of an officer or employee of the Service and his furniture and household and personal effects, including automobiles, from a post at which, because of the prevalence of disturbed conditions, there is imminent danger to life and property, and the return of such persons, furniture, and effects to such post upon the cessation of such conditions; or to such other post as may in the meantime have become the post to which such officer or employee has been assigned.

Removal from dangerous post, etc.

(8) the cost of preparing and transporting to their former homes in the continental United States or to a place not more distant, the remains of an officer or employee of the Service who is a citizen of the United States and of the members of his family who may die abroad or while in travel status.

Officer or employee dying abroad, etc.

LOAN OF HOUSEHOLD EQUIPMENT

SEC. 912. The Secretary may, if he shall find it in the interests of the Government to do so as a means of eliminating transportation costs, provide officers and employees of the Service with household equipment for use on a loan basis in personally owned or leased residences.

TRANSPORTATION OF AUTOMOBILES

SEC. 913. The Secretary may, notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Service, a privately owned automobile in any case where he shall determine that water, rail, or air transportation of the automobile is necessary or expedient for any part or of all the distance between points of origin and destination.

PART C—COMMISSARY SERVICE

SEC. 921. The Secretary may, under such regulations as he may prescribe, and pursuant to appropriations therefor, establish and maintain emergency commissary or mess services in such places abroad where, in his judgment, such services are necessary temporarily to insure the effective and efficient performance of the duties and responsibilities of the Service, such services to be available to the officers and employees of all Government agencies located in any such places abroad. Reimbursements incident to the maintenance and operation

Reimbursements.

of commissary or mess service shall be at not less than cost as determined by the Secretary and shall be used as working funds: *Provided*, That each year an amount equal to the amount of the appropriation for such service shall be covered into the Treasury as miscellaneous receipts not later than six months after the close of the fiscal year for which any such appropriation is made.

PART D—LEAVES OF ABSENCE

ANNUAL LEAVE

SEC. 931. (a) The Secretary may, in his discretion and in accordance with such regulations as he may prescribe, grant an officer or employee of the Service who is a citizen of the United States not to exceed sixty calendar days' annual leave of absence with pay.

(b) Where an officer or employee on leave returns to the continental United States, the leave of absence granted pursuant to the provisions of paragraph (a) of this section shall be exclusive of the time actually and necessarily occupied in going to and from the continental United States, and such time as may be necessarily occupied in awaiting sailing or flight.

Accumulated leave.

(c) Any part of the sixty days' annual leave which an officer or employee may receive and which is not used in any one year shall be accumulated for succeeding years until it totals one hundred and eighty days.

Noncitizen employees.

(d) The Secretary may in his discretion and subject to such regulations as he may prescribe, grant to an employee of the Service who is not a citizen of the United States thirty calendar days' annual leave with pay each calendar year. Any part of the thirty days' leave not used in any year shall be accumulated for succeeding years until it totals not exceeding sixty days.

SICK LEAVE

SEC. 932. The Secretary may in his discretion and subject to such regulations as he may prescribe, grant an officer or employee of the Service sick leave with pay at the rate of fifteen calendar days each calendar year. Any part of the fifteen days' sick leave not used or availed of in any year shall be accumulated for succeeding years until it totals one hundred and twenty days.

Accumulated leave.

ORDERING RETURN OF PERSONNEL TO UNITED STATES ON LEAVES OF ABSENCE

Statutory leave.

SEC. 933. (a) The Secretary shall order to the continental United States on statutory leave of absence every officer and employee of the Service who is a citizen of the United States upon completion of two years' continuous service abroad or as soon as possible thereafter.

Service while on leave.

(b) While in the continental United States on leave, the service of any officer or employee shall be available for such work or duties in the Department or elsewhere as the Secretary may prescribe, but the time of such work or duties shall not be counted as leave.

RESERVE OFFICERS ASSIGNED TO THE SERVICE

SEC. 934. (a) A Reserve officer, assigned to the Service from any Government agency shall, notwithstanding the provisions of any other law, be granted annual leave of absence and sick leave of absence in accordance with the provisions of part D of this title during the period of his assignment.

Transfer of annual and sick leave.

(b) Under such regulations as the President may prescribe, a person assigned to the Service as a Reserve officer from any Government agency may, notwithstanding the provisions of the Act of December

21, 1944 (58 Stat. 845; 5 U. S. C. 61b), transfer to the Service any annual or sick leave of absence standing to his credit at the time of his assignment to the Service. On his return to the agency by which he is regularly employed, he may transfer the aggregate of his accumulated and current annual and sick leave to that agency but the amount of leave so transferred shall not exceed the maximum which an officer or employee of the agency to which he is returning may have to his credit on the date of his return.

5 U. S. C., Supp. V,
§§ 61b-61e.

TRANSFER OF LEAVE OF ABSENCE

SEC. 935. Under such regulations as the President may prescribe an officer or employee of the Service who resigns from the Service in order to accept an appointment in any Government agency may transfer to such Government agency any annual or sick leave of absence standing to his credit at the time of his resignation from the Service and any officer or employee of any Government agency who resigns from such agency in order to accept an appointment to the Service may transfer to the Service any annual or sick leave of absence standing to his credit at the time of his resignation from the Government agency in which he was employed, but in no event shall the amount of annual or sick leave of absence so transferred exceed the maximum amount of the annual or sick leave of absence which may be accumulated in either the Service or the Government agency to which such person is appointed, as the case may be.

Officer, etc., of
Service.

Officer, etc., of
Government agency.

PART E—MEDICAL SERVICES

EXPENSES OF TREATMENT

SEC. 941. The Secretary may, in the event of illness or injury requiring hospitalization of an officer or employee of the Service who is a citizen of the United States, not the result of vicious habits, intemperance, or misconduct on his part, incurred in the line of duty while such person is assigned abroad, pay for the cost of the treatment of such illness or injury at a suitable hospital or clinic.

TRANSPORTATION TO APPROVED HOSPITALS

SEC. 942. (a) The Secretary may, in the event of illness or injury requiring the hospitalization of an officer or employee of the Service who is a citizen of the United States, not the result of vicious habits, intemperance, or misconduct on his part, incurred while on assignment abroad, in a locality where there does not exist a suitable hospital or clinic, pay the travel expenses of such officer or employee by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and section 10 of the Act of March 3, 1933 (47 Stat. 1516; 5 U. S. C. 73b), to the nearest locality where a suitable hospital or clinic exists and on his recovery pay for the travel expenses of his return to his post of duty. If the officer or employee is too ill to travel unattended, the Secretary may also pay the travel expenses of an attendant.

Ante, p. 808.

Expenses of attend-
ant.

First-aid station.

(b) The Secretary may establish a first-aid station and provide for the services of a nurse at a post at which, in his opinion, sufficient personnel is employed to warrant such a station.

PHYSICAL EXAMINATIONS AND COSTS OF INOCULATIONS

SEC. 943. The Secretary shall, under such regulations as he may prescribe, provide for the periodic physical examination of officers and employees of the Service who are citizens of the United States, including examinations necessary to establish disability or incapacity

Ante, p. 1021.

in accordance with the provisions of section 831, and for the cost of administering inoculations or vaccinations to such officers or employees.

TITLE X—MISCELLANEOUS

PART A—PROHIBITIONS

AGAINST UNIFORMS

SEC. 1001. An officer or employee of the Service holding a position of responsibility in the Service shall not wear any uniform except such as may be authorized by law or such as a military commander may require civilians to wear in a theater of military operations.

AGAINST ACCEPTING PRESENTS

Acceptance of gift to U. S.

SEC. 1002. An officer or employee of the Service shall not ask or, without the consent of the Congress, receive, for himself or any other person, any present, emolument, pecuniary favor, office, or title from any foreign government. A chief of mission or other principal officer may, however, under such regulations as the President may prescribe, accept gifts made to the United States or to any political subdivision thereof by the government to which he is accredited or from which he holds an exequatur.

AGAINST ENGAGING IN BUSINESS ABROAD

SEC. 1003. An officer or employee of the Service shall not, while holding office, transact or be interested in any business or engage for profit in any profession in the country or countries to which he is assigned abroad in his own name or in the name or through the agency of any other person, except as authorized by the Secretary.

AGAINST CORRESPONDENCE ON AFFAIRS OF FOREIGN GOVERNMENTS

SEC. 1004. (a) An officer or employee of the Service shall not correspond in regard to the public affairs of any foreign government except with the proper officers of the United States, except as authorized by the Secretary.

Recommendation for employment.

(b) An officer or employee of the Service shall not recommend any person for employment in any position of trust or profit under the government of the country to which he is detailed or assigned; except as authorized by the Secretary.

AGAINST POLITICAL, RACIAL, RELIGIOUS, OR COLOR DISCRIMINATION

SEC. 1005. In carrying out the provisions of this Act, no political test shall be required and none shall be taken into consideration, nor shall there be any discrimination against any person on account of race, creed, or color.

PART B—BONDS

SEC. 1011. Every secretary, consul general, consul, vice consul, Foreign Service officer, and Foreign Service Reserve officer, and, if required, any other officer or employee of the Service or of the Department before he enters upon the duties of his office shall give to the United States a bond in such form and in such penal sum as the Secretary shall prescribe, with such sureties as the Secretary shall approve, conditioned without division of penalty for the true and faithful performance of his duties, including (but not by way of limitation) certifying vouchers for payment, accounting for, paying over, and delivering up of all fees, moneys, goods, effects, books, records, papers, and other property that shall come to his hands or to the hands of any other person to his use as such officer or employee

under any law now or hereafter enacted and for the true and faithful performance of all other duties now or hereafter lawfully imposed upon him as such officer or employee, and such bond shall be construed to be conditioned for the true and faithful performance of all official duties of whatever character now or hereafter lawfully imposed upon him, or by him assumed incident to his employment as an officer or employee of the Government. Notwithstanding any other provisions of law, upon approval of any bond given pursuant to this Act, the principal shall not be required to give another separate bond conditioned for the true and faithful performance of only a part of the duties for which the bond given pursuant to this Act is conditioned. The bond of an officer or employee of the Service shall be construed to be conditioned for the true and faithful performance of all acts of such officer incident to his office regardless of whether appointed or commissioned as diplomatic, consular, Foreign Service officer, or other officer of the Service. The bonds herein mentioned shall be deposited with the Secretary of the Treasury. Nothing herein contained shall be deemed to obviate the necessity of furnishing any bond which may be required pursuant to the provisions of the Subsistence Expense Act of 1926, as amended (44 Stat. 688; 47 Stat. 405; 56 Stat. 39; 5 U. S. C. 821-823, 827-833).

Separate bond.

Deposit.

5 U. S. C. §§ 821-823, 824-833; Supp. V, § 823.

PART C—GIFTS

SEC. 1021. (a) The Secretary may accept on behalf of the United States gifts made unconditionally by will or otherwise for the benefit of the Service or for the carrying out of any of its functions. Conditional gifts may be so accepted if recommended by the Director General, and the principal of and income from any such conditional gift shall be held, invested, reinvested, and used in accordance with its conditions, but no gift shall be accepted which is conditioned upon any expenditure not to be met therefrom or from the income thereof unless such expenditure has been approved by Act of Congress.

Acceptance for benefit of Service.

(b) Any unconditional gift of money accepted pursuant to the authority granted in paragraph (a) of this section, the net proceeds from the liquidation (pursuant to paragraph (c) or paragraph (d) of this section) of any other property so accepted, and the proceeds of insurance on any such gift property not used for its restoration, shall be deposited in the Treasury of the United States and are hereby appropriated and shall be held in trust by the Secretary of the Treasury for the benefit of the Service, and he may invest and reinvest such funds in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Such gifts and the income from such investments shall be available for expenditure in the operation of the Service and the performance of its functions, subject to the same examination and audit as is provided for appropriations made for the Service by Congress.

Deposit of money, etc.

Investment.

Availability for expenditure.

(c) The evidences of any unconditional gift of intangible personal property, other than money, accepted pursuant to the authority granted in paragraph (a) of this section, shall be deposited with the Secretary of the Treasury and he, in his discretion, may hold them, or liquidate them except that they shall be liquidated upon the request of the Secretary whenever necessary to meet payments required in the operation of the Service or the performance of its functions. The proceeds and income from any such property held by the Secretary of the Treasury shall be available for expenditure as is provided in paragraph (b) of this section.

Intangible personal property.

Real property and
tangible personal
property.

Availability of in-
come for expenditure.

Liquidation of
property.

Taxes.

(d) The Secretary shall hold any real property or any tangible personal property accepted unconditionally pursuant to the authority granted in paragraph (a) of this section and he shall permit such property to be used for the operation of the Service and the performance of its functions or he may lease or hire such property, and may insure such property, and deposit the income thereof with the Secretary of the Treasury to be available for expenditure as provided in paragraph (b) of this section. The income from any such real property or tangible personal property shall be available for expenditure in the discretion of the Secretary for the maintenance, preservation, or repair and insurance of such property and any proceeds from insurance may be used to restore the property insured. Any such property when not required for the operation of the Service or the performance of its functions may be liquidated by the Secretary, and the proceeds thereof deposited with the Secretary of the Treasury, whenever in his judgment the purposes of the gifts will be served thereby.

(e) For the purpose of Federal income, estate, and gift taxes, any gift, devise, or bequest accepted by the Secretary under authority of this Act shall be deemed to be a gift, devise, or bequest to or for the use of the United States.

PART D—AUTHORIZATION TO RETAIN ATTORNEYS

SEC. 1031. The Secretary may, without regard to sections 189 and 365 of the Revised Statutes (5 U. S. C. 49 and 314), authorize a principal officer to procure legal services whenever such services are required for the protection of the interests of the Government or to enable an officer or employee of the Service to carry on his work efficiently.

PART E—DELEGATION OF AUTHORITY

Powers of Secretary.

SEC. 1041. (a) The Secretary may delegate to officers or employees holding positions of responsibility in the Department or the Service or to such boards as he may continue or establish any of the powers conferred upon him by this Act to the extent that he finds such delegation to be in the interests of the efficient administration of the Service.

Powers of Director
General.

(b) The Director General may delegate to officers or employees holding positions of responsibility in the Department or the Service any of the powers conferred upon him by this Act to the extent that he finds such delegation to be in the interests of the efficient administration of the Service.

PART F—EXEMPTION FROM TAXATION

26 U. S. C., Supp.
v. § 116.

SEC. 1051. Section 116 of the Internal Revenue Code, as amended (53 Stat. 48; 53 Stat. 575; 56 Stat. 842; 58 Stat. 46; 26 U. S. C. 116), relative to exclusions from gross income, is further amended by adding at the end thereof a new subsection to read as follows:

Allowances, etc.

Ante, p. 1025.

“(k) In the case of an officer or employee of the Foreign Service of the United States, amounts received by such officer or employee as allowances or otherwise under the terms of title IX of the Foreign Service Act of 1946.”

PART G—INTERPRETATION OF THE ACT

LIBERAL-CONSTRUCTION CLAUSE

SEC. 1061. The provisions of this Act shall be construed liberally in order to effectuate its purpose.

PROVISIONS THAT MAY BE HELD INVALID

SEC. 1062. If any provision of this Act or the application of any such provision to any person or circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

HEADINGS OF TITLES, PARTS, AND SECTIONS

SEC. 1063. The headings descriptive of the various titles, parts, and sections of this Act are inserted for convenience only, and, in case of any conflict between any such heading and the substance of the title, part, or section to which it relates, the heading shall be disregarded.

PROVISIONS OF THE ACT OF JULY 3, 1946

SEC. 1064. Nothing in this Act shall be construed to affect the provisions of sections 1, 2, 3, and 4 of the Act of July 3, 1946 (Public Law 488, Seventy-ninth Congress). The "classified grades" within the meaning of that Act shall, from and after the effective date of this Act, be construed to mean classes 1 to 5, inclusive.

Ante, p. 426.

PART H—AUTHORIZATION FOR APPROPRIATIONS

SEC. 1071. Appropriations to carry out the purposes of this Act are hereby authorized.

TITLE XI—TEMPORARY PROVISIONS

PART A—TEMPORARY PROVISIONS CONCERNING APPOINTMENTS AND SALARIES OF OFFICERS AND EMPLOYEES OF THE SERVICE

REINSTATEMENT OF CHIEFS OF MISSION WHO ARE FORMER FOREIGN SERVICE OFFICERS

SEC. 1101. Any person who on the effective date of this Act is a chief of mission and who has previously been a Foreign Service officer may be reinstated as a Foreign Service officer in the class of career minister.

TRANSFER OF FOREIGN SERVICE OFFICERS FROM OLD CLASSES TO NEW CLASSES

SEC. 1102. (a) Foreign Service officers on active service on the effective date of this Act shall, by virtue of this Act, be transferred from the classes in which they are serving on such date to the new classes established by this Act as follows: Officers of class I to the new class 1; officers of class II to the new class 2; officers of classes III and IV to the new class 3; officers of classes V and VI, to the new class 4; officers of classes VII and VIII, to the new class 5; officers in the unclassified grade, to the new class 6.

(b) Each officer so transferred shall under such regulations as the Secretary may prescribe receive that salary in the new class which shall as nearly as possible correspond to his relative standing in the Service.

Salary.

(c) Whenever, in accordance with the provisions of paragraph (a) of this section, the officers in a new class shall be officers who previously served in two former classes that were combined to form the new class, the period of minimum service in class for the purposes of determining eligibility for promotion in accordance with the provisions of section 622, shall commence to run from the date of their promotion to the lower of the two classes from which the new class is composed and from the date of their promotion to the higher of the two classes from which the new class is composed for the purposes of computing the

Service in two former classes combined to form new class.

Ante, p. 1014.

minimum period an officer shall serve in a class before the commencement of the period during which he must obtain a promotion in order to prevent being retired. In all other cases, service in a former class shall be considered as constituting service in the new class for the purposes of section 622.

TRANSFER OF OTHER OFFICERS AND EMPLOYEES OF THE SERVICE FROM THEIR
PRESENT POSITIONS TO NEW POSITIONS

SEC. 1103. The Secretary shall, under such regulations as he may prescribe, provide for the transfer of the personnel of the Service, other than persons occupying positions which under the terms of this Act constitute them chiefs of mission and Foreign Service officers, to corresponding positions established by the terms of this Act or by any regulations issued pursuant thereto.

IN-CLASS PROMOTIONS

Credit for time served in previous class.

SEC. 1104. In making transfers of personnel in accordance with the provisions of sections 1102 and 1103, credit for time served in a previous class or position shall be given for the purpose of determining eligibility for in-class promotions in a new class in the same manner as if such time had been served in the new class.

RULES GOVERNING THE MAKING OF SALARY DETERMINATIONS IN CARRYING
OUT AN INITIAL CLASSIFICATION OF THE SERVICE

SEC. 1105. In making the initial classification of the Service for Foreign Service staff officers and employees in accordance with the provisions of sections 441 and 442, the following rules shall apply:

Ante, pp. 1006, 1006.

(1) The principle of equal compensation for equal work, irrespective of sex, shall be followed.

(2) If an officer or employee is receiving basic salary at less than the minimum rate of the class or subclass to which the position he holds is allocated, his salary shall be increased to the lowest basic salary of that class or subclass.

(3) If an officer or employee is receiving a basic salary within the range provided for the class or subclass to which the position he holds is allocated, and at one of the rates within that range, no change shall be made in his basic salary; if his basic salary rate is within the range but does not correspond to any one of the rates prescribed for that range by section 415, his salary shall be adjusted by fixing it at the next higher rate above the rate which he is receiving.

Ante, p. 1003.

(4) If an officer or employee is receiving basic salary at a rate in excess of the maximum basic salary rate provided by section 415 for the class or subclass to which the position he holds is allocated in accordance with the provisions of section 1103, he shall not suffer a diminution in salary as a consequence of the classification of the position which he holds so long as he continues to occupy that position, but if he is not receiving salary at one of the rates prescribed in section 415, his salary shall be adjusted by fixing it at the next higher rate above the rate which he is receiving.

Ante, p. 1003.

PART B—TEMPORARY PROVISIONS CONCERNING RETIREMENT

MANDATORY RETIREMENT

Ante, p. 1015.

SEC. 1111. (a) Notwithstanding the provisions of section 632 regarding the retirement of Foreign Service officers at the age of sixty years, Foreign Service officers below the class of career minister shall, during the first year after the effective date of this Act, be mandatorily retired for age upon reaching the age of sixty-four unless their services have

been extended in accordance with the provisions of section 632; during the second year, at age sixty-three; during the third year, at age sixty-two; during the fourth year, at age sixty-one; and, thereafter, at age sixty, but in no event shall any Foreign Service officer be mandatorily retired for age during such four-year period until he has had fifteen years of service.

(b) No Foreign Service officer shall be mandatorily retired in accordance with provisions of section 633 or 634 until three years after the effective date of this Act.

Restriction.
Ante, p. 1015.

RATE OF ANNUITIES TO BE RECOMPUTED

SEC. 1112. The Secretary shall cause annuities of all persons who are receiving annuities from the Foreign Service Retirement and Disability Fund on the effective date of this Act to be recomputed in accordance with the provisions of section 821 (a) and annuities payable to such persons shall, commencing on the effective date of this Act, be paid at the rates so determined, but no such recomputation or any other action taken pursuant to this Act shall operate to reduce the rate of the annuity received by any such person unless such person voluntarily elects to receive a reduced annuity as provided in section 821 (c).

Ante, p. 1020.

Reduction of rate.

Ante, p. 1021.

PART C—MISCELLANEOUS TEMPORARY PROVISIONS

BONDS

SEC. 1121. The provisions of this Act shall not operate to impair the validity of any existing bond furnished by any officer or employee of the Service.

USE OF APPROPRIATIONS

SEC. 1122. Funds appropriated to the Department of State for the fiscal year 1947, under the caption "Foreign Service", are hereby made available for the purposes of this Act in accordance with authority granted herein and such regulations as the Secretary may prescribe. The appropriation of such additional funds as may be required to carry out the provisions of this Act is hereby authorized.

Ante, p. 448.

Appropriations authorized.

PART D—REPEAL CLAUSES

REPEAL OF PARTICULAR STATUTES

SEC. 1131. The following statutes or parts of statutes are hereby repealed:

(1) Section 208 of the Revised Statutes, as amended by the Act of May 29, 1928 (ch. 901, Public Law Numbered 611, 45 Stat. 987) (5 U. S. C. 163).

Ante, p. 800.

(2) Section 1674 of the Revised Statutes, as amended by section 6 of the Act of February 5, 1915 (ch. 23, Public Law Numbered 242, 38 Stat. 806), and as further amended by the Act of March 3, 1875 (ch. 153, 18 Stat. 483), and by that part of the Act of July 1, 1916 (ch. 208, Public Law Numbered 131, 39 Stat. 252), which constitutes the second proviso under the heading "Salaries of Secretaries in the Diplomatic Service" (22 U. S. C. 40 and 51).

(3) Section 1675 of the Revised Statutes as amended by the Act of March 3, 1875 (ch. 153, 18 Stat. 483), and by that part of title I of the Act of February 27, 1925 (ch. 364, Public Law Numbered 502, 43 Stat. 1015), under the heading "Diplomatic and Consular Service" and the subheading "Ambassadors and Ministers" (22 U. S. C. 32).

(4) Section 1685 of the Revised Statutes as amended by schedule A of the Act of March 2, 1909 (ch. 235, Public Law Numbered 292, 35

Stat. 673), and as further amended by section 3 of the Act of February 5, 1915 (ch. 23, Public Law Numbered 242, 38 Stat. 805), section 17 of the Act of May 24, 1924 (ch. 182, Public Law Numbered 135, 43 Stat. 143), hereinafter referred to as the Act of May 24, 1924, and by that part of title I of the Act of February 27, 1925 (ch. 364, Public Law Numbered 502, 43 Stat. 1016), which reads as follows: "Provided, That after June 30, 1924, vice consuls while in charge of a consulate general or consulate during the absence of the principal officer shall be entitled to additional compensation in the same manner and under the same conditions as Foreign Service officers as provided in section 17 of the Act of May 24, 1924," renumbered as section 25 and further amended by section 7 of the Act of February 23, 1931 (ch. 276, Public Law Numbered 715, 46 Stat. 1210), hereinafter referred to as the Act of February 23, 1931 (22 U. S. C. 20).

(5) Section 1686 of the Revised Statutes (22 U. S. C. 36).

(6) Section 1688 of the Revised Statutes (22 U. S. C. 39).

(7) Section 1695 of the Revised Statutes and section 3 of the Act of April 5, 1906 (ch. 1366, Public Law Numbered 83, 34 Stat. 100), which reenacted certain parts of section 1695 of the Revised Statutes without specifically amending such section (22 U. S. C. 51a and 55).

(8) Section 1696 of the Revised Statutes (22 U. S. C. 58).

(9) Section 1712 of the Revised Statutes, as amended by the Act of June 18, 1888 (ch. 393, 25 Stat. 186) (22 U. S. C. 80).

(10) Section 1713 of the Revised Statutes, as amended by the Act of June 18, 1888 (ch. 393, 25 Stat. 186) (22 U. S. C. 82).

(11) Section 1714 of the Revised Statutes (22 U. S. C. 71).

(12) Section 1738 of the Revised Statutes (22 U. S. C. 105).

(13) Section 1740 of the Revised Statutes (22 U. S. C. 121).

(14) Section 1743 of the Revised Statutes (22 U. S. C. 125).

(15) Section 1744 of the Revised Statutes (22 U. S. C. 33).

(16) Section 1748 of the Revised Statutes (22 U. S. C. 129).

(17) Section 1749 of the Revised Statutes (22 U. S. C. 130).

(18) Section 1752 of the Revised Statutes (22 U. S. C. 132).

(19) That part of section 1 of the Act of June 11, 1874 (ch. 275, 18 Stat. 67), which reads as follows: "And the Secretary of State is authorized to allow and pay to the secretary of legation and to the second secretary of legation and to the messenger of the legation in Paris, from the moneys collected at the legation for the transmission of consular invoices, an amount not to exceed in the aggregate six hundred dollars in any one year, to be divided and distributed as the Secretary of State may direct, provided that the surplus receipts are sufficient for that purpose" (22 U. S. C. 37).

(20) Section 4 of the Act of June 11, 1874 (ch. 275, 18 Stat. 70) (22 U. S. C. 122).

(21) The Act of June 17, 1874 (ch. 294, 18 Stat. 77) (22 U. S. C. 124 and 126).

(22) That part of the Act of January 27, 1879 (ch. 28, 20 Stat. 273), which reads as follows: "And it shall be the duty of consuls to make to the Secretary of State a quarterly statement of exports from, and imports to, the different places to which they are accredited, giving, as near as may be, the market price of the various articles of exports and imports, the duty and port charges, if any, on articles imported and exported, together with such general information as they may be able to obtain as to how, where, and through what channels a market may be opened for American products and manufactures. In addition to the duties now imposed by law, it shall be the duty of consuls and commercial agents of the United States, annually, to procure and transmit to the Department of State, as far as practicable, information respecting the rate of wages paid for skilled and

unskilled labor within their respective jurisdictions." (22 U. S. C. 81.)

(23) That part of section 5 of the Act of February 14, 1903 (ch. 552, Public Law Numbered 87, 32 Stat. 827), reading as follows: "And all consular officers of the United States, including consuls-general, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, useful and material information and statistics in respect to the subjects enumerated in section 3 of this Act in the countries and places to which such consular officers are accredited, and to send under the direction of the Secretary of State, reports as required by the Secretary of Commerce and Labor of the information and statistics thus gathered and compiled, such reports to be transmitted through the Department of State to the Secretary of the Department of Commerce and Labor," as amended by section 3 of the Act of April 5, 1906 (ch. 1366, Public Law Numbered 83, 34 Stat. 100); by the Act of August 23, 1912 (ch. 350, Public Law Numbered 299, 37 Stat. 407), and by the Act of March 4, 1913 (ch. 141, Public Law Numbered 426, 37 Stat. 736) (15 U. S. C. 175).

(24) Section 11 of the Act of February 14, 1903 (ch. 552, Public Law Numbered 87, 32 Stat. 830) (5 U. S. C. 162).

(25) Section 4 of the Act of April 5, 1906 (ch. 1366, Public Law Numbered 83, 34 Stat. 100), as amended by section 10 of the Act of May 24, 1924 (43 Stat. 142), and renumbered as section 17 and further amended by section 7 of the Act of February 23, 1931 (46 Stat. 1209) (22 U. S. C. 9).

(26) That part of section 8 of the Act of April 5, 1906 (ch. 1366, Public Law Numbered 83, 34 Stat. 101), reading as follows: "but this shall not apply to consular agents, who shall be paid by one-half of the fees received in their offices, up to a maximum sum of one thousand dollars in any one year, the other half being accounted for and paid into the Treasury of the United States" (22 U. S. C. 99).

(27) That part of schedule A of the Act of March 2, 1909 (ch. 235, Public Law Numbered 292; 35 Stat. 672), which reads as follows: "And hereafter no new ambassadorship shall be created unless the same shall be provided for by Act of Congress." (22 U. S. C. 31.)

(28) Section 7 of the Act of February 5, 1915 (ch. 23, Public Law Numbered 242, 38 Stat. 807), as amended by section 12 of the Act of May 3, 1945 (ch. 105, Public Law Numbered 48; 59 Stat. 105, hereinafter referred to as the Act of May 3, 1945 (22 U. S. C. 38)).

(29) That part of the Act of July 1, 1916, which, under the heading "Salaries of Secretaries in the Diplomatic Service," authorizes the President to designate and assign any secretary of class one as counselor of embassy or legation (39 Stat. 252), as amended by section 16 of the Act of May 24, 1924 (43 Stat. 143), and renumbered as section 23 by section 7 of the Act of February 23, 1931 (46 Stat. 1210) (22 U. S. C. 18).

(30) The joint resolution of September 29, 1919 (ch. 72, Public Resolution Numbered 16, 41 Stat. 291) (22 U. S. C. 34).

(31) That part of the Act of June 1, 1922 (ch. 204, Public Law Numbered 229, 42 Stat. 600), which under the heading "Diplomatic and Consular Service" and subheading "Ambassadors and Ministers" in title I authorizes the appointment of an envoy extraordinary and minister plenipotentiary to Egypt (22 U. S. C. 34c).

(32) Section 1 of the Act of May 24, 1924 (43 Stat. 140), renumbered as section 8 by section 7 of the Act of February 23, 1931 (46 Stat. 1207) (22 U. S. C. 1).

(33) Section 2 of the Act of May 24, 1924 (43 Stat. 140), renumbered as section 9 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1207) (22 U. S. C. 2).

22 U. S. C., Supp.
V, § 24.
Post, p. 1040.

(34) Section 3 of the Act of May 24, 1924 (43 Stat. 140), renumbered as section 10 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1207), and as further amended by section 2 of the Act of April 24, 1939 (ch. 84, Public Law Numbered 40, 53 Stat. 583), and by sections 4 and 5 of the Act of May 3, 1945 (59 Stat. 102, 103) (22 U. S. C. 3).

22 U. S. C., Supp.
V, § 3.

(35) Section 4 of the Act of May 24, 1924 (43 Stat. 140), renumbered as section 11 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1215), and as further amended by the Act of June 29, 1935 (ch. 337, Public Law Numbered 181, 49 Stat. 436) (22 U. S. C. 4).

(36) Section 5 of the Act of May 24, 1924 (43 Stat. 141), renumbered as section 12 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1208) (22 U. S. C. 5 and 6).

(37) Section 6 of the Act of May 24, 1924 renumbered as sections 13 and 14, and amended by section 7 of the Act of February 23, 1931, and as further amended by section 6 of the Act of May 3, 1945 (59 Stat. 103) (22 U. S. C. 7).

43 Stat. 141; 46 Stat.
1208.
22 U. S. C., Supp.
V, § 7.

(38) Section 9 of the Act of May 24, 1924 (43 Stat. 142), renumbered as section 16 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1208), and further amended by section 7 of the Act of May 3, 1945 (59 Stat. 103) (22 U. S. C. 11).

22 U. S. C., Supp.
V, § 11.

(39) Section 12 of the Act of May 24, 1924 (43 Stat. 142), renumbered as section 19 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1209), and further amended by section 8 of the Act of May 3, 1945 (59 Stat. 104) (22 U. S. C. 12).

22 U. S. C., Supp.
V, § 12.

(40) Section 13 of the Act of May 24, 1924 (43 Stat. 143), renumbered as section 20 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1209) (22 U. S. C. 14).

(41) Section 14 of the Act of May 24, 1924 (43 Stat. 143), renumbered as section 21 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1209), and further amended by section 9 of the Act of May 3, 1945 (59 Stat. 104) (22 U. S. C. 15 and 16).

22 U. S. C., Supp.
V, §§ 15, 16.

(42) Section 15 of the Act of May 24, 1924 (43 Stat. 143), renumbered as section 22 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1210), and further amended by the Act of March 17, 1941 (ch. 20, Public Law Numbered 17, 55 Stat. 44) (22 U. S. C. 17 and 17a).

22 U. S. C., Supp.
V, § 17.

(43) Paragraph 1 of section 17 of the Act of May 24, 1924 (43 Stat. 143), renumbered as section 24 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1210) (22 U. S. C. 19).

(44) Section 18 of the Act of May 24, 1924 (43 Stat. 144), as amended by section 1 of the Act of July 3, 1926 (ch. 798, Public Law Numbered 519, 44 Stat. 902), renumbered as section 26 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1211), further amended by section 3 of the Act of April 24, 1939 (ch. 84, Public Law Numbered 40, 53 Stat. 584), by the Act of July 19, 1939 (ch. 330, Public Law Numbered 197, 53 Stat. 1067), by the Act of August 5, 1939 (ch. 441, Public Law Numbered 277, 53 Stat. 1208), by section 1 of the Act of April 20, 1940 (ch. 118, Public Law Numbered 464, 54 Stat. 143), by section 4 of the Act of October 14, 1940 (ch. 859, Public Law Numbered 846, 54 Stat. 1118), and by section 1 of the Act of May 13, 1941 (ch. 115, Public Law Numbered 69, 55 Stat. 189) (22 U. S. C. 21).

22 U. S. C., Supp.
V, § 21.

(45) Section 19 of the Act of May 24, 1924 (43 Stat. 146), renumbered as section 27 by section 7 of the Act of February 23, 1931 (46 Stat. 1213) (22 U. S. C. 22).

(46) Section 20 of the Act of May 24, 1924 (43 Stat. 146), renumbered as section 28 and amended by section 7 of the Act of February 23, 1931 (46 Stat. 1213) (22 U. S. C. 23).

(47) Section 31 of the Act of May 24, 1924, as added to that Act by section 7 of the Act of February 23, 1931 (46 Stat. 1214), and as amended by section 10 of the Act of May 3, 1945 (59 Stat. 105) (22 U. S. C. 23f and 23g).

(48) Section 32 of the Act of May 24, 1924, as added to that Act by section 7 of the Act of February 23, 1931 (46 Stat. 1214), and as amended by section 5 of the Act of July 3, 1946 (Public Law 488, Seventy-ninth Congress) (22 U. S. C. 23h).

(49) Section 33 of the Act of May 24, 1924, as added to that Act by section 7 of the Act of February 23, 1931 (46 Stat. 1215), and as amended by section 4 of the Act of April 24, 1939 (ch. 84, Public Law Numbered 40, 53 Stat. 588) (22 U. S. C. 3a and 23i).

(50) Section 34 of the Act of May 24, 1924, as added to that Act by section 7 of the Act of February 23, 1931 (46 Stat. 1216) (22 U. S. C. 23j).

(51) That part of the Act of February 27, 1925 (ch. 364, Public Law Numbered 502, 43 Stat. 1017), which under the heading "Diplomatic and Consular Service" and the subheading "Allowance for Clerk Hire at United States Consulates" reads as follows: "Clerks, whenever hereafter appointed, shall so far as possible, be appointed under civil-service rules and regulations", and similar provisions in later Acts (22 U. S. C. 56).

(52) That part of the Act of February 27, 1925 (ch. 364, Public Law Numbered 502, 43 Stat. 1016), which under the heading "Diplomatic Service" and the subheading "Clerks at Embassies and Legations", reads as follows: "who (clerks at the embassies and legations) whenever hereafter appointed shall be citizens of the United States * * * and so far as practicable shall be appointed under civil-service rules and regulations", and similar provisions in later Acts (22 U. S. C. 35).

(53) Section 2 of the Act of July 3, 1926 (ch. 798, Public Law Numbered 519, 44 Stat. 903) (22 U. S. C. 21a).

(54) Sections 1, 2, 3, 4, 5, and 7 of the Act of March 3, 1927 (ch. 365, Public Law Numbered 768, 44 Stat. 1394), as amended by the Act of April 12, 1930 (ch. 142, Public Law Numbered 122, 46 Stat. 163) (15 U. S. C. 197-197d and 197f).

(55) The Joint Resolution of January 22, 1930 (ch. 22, Public Resolution Numbered 32, 46 Stat. 57) (22 U. S. C. 34a).

(56) The Act of June 5, 1930 (ch. 399, Public Law Numbered 304, 46 Stat. 497-499) (7 U. S. C. 541-545).

(57) The Joint Resolution of June 5, 1930 (ch. 404, Public Resolution Numbered 81, 46 Stat. 502) (22 U. S. C. 34b).

(58) The Act of January 21, 1931 (ch. 42, Public Law Numbered 569, 46 Stat. 1040) (22 U. S. C. 32a).

(59) Section 1 of the Act of February 23, 1931 (46 Stat. 1207), as amended by section 2 of the Act of May 3, 1945 (59 Stat. 102) (22 U. S. C. 23a).

(60) Section 2 of the Act of February 23, 1931 (46 Stat. 1207) (22 U. S. C. 23b).

(61) Section 3 of the Act of February 23, 1931 (46 Stat. 1207), as amended by section 1 of the Act of April 24, 1939 (ch. 84, Public Law Numbered 40, 53 Stat. 583), and as further amended by section 3 of the Act of May 3, 1945 (59 Stat. 102) (22 U. S. C. 23c).

(62) Section 4 of the Act of February 23, 1931 (46 Stat. 1207) (22 U. S. C. 23d).

(63) Section 5 of the Act of February 23, 1931 (46 Stat. 1207) (22 U. S. C. 23e).

22 U. S. C., Supp.
V, §§ 23f, 23g.

Ante, p. 427.

22 U. S. C., Supp.
V, § 32a note.

22 U. S. C., Supp.
V, § 23a.

22 U. S. C., Supp.
V, § 23c.

(64) That part of section 209 of the Act of June 30, 1932 (ch. 314, Public Law Numbered 212, 47 Stat. 405), as amended, which was added to that Act by the Act of April 30, 1940 (ch. 172, Public Law Numbered 499, 54 Stat. 174) (5 U. S. C. 823a).

(65) That part of Reorganization Plan Numbered II, made effective July 1, 1939, by the Act of June 7, 1939 (ch. 193, Public Resolution Numbered 20, 53 Stat. 813), designated as subparagraphs (a), (b), and (c) under section 1 of part 1 (53 Stat. 1431) (note under 5 U. S. C. 133t).

22 U. S. C., Supp.
V, § 1a.

(66) Section 1 of the Act of May 3, 1945 (59 Stat. 102) (22 U. S. C. 1a).

22 U. S. C., Supp.
V, § 24.

(67) Section 12 of the Act of May 3, 1945 (59 Stat. 105) (22 U. S. C. 24).

GENERAL REPEAL OR AMENDMENT PROVISION

SEC. 1132. Any statute that is not repealed by section 1131 but which is inconsistent with any of the provisions of this Act shall be considered as having been amended or superseded by such provisions.

RIGHTS AND LIABILITIES UNDER STATUTES THAT ARE REPEALED

SEC. 1133. The repeal of the several statutes or parts of statutes accomplished by section 1131 shall not affect any act done or right accruing or accrued, or any suit or proceeding had or commenced in any civil cause, before such repeal, but all rights and liabilities under the statutes or parts thereof so repealed shall continue, and may be enforced in the same manner as if such repeal had not been made; subject, however, to the provisions of section 1134.

STATUTES PREVIOUSLY REPEALED BY IMPLICATION

SEC. 1134. The repeal of the several statutes or parts of statutes accomplished by section 1131 shall not be construed as a revival, up to the effective date of this Act, of any statute or part of a statute that may have previously been repealed by implication.

CONTINUANCE IN FORCE OF EXISTING RULES, REGULATIONS, AND EXECUTIVE ORDERS

SEC. 1135. Notwithstanding the provisions of this Act, existing rules, regulations of or applicable to the Service, and Executive orders shall remain in effect until revoked or rescinded or until modified or superseded by regulations made in accordance with the provisions of this Act, unless clearly inconsistent with the provisions of this Act.

PART E—EFFECTIVE DATE OF ACT

SEC. 1141. The effective date of this Act shall be three months following the date of its enactment.

Approved August 13, 1946.

[CHAPTER 958]

AN ACT

To amend the Public Health Service Act to authorize grants to the States for surveying their hospitals and public health centers and for planning construction of additional facilities, and to authorize grants to assist in such construction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Hospital Survey and Construction Act".

August 13, 1946

[S. 191]

[Public Law 725]

Hospital Survey
and Construction Act.

SEC. 2. The Public Health Service Act (consisting of titles I to V, inclusive, of the Act of July 1, 1944, 58 Stat. 682) is hereby amended by adding at the end thereof the following new title:

“TITLE VI—CONSTRUCTION OF HOSPITALS

“PART A—DECLARATION OF PURPOSE

“SEC. 601. The purpose of this title is to assist the several States—

“(a) to inventory their existing hospitals (as defined in section 631 (e)), to survey the need for construction of hospitals, and to develop programs for construction of such public and other nonprofit hospitals as will, in conjunction with existing facilities, afford the necessary physical facilities for furnishing adequate hospital, clinic, and similar services to all their people; and

“(b) to construct public and other nonprofit hospitals in accordance with such programs.

“PART B—SURVEYS AND PLANNING

“AUTHORIZATION OF APPROPRIATION

“SEC. 611. In order to assist the States in carrying out the purposes of section 601 (a), there is hereby authorized to be appropriated the sum of \$3,000,000, to remain available until expended. The sums appropriated under this section shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State applications for funds for carrying out such purposes.

“STATE APPLICATIONS

“SEC. 612. (a) To be approved, a State application for funds for carrying out the purposes of section 601 (a) must—

“(1) designate a single State agency as the sole agency for carrying out such purposes: *Provided*, That after a State plan has been approved under section 623, any further survey or programming functions shall be carried out, pursuant to section 623 (a) (10), by the agency designated in accordance with section 623 (a) (1);

“(2) provide for the designation of a State advisory council, which shall include representatives of nongovernment organizations or groups, and of State agencies, concerned with the operation, construction, or utilization of hospitals, including representatives of the consumers of hospital services selected from among persons familiar with the need for such services in urban or rural areas, to consult with the State agency in carrying out such purposes;

“(3) provide for making an inventory and survey in accordance with section 601 (a) containing all information required by the Surgeon General, and for developing a program in accordance with section 601 (a) and with regulations prescribed under section 622; and

“(4) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and give the Surgeon General, upon demand, access to the records on which such reports are based.

“(b) The Surgeon General shall approve any application for funds which complies with the provisions of subsection (a).

42 U. S. C., Supp. V, §§ 201-209, 210-220, 241-286.
Anle, pp. 30, 421 *et seq.*; *post*, p. 1049.
Anle, p. 914.

Post, p. 1047.

State agency.

State advisory council.

Inventory and survey.

Reports.

Approval of application.

“ALLOTMENTS TO STATES

Minimum; certifi-
cation.

“SEC. 613. (a) Each State for which a State application under section 612 has been approved shall be entitled to an allotment of such proportion of any appropriation made pursuant to section 611 as its population bears to the population of all the States, and within such allotment it shall be entitled to receive 33½ per centum of its expenditures in carrying out the purposes of section 601 (a) in accordance with its application: *Provided*, That no such allotment to any State shall be less than \$10,000. The Surgeon General shall from time to time estimate the sum to which each State will be entitled under this section, during such ensuing period as he may determine, and shall thereupon certify to the Secretary of the Treasury the amount so estimated, reduced or increased, as the case may be, by any sum by which the Surgeon General finds that his estimate for any prior period was greater or less than the amount to which the State was entitled for such period. The Secretary of the Treasury shall thereupon, prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Surgeon General, the amount so certified.

Repayment.

“(b) Any funds paid to a State under this section and not expended for the purposes for which paid shall be repaid to the Treasury of the United States.

“PART C—CONSTRUCTION OF HOSPITALS AND RELATED FACILITIES

“AUTHORIZATION OF APPROPRIATIONS

“SEC. 621. In order to assist the States in carrying out the purposes of section 601 (b) there is hereby authorized to be appropriated for the fiscal year ending June 30, 1947, and for each of the four succeeding fiscal years, the sum of \$75,000,000 for the construction of public and other nonprofit hospitals; and there are further authorized to be appropriated for such construction the sums provided in section 624. The sums appropriated pursuant to this section shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State plans for carrying out the purposes of section 601 (b); and for making payments to political subdivisions of, and public or other nonprofit agencies in, such States.

“GENERAL REGULATIONS

“SEC. 622. Within six months after the enactment of this title, the Surgeon General, with the approval of the Federal Hospital Council and the Administrator, shall by general regulation prescribe—

Distribution of
beds.

Maximum allow-
ance.

“(a) The number of general hospital beds required to provide adequate hospital services to the people residing in a State, and the general method or methods by which such beds shall be distributed among base areas, intermediate areas, and rural areas: *Provided*, That for the purposes of this title, the total of such beds for any State shall not exceed four and one-half per thousand population, except that in States having less than twelve and more than six persons per square mile the limit shall be five beds per thousand population, and in States having six persons or less per square mile the limit shall be five and one-half beds per thousand population; but if, in any area (as defined in the regulations) within the State, there are more beds than required by the standards prescribed by the Surgeon General, the excess over such standards may be eliminated in calculating this maximum allowance.

Beds for tubercu-
lous, etc., patients.

“(b) The number of beds required to provide adequate hospital services for tuberculous patients, mental patients, and chronic-disease

patients in a State, and the general method or methods by which such beds shall be distributed throughout the State: *Provided*, That for the purposes of this title the total number of beds for tuberculous patients shall not exceed two and one-half times the average annual deaths from tuberculosis in the State over the five-year period from 1940 to 1944, inclusive, the total number of beds for mental patients shall not exceed five per thousand population, and the total number of beds for chronic-disease patients shall not exceed two per thousand population.

Maximum allowance.

“(c) The number of public health centers and the general method of distribution of such centers throughout the State, which for the purposes of this title, shall not exceed one per thirty thousand population, except that in States having less than twelve persons per square mile, it shall not exceed one per twenty thousand population.

Distribution of public health centers.

“(d) The general manner in which the State agency shall determine the priority of projects based on the relative need of different sections of the population and of different areas lacking adequate hospital facilities, giving special consideration to hospitals serving rural communities and areas with relatively small financial resources.

Manner of determining priority of projects.

“(e) General standards of construction and equipment for hospitals of different classes and in different types of location.

Standards of construction and equipment.

“(f) That the State plan shall provide for adequate hospital facilities for the people residing in a State, without discrimination on account of race, creed, or color, and shall provide for adequate hospital facilities for persons unable to pay therefor. Such regulation may require that before approval of any application for a hospital or addition to a hospital is recommended by a State agency, assurance shall be received by the State from the applicant that (1) such hospital or addition to a hospital will be made available to all persons residing in the territorial area of the applicant, without discrimination on account of race, creed, or color, but an exception shall be made in cases where separate hospital facilities are provided for separate population groups, if the plan makes equitable provision on the basis of need for facilities and services of like quality for each such group; and (2) there will be made available in each such hospital or addition to a hospital a reasonable volume of hospital services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial standpoint.

Adequate hospital facilities.

Availability to all persons.

Exception.

Persons unable to pay.

“(g) General methods of administration of the plan by the designated State agency, subject to the limitations set forth in section 623 (a) (6) and (8).

Methods of administration.

“STATE PLANS

“SEC. 623. (a) After such regulations have been issued, any State desiring to take advantage of this part may submit a State plan for carrying out the purposes of section 601 (b). Such State plan must—

Sole administrative agency.

“(1) designate a single State agency as the sole agency for supervising the administration of the plan;

Evidence of authority.

“(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) hereof will have authority to carry out such plan in conformity with this part;

State advisory council.

“(3) provide for the designation of a State advisory council which shall include representatives of nongovernment organizations or groups, and of State agencies, concerned with the operation, construction, or utilization of hospitals, including representatives of the consumers of hospital services selected from among persons familiar with the need for such services in urban or rural areas, to consult with the State agency in carrying out such plans;

Hospital construction program.

"(4) set forth a hospital construction program (A) which is based on a State-wide inventory of existing hospitals and survey of need; (B) which conforms with the regulations prescribed by the Surgeon General under section 622 (a), (b), and (c); (C) which, in the case of a State which has developed a program under part B of this title, conforms to the program so developed except for any modification required in order to comply with regulations prescribed pursuant to section 622 (a), (b), and (c), and except for any modification recommended by the State agency designated pursuant to paragraph (1) of this subsection and approved by the Surgeon General; and (D) which meets the requirements as to lack of discrimination on account of race, creed, or color, and for furnishing needed hospital services to persons unable to pay therefor, required by regulations prescribed under section 622 (f);

Need for projects, etc.

"(5) set forth the relative need determined in accordance with the regulations prescribed under section 622 (d) for the several projects included in such programs, and provide for the construction, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

Methods of administration.

"(6) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as the Surgeon General prescribes by regulation under section 622 (g);

Minimum standards.

"(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of hospitals which receive Federal aid under this part;

Hearings.

"(8) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

Reports.

"(9) provide that the State agency will make such reports in such form and containing such information as the Surgeon General may from time to time reasonably require, and give the Surgeon General, upon demand, access to the records upon which such information is based; and

Review of construction program.

"(10) provide that the State agency will from time to time review its hospital construction program and submit to the Surgeon General any modifications thereof which it considers necessary.

Approval by Surgeon General.

"(b) The Surgeon General shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). If any such plan or modification thereof shall have been disapproved by the Surgeon General for failure to comply with subsection (a), the Federal Hospital Council shall, upon request of the State agency, afford it an opportunity for hearing. If such Council determines that the plan or modification complies with the provisions of such subsection, the Surgeon General shall thereupon approve such plan or modification.

Changes after approval, etc.

"(c) No changes in a State plan shall be required within two years after initial approval thereof, or within two years after any change thereafter required therein, by reason of any change in the regulations prescribed pursuant to section 622, except with the consent of the State, or in accordance with further action by the Congress.

Failure to enact legislation prior to July 1, 1948.

"(d) If any State, prior to July 1, 1948, has not enacted legislation providing that compliance with minimum standards of maintenance and operation shall be required in the case of hospitals which shall have received Federal aid under this title, such State shall not be entitled to any further allotments under section 624.

“ALLOTMENTS TO STATES

“SEC. 624. Each State for which a State plan has been approved prior to or during a fiscal year shall be entitled for such year to an allotment of a sum bearing the same ratio to the sums authorized to be appropriated pursuant to section 621 for such year as the product of (a) the population of such State and (b) the square of its allotment percentage (as defined in section 631 (a)) bears to the sum of the corresponding products for all of the States. The amount of the allotment to a State shall be available, in accordance with the provisions of this part, for payment of 33 $\frac{1}{3}$ per centum of the cost of approved projects within such State. The Surgeon General shall calculate the allotments to be made under this section and notify the Secretary of the Treasury of the amounts thereof. Sums allotted to a State for a fiscal year for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted for such State for such next fiscal year. Any amount of the sum authorized to be appropriated for a fiscal year which is not appropriated for such year, or which is not allotted in such year by reason of the failure of any State or States to have plans approved under this part, and any amount allotted to a State but remaining unobligated at the end of the period for which it is available to such State, is hereby authorized to be appropriated for the next fiscal year in addition to the sum otherwise authorized under section 621.

Availability.

Unobligated sums.

“APPROVAL OF PROJECTS AND PAYMENTS FOR CONSTRUCTION

“SEC. 625. (a) For each project for construction pursuant to a State plan approved under this part, there shall be submitted to the Surgeon General through the State agency an application by the State or a political subdivision thereof or by a public or other nonprofit agency. Such application shall set forth (1) a description of the site for such project, (2) plans and specifications therefor in accordance with the regulations prescribed by the Surgeon General under section 622 (e), (3) reasonable assurance that title to such site is or will be vested solely in the applicant, (4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed, and (5) reasonable assurance that the rates of pay for laborers and mechanics engaged in construction of the project will be not less than the prevailing local wage rates for similar work as determined in accordance with Public Law 403 of the Seventy-fourth Congress, approved August 30, 1935, as amended. The Surgeon General shall approve such application if sufficient funds to pay 33 $\frac{1}{3}$ per centum of the cost of construction of such project are available from the allotment to the State, and if the Surgeon General finds (A) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages, (B) that the plans and specifications are in accord with the regulations prescribed pursuant to section 622, (C) that the application is in conformity with the State plan approved under section 623 and contains an assurance that the applicant will conform to the applicable requirements of the State plan and of the regulations prescribed pursuant to section 622 (f) regarding the provision of facilities without discrimination on account of race, creed, or color, and for furnishing needed hospital facilities for persons unable to pay therefor, and an assurance that the applicant will conform to State standards for operation and maintenance, and (D) that it has been approved and recommended by the State agency and is entitled to priority over other projects within the State in

Application for construction project.

49 Stat. 1011.
40 U. S. C. §§ 276a-276a-6; Supp. V, § 276a-5 note.

- accordance with the regulations prescribed pursuant to section 622
- Opportunity for hearing.** (d). No application shall be disapproved until the Surgeon General has afforded the State agency an opportunity for a hearing.
- Certification of amount, etc.** “(b) Upon approving an application under this section, the Surgeon General shall certify to the Secretary of the Treasury an amount equal to $33\frac{1}{3}$ per centum of the estimated cost of construction of the project and designate the appropriation from which it is to be paid. Such certification shall provide for payment to the State, except that if the State is not authorized by law to make payments to the applicant the certification shall provide for payment direct to the applicant. Upon certification by the State agency, based upon inspection by it, that work has been performed upon a project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment is due to the applicant, the Surgeon General shall certify such installment for payment by the Secretary of the Treasury; except that if the Surgeon General, after investigation or otherwise, has ground to believe that a default has occurred requiring action pursuant to section 632 (a) he may, upon giving notice of hearing pursuant to such subsection, withhold certification pending action based on such hearing.
- Default.** “(c) Amendment of any approved application shall be subject to approval in the same manner as an original application. Certification under subsection (b) may be amended, either upon approval of an amendment of the application or upon revision of the estimated cost of a project. An amended certification may direct that any additional payment be made from the applicable allotment for the fiscal year in which such amended certification is made.
- Amendment of application, etc.** “(d) The funds paid under this section for the construction of an approved project shall be used solely for carrying out such project as so approved.
- Use of funds.** “(e) If any hospital for which funds have been paid under this section shall, at any time within twenty years after the completion of construction, (A) be sold or transferred to any person, agency, or organization, (1) which is not qualified to file an application under this section, or (2) which is not approved as a transferee by the State agency designated pursuant to section 623 (a) (1), or its successor, or (B) cease to be a nonprofit hospital as defined in section 631 (g), the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a hospital which has ceased to be a nonprofit hospital, from the owners thereof) $33\frac{1}{3}$ per centum of the then value of such hospital, as determined by agreement of the parties or by action brought in the district court of the United States for the district in which such hospital is situated.
- Recovery of value.**

“PART D—MISCELLANEOUS

“DEFINITIONS

“SEC. 631. For the purposes of this title—

- Allotment percentage.** “(a) the allotment percentage for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States (excluding Alaska), except that (1) the allotment percentage shall in no case be more than 75 per centum or less than $33\frac{1}{3}$ per centum, and (2) the allotment percentage for Alaska and Hawaii shall be 50 per centum each, and the allotment percentage for Puerto Rico shall be 75 per centum;
- Exceptions.** “(b) the allotment percentages shall be promulgated by the Surgeon General between July 1 and August 31 of each even-numbered year, on the basis of the average of the per capita incomes of the
- Promulgation.**

States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation: *Provided*, That the Surgeon General shall promulgate such percentages as soon as possible after the enactment of this title, which promulgation shall be conclusive for the fiscal year ending June 30, 1947;

“(c) the population of the several States shall be determined on the basis of the latest figures certified by the Department of Commerce;

State population.

“(d) the term ‘State’ includes Alaska, Hawaii, Puerto Rico, and the District of Columbia;

“State.”

“(e) the term ‘hospital’ (except as used in section 622 (a) and (b)) includes public health centers and general, tuberculosis, mental, chronic disease, and other types of hospitals, and related facilities, such as laboratories, out-patient departments, nurses’ home and training facilities, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care;

“Hospital.”

“(f) the term ‘public health center’ means a publicly owned facility for the provision of public health services, including related facilities such as laboratories, clinics, and administrative offices operated in connection with public health centers;

“Public health center.”

“(g) the term ‘nonprofit hospital’ means any hospital owned and operated by a corporation or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual;

“Nonprofit hospital.”

“(h) the term ‘construction’ includes construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings; including architects’ fees, but excluding the cost of off-site improvements and, except with respect to public health centers, the cost of the acquisition of land; and

“Construction.”

“(i) the term ‘cost of construction’ means the amount found by the Surgeon General to be necessary for the construction of a project.

“Cost of construction.”

“WITHHOLDING OF CERTIFICATION

“Sec. 632. (a) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency designated in accordance with section 612 (a) (1), finds that the State agency is not complying substantially with the provisions required by section 612 (a) to be contained in its application for funds under part B, or after reasonable notice and opportunity for hearing to the State agency designated in accordance with section 623 (a) (1) finds (1) that the State agency is not complying substantially with the provisions required by section 623 (a), or by regulations prescribed pursuant to section 622, to be contained in its plan submitted under section 623 (a), or (2) that any funds have been diverted from the purposes for which they have been allotted or paid, or (3) that any assurance given in an application filed under section 625 is not being or cannot be carried out, or (4) that there is a substantial failure to carry out plans and specifications approved by the Surgeon General under section 625, the Surgeon General may forthwith notify the Secretary of the Treasury and the State agency that no further certification will be made under part B or part C, as the case may be, or that no further certification will be made for any project or projects designated by the Surgeon General as being affected by the default, as the Surgeon General may determine to be appropriate under the circumstances;

- Exception. and, except with regard to any project for which the application has already been approved and which is not directly affected by such default, he may withhold further certifications until there is no longer any failure to comply, or, if compliance is impossible, until the State repays or arranges for the repayment of Federal moneys which have been diverted or improperly expended.
- Appeal. “(b) (1) If the Surgeon General refuses to approve any application under section 625, the State agency through which the application was submitted, or if any State is dissatisfied with the Surgeon General’s action under subsection (a) of this section, such State may appeal to the United States circuit court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Surgeon General shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.
- Findings of fact. “(2) The findings of fact by the Surgeon General, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Surgeon General to take further evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.
- Jurisdiction, etc., of court. “(3) The court shall have jurisdiction to affirm the action of the Surgeon General or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended.

36 Stat. 1157.
28 U. S. C. §§ 346,
347.

“FEDERAL HOSPITAL COUNCIL; ADMINISTRATION OF TITLE

- Regulations. “SEC. 633. (a) The Surgeon General is authorized to make such administrative regulations and perform such other functions as he finds necessary to carry out the provisions of this title. Any such regulations shall be subject to the approval of the Administrator.
- Federal Hospital Council. “(b) In administering this title, the Surgeon General shall consult with a Federal Hospital Council consisting of the Surgeon General, who shall serve as Chairman ex officio, and eight members appointed by the Administrator. Four of the eight appointed members shall be persons who are outstanding in fields pertaining to hospital and health activities, three of whom shall be authorities in matters relating to the operation of hospitals, and the other four members shall be appointed to represent the consumers of hospital services and shall be persons familiar with the need for hospital services in urban or rural areas.
- Terms of office. Each appointed member shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first taking office shall expire, as designated by the Administrator at the time of appointment, two at the end of the first year, two at the end of the second year, two at the end of the third year, and two at the end of the fourth year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms but shall be eligible for reappointment if he has not served immediately preceding his reappointment. The Council is authorized to appoint such special advisory and technical committees as may be useful in carrying out its functions. Appointed Council members and members of advisory or technical committees, while serving on business of the Council, shall receive compensation
- Advisory and technical committees.
- Compensation.

at rates fixed by the Administrator, but not exceeding \$25 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence. The Council shall meet as frequently as the Surgeon General deems necessary, but not less than once each year. Upon request by three or more members, it shall be the duty of the Surgeon General to call a meeting of the Council.

“(c) In administering the provisions of this title, the Surgeon General, with the approval of the Administrator, is authorized to utilize the services and facilities of any executive department in accordance with an agreement with the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon between the Administrator and the head of the executive department furnishing them.

Meetings.

Services, etc., of executive departments.

“CONFERENCES OF STATE AGENCIES

“SEC. 634. Whenever in his opinion the purposes of this title would be promoted by a conference, the Surgeon General may invite representatives of as many State agencies, designated in accordance with section 612 (a) (1) or section 623 (a) (1), to confer as he deems necessary or proper. Upon the application of five or more of such State agencies, it shall be the duty of the Surgeon General to call a conference of representatives of all State agencies joining in the request. A conference of the representatives of all such State agencies shall be called annually by the Surgeon General.

“STATE CONTROL OF OPERATIONS

“SEC. 635. Except as otherwise specifically provided, nothing in this title shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital with respect to which any funds have been or may be expended under this title.”

SEC. 3. Paragraph (2) of section 208 (b) of the Public Health Service Act, as amended, is amended by inserting “(A)” before the words “to assist”; by striking out the word “paragraph” and inserting in lieu thereof the word “clause”; and by striking out the period at the end of such paragraph and inserting in lieu thereof a comma and the following: “and (B) to assist in carrying out the purposes of title VI of this Act, but not more than twenty such officers appointed pursuant to this clause shall hold office at the same time.”

Ante, p. 422.

SEC. 4. Section 1 of the Public Health Service Act is amended to read:

58 Stat. 682.
42 U. S. Ct., Supp
V, § 201 note.

“SECTION 1. Titles I to VI, inclusive, of this Act may be cited as the ‘Public Health Service Act.’”

SEC. 5. The Act of July 1, 1944 (58 Stat. 682), is hereby further amended by changing the number of title VI to title VII and by changing the numbers of sections 601 to 612, inclusive, and references thereto, to sections 701 to 712, respectively.

58 Stat. 711.
U. S. Ct., Supp V,
p. 1323.

Approved August 13, 1946.

[CHAPTER 959]

AN ACT

To create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes.

August 13, 1946
[H. R. 4497]
[Public Law 726]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created and established an Indian Claims Commission, hereafter referred to as the Commission.

Indian Claims Commission.

JURISDICTION

Classes of claims.

SEC. 2. The Commission shall hear and determine the following claims against the United States on behalf of any Indian tribe, band, or other identifiable group of American Indians residing within the territorial limits of the United States or Alaska: (1) claims in law or equity arising under the Constitution, laws, treaties of the United States, and Executive orders of the President; (2) all other claims in law or equity, including those sounding in tort, with respect to which the claimant would have been entitled to sue in a court of the United States if the United States was subject to suit; (3) claims which would result if the treaties, contracts, and agreements between the claimant and the United States were revised on the ground of fraud, duress, unconscionable consideration, mutual or unilateral mistake, whether of law or fact, or any other ground cognizable by a court of equity; (4) claims arising from the taking by the United States, whether as the result of a treaty of cession or otherwise, of lands owned or occupied by the claimant without the payment for such lands of compensation agreed to by the claimant; and (5) claims based upon fair and honorable dealings that are not recognized by any existing rule of law or equity. No claim accruing after the date of the approval of this Act shall be considered by the Commission.

All claims hereunder may be heard and determined by the Commission notwithstanding any statute of limitations or laches, but all other defenses shall be available to the United States.

Deductions for payments, etc.

In determining the quantum of relief the Commission shall make appropriate deductions for all payments made by the United States on the claim, and for all other offsets, counterclaims, and demands that would be allowable in a suit brought in the Court of Claims under section 145 of the Judicial Code (36 Stat. 1136; 28 U. S. C. sec. 250), as amended; the Commission may also inquire into and consider all money or property given to or funds expended gratuitously for the benefit of the claimant and if it finds that the nature of the claim and the entire course of dealings and accounts between the United States and the claimant in good conscience warrants such action, may set off all or part of such expenditures against any award made to the claimant, except that it is hereby declared to be the policy of Congress that monies spent for the removal of the claimant from one place to another at the request of the United States, or for agency or other administrative, educational, health or highway purposes, or for expenditures made prior to the date of the law, treaty or Executive Order under which the claim arose, or for expenditures made pursuant to the Act of June 18, 1934 (48 Stat. 984), save expenditures made under section 5 of that Act, or for expenditures under any emergency appropriation or allotment made subsequent to March 4, 1933, and generally applicable throughout the United States for relief in stricken agricultural areas, relief from distress caused by unemployment and conditions resulting therefrom, the prosecution of public work and public projects for the relief of unemployment or to increase employment, and for work relief (including the Civil Works Program) shall not be a proper offset against any award.

25 U. S. C. § 461
et seq.
25 U. S. C. § 465.

MEMBERSHIP APPOINTMENT; OATH; SALARY

SEC. 3. (a) The Commission shall consist of a Chief Commissioner and two Associate Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall receive a salary of \$10,000 per year. At all times at least two members of the Commission shall be members of the bar of the

Supreme Court of the United States in good standing: *Provided further*, That not more than two of the members shall be of the same political party. Each of them shall take an oath to support the Constitution of the United States and to discharge faithfully the duties of his office.

TERM OF OFFICE; VACANCIES; REMOVAL

(b) The Commissioners shall hold office during their good behavior until the dissolution of the Commission as hereinafter provided. Vacancies shall be filled in the same manner as the original appointments. Members of the Commission may be removed by the President for cause after notice and opportunity to be heard.

NOT TO ENGAGE IN OTHER VOCATIONS OR REPRESENT TRIBES

(c) No Commissioner shall engage in any other business, vocation, or employment during his term of office nor shall he, during his term of office or for a period of two years thereafter, represent any Indian tribe, band, or group in any matter whatsoever, or have any financial interest in the outcome of any tribal claim. Any person violating the provisions of this subdivision shall be fined not more than \$10,000 or imprisoned not more than two years, or both.

QUORUM

(d) Two members shall constitute a quorum, and the agreement of two members shall be necessary to any and all determinations of the transaction of the business of the Commission, and, if there be a quorum, no vacancy shall impair or affect the business of the Commission, or its determinations.

STAFF OF COMMISSION

SEC. 4. The Commission shall appoint a clerk and such other employees as shall be requisite to conduct the business of the Commission. All such employees shall take oath for the faithful discharge of their duties and shall be under the direction of the Commission in the performance thereof.

OFFICES

SEC. 5. The principal office of the Commission shall be in the District of Columbia.

EXPENSES OF COMMISSION

SEC. 6. All necessary expenses of the Commission shall be paid on the presentation of itemized vouchers therefor approved by the Chief Commissioner or other member or officer designated by the Commission.

TIME OF MEETINGS

SEC. 7. The time of the meetings of the Commission shall be prescribed by the Commission.

RECORD

SEC. 8. A full written record shall be kept of all hearings and proceedings of the Commission and shall be open to public inspection.

CONTROL OF PROCEDURE

SEC. 9. The Commission shall have power to establish its own rules of procedure.

PRESENTATION OF CLAIM

SEC. 10. Any claim within the provisions of this Act may be presented to the Commission by any member of an Indian tribe, band, or other identifiable group of Indians as the representative of all its members; but wherever any tribal organization exists, recognized by the Secretary of the Interior as having authority to represent such tribe, band, or group, such organization shall be accorded the exclusive privilege of representing such Indians, unless fraud, collusion, or laches on the part of such organization be shown to the satisfaction of the Commission.

TRANSFER OF SUITS FROM COURT OF CLAIMS

SEC. 11. Any suit pending in the Court of Claims or the Supreme Court of the United States or which shall be filed in the Court of Claims under existing legislation, shall not be transferred to the Commission: *Provided*, That the provisions of section 2 of this Act, with respect to the deduction of payments, offsets, counterclaims and demands, shall supersede the provisions of the particular jurisdictional Act under which any pending or authorized suit in the Court of Claims has been or will be authorized: *Provided further*, That the Court of Claims in any suit pending before it at the time of the approval of this Act shall have exclusive jurisdiction to hear and determine any claim based upon fair and honorable dealings arising out of the subject matter of any such suit.

LIMITATIONS

Presentation of
claims.

SEC. 12. The Commission shall receive claims for a period of five years after the date of the approval of this Act and no claim existing before such date but not presented within such period may thereafter be submitted to any court or administrative agency for consideration, nor will such claim thereafter be entertained by the Congress.

NOTICE AND INVESTIGATION

SEC. 13. (a) As soon as practicable the Commission shall send a written explanation of the provisions of this Act to the recognized head of each Indian tribe and band, and to any other identifiable groups of American Indians existing as distinct entities, residing within the territorial limits of the United States and Alaska, and to the superintendents of all Indian agencies, who shall promulgate the same, and shall request that a detailed statement of all claims be sent to the Commission, together with the names of aged or invalid Indians from whom depositions should be taken immediately and a summary of their proposed testimonies.

Investigation
Division.

(b) The Commission shall establish an Investigation Division to investigate all claims referred to it by the Commission for the purpose of discovering the facts relating thereto. The Division shall make a complete and thorough search for all evidence affecting each claim, utilizing all documents and records in the possession of the Court of Claims and the several Government departments, and shall submit such evidence to the Commission. The Division shall make available to the Indians concerned and to any interested Federal agency any data in its possession relating to the rights and claims of any Indian.

CALLS UPON DEPARTMENTS FOR INFORMATION

SEC. 14. The Commission shall have the power to call upon any of the departments of the Government for any information it may deem necessary, and shall have the use of all records, hearings, and

reports made by the committees of each House of Congress, when deemed necessary in the prosecution of its business.

At any hearing held hereunder, any official letter, paper, document, map, or record in the possession of any officer or department, or court of the United States or committee of Congress (or a certified copy thereof), may be used in evidence insofar as relevant and material, including any deposition or other testimony of record in any suit or proceeding in any court of the United States to which an Indian or Indian tribe or group was a party, and the appropriate department of the Government of the United States shall give to the attorneys for all tribes or groups full and free access to such letters, papers, documents, maps, or records as may be useful to said attorneys in the preparation of any claim instituted hereunder, and shall afford facilities for the examination of the same and, upon written request by said attorneys, shall furnish certified copies thereof.

Use of documents,
etc., in evidence.

REPRESENTATION BY ATTORNEYS

SEC. 15. Each such tribe, band, or other identifiable group of Indians may retain to represent its interests in the presentation of claims before the Commission an attorney or attorneys at law, of its own selection, whose practice before the Commission shall be regulated by its adopted procedure. The fees of such attorney or attorneys for all services rendered in prosecuting the claim in question, whether before the Commission or otherwise, shall, unless the amount of such fees is stipulated in the approved contract between the attorney or attorneys and the claimant, be fixed by the Commission at such amount as the Commission, in accordance with standards obtaining for prosecuting similar contingent claims in courts of law, finds to be adequate compensation for services rendered and results obtained, considering the contingent nature of the case, plus all reasonable expenses incurred in the prosecution of the claim; but the amount so fixed by the Commission, exclusive of reimbursements for actual expenses, shall not exceed 10 per centum of the amount recovered in any case. The attorney or attorneys for any such tribe, band, or group as shall have been organized pursuant to section 16 of the Act of June 18, 1934 (48 Stat. 987; 25 U. S. C., sec. 476), shall be selected pursuant to the constitution and bylaws of such tribe, band, or group. The employment of attorneys for all other claimants shall be subject to the provisions of sections 2103 to 2106, inclusive, of the Revised Statutes (25 U. S. C., secs. 81, 82-84).

Fees.

The Attorney General or his assistants shall represent the United States in all claims presented to the Commission, and shall have authority, with the approval of the Commission, to compromise any claim presented to the Commission. Any such compromise shall be submitted by the Commission to the Congress as a part of its report as provided in section 21 hereof in the same manner as final determinations of the Commission, and shall be subject to the provisions of section 22 hereof.

Authority of At-
torney General.

NO MEMBER OF CONGRESS TO PRACTICE BEFORE COMMISSION

SEC. 16. No Senator or Member of or Delegate to Congress shall, during his continuance in office, practice before the Commission.

HEARING

SEC. 17. The Commission shall give reasonable notice to the interested parties and an opportunity for them to be heard and to present evidence before making any final determination upon any claim. Hearings may be held in any part of the United States or in the Territory of Alaska.

TESTIMONY

SEC. 18. Any member of the Commission or any employee of the Commission, designated in writing for the purpose by the Chief Commissioner, may administer oaths and examine witnesses. Any member of the Commission may require by subpoena (1) the attendance and testimony of witnesses, and the production of all necessary books, papers, documents, correspondence, and other evidence, from any place in the United States or Alaska at any designated place of hearing; or (2) the taking of depositions before any designated individual competent to administer oaths under the laws of the United States or of any State or Territory. In the case of a deposition, the testimony shall be reduced to writing by the individual taking the deposition or under his direction and shall be subscribed by the deponent. In taking testimony, opportunity shall be given for cross-examination, under such regulations as the Commission may prescribe. Witnesses subpoenaed to testify or whose depositions are taken pursuant to this Act, and the officers or persons taking the same, shall severally be entitled to the same fees and mileage as are paid for like services in the courts of the United States.

Fees and mileage.

FINAL DETERMINATION

SEC. 19. The final determination of the Commission shall be in writing, shall be filed with its clerk, and shall include (1) its findings of the facts upon which its conclusions are based; (2) a statement (a) whether there are any just grounds for relief of the claimant and, if so, the amount thereof; (b) whether there are any allowable offsets, counterclaims, or other deductions, and, if so, the amount thereof; and (3) a statement of its reasons for its findings and conclusions.

REVIEW BY COURT OF CLAIMS

Certification of questions of law.

SEC. 20. (a) In considering any claim the Commission at any time may certify to the Court of Claims any definite and distinct questions of law concerning which instructions are desired for the proper disposition of the claim; and thereupon the Court of Claims may give appropriate instructions on the questions certified and transmit the same to the Commission for its guidance in the further consideration of the claim.

Notice of filing of final determination.

(b) When the final determination of the Commission has been filed with the clerk of said Commission the clerk shall give notice of the filing of such determination to the parties to the proceeding in manner and form as directed by the Commission. At any time within three months from the date of the filing of the determination of the Commission with the clerk either party may appeal from the determination of the Commission to the Court of Claims, which Court shall have exclusive jurisdiction to affirm, modify, or set aside such final determination. On said appeal the Court shall determine whether the findings of fact of the Commission are supported by substantial evidence, in which event they shall be conclusive, and also whether the conclusions of law, including any conclusions respecting "fair and honorable dealings", where applicable, stated by the Commission as a basis for its final determination, are valid and supported by the Commission's findings of fact. In making the foregoing determinations, the Court shall review the whole record or such portions thereof as may be cited by any party, and due account shall be taken of the rule of prejudicial error. The Court may at any time remand the cause to the Commission for such further proceedings as it may direct, not inconsistent with the foregoing provisions of this section. The Court

Appeal.

Remand of cause to Commission.

shall promulgate such rules of practice as it may find necessary to carry out the foregoing provisions of this section.

(c) Determinations of questions of law by the Court of Claims under this section shall be subject to review by the Supreme Court of the United States in the manner prescribed by section 3 of the Act of February 13, 1925 (43 Stat. 939; 28 U. S. C., sec. 288), as amended.

Review by Supreme Court of U. S.

REPORT OF COMMISSION TO CONGRESS

SEC. 21. In each claim, after the proceedings have been finally concluded, the Commission shall promptly submit its report to Congress.

The report to Congress shall contain (1) the final determination of the Commission; (2) a transcript of the proceedings or judgment upon review, if any, with the instructions of the Court of Claims; and (3) a statement of how each Commissioner voted upon the final determination of the claim.

EFFECT OF FINAL DETERMINATION OF COMMISSION

SEC. 22. (a) When the report of the Commission determining any claimant to be entitled to recover has been filed with Congress, such report shall have the effect of a final judgment of the Court of Claims, and there is hereby authorized to be appropriated such sums as are necessary to pay the final determination of the Commission.

Report.

The payment of any claim, after its determination in accordance with this Act, shall be a full discharge of the United States of all claims and demands touching any of the matters involved in the controversy.

Appropriation authorized.

(b) A final determination against a claimant made and reported in accordance with this Act shall forever bar any further claim or demand against the United States arising out of the matter involved in the controversy.

Further claim barred.

DISSOLUTION OF THE COMMISSION

SEC. 23. The existence of the Commission shall terminate at the end of ten years after the first meeting of the Commission or at such earlier time after the expiration of the five-year period of limitation set forth in section 12 hereof as the Commission shall have made its final report to Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archivist of the United States.

Records.

FUTURE INDIAN CLAIMS

SEC. 24. The jurisdiction of the Court of Claims is hereby extended to any claim against the United States accruing after the date of the approval of this Act in favor of any Indian tribe, band, or other identifiable group of American Indians residing within the territorial limits of the United States or Alaska whenever such claim is one arising under the Constitution, laws, treaties of the United States, or Executive orders of the President, or is one which otherwise would be cognizable in the Court of Claims if the claimant were not an Indian tribe, band, or group. In any suit brought under the jurisdiction conferred by this section the claimant shall be entitled to recover in the same manner, to the same extent, and subject to the same conditions and limitations, and the United States shall be entitled to the same defenses, both at law and in equity, and to the same offsets, counterclaims, and demands, as in cases brought in the Court of Claims under section 145 of the Judicial Code (36 Stat. 1136; 28 U. S. C., sec. 250), as amended: *Provided, however,* That nothing contained in this section shall be construed as altering the

Extension of jurisdiction of Court of Claims.

fiduciary or other relations between the United States and the several Indian tribes, bands, or groups.

EFFECT ON EXISTING LAWS

SEC. 25. All provisions of law inconsistent with this Act are hereby repealed to the extent of such inconsistency, except that existing provisions of law authorizing suits in the Court of Claims by particular tribes, bands, or groups of Indians and governing the conduct or determination of such suits shall continue to apply to any case heretofore or hereafter instituted thereunder save as provided by section 11 hereof as to the deduction of payments, offsets, counter-claims, and demands.

SEC. 26. If any provision of this Act, or the application thereof, is held invalid, the remainder of the Act, or other applications of such provisions, shall not be affected.

Approved August 13, 1946.

Separability of provisions.

[CHAPTER 960]

AN ACT

August 13, 1946

[H. R. 2033]

[Public Law 727]

Authorizing Federal participation in the cost of protecting the shores of publicly owned property.

Protection of shores owned by States, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the purpose of preventing damage to public property and promoting and encouraging the healthful recreation of the people, it is hereby declared to be the policy of the United States to assist in the construction, but not the maintenance, of works for the improvement and protection against erosion by waves and currents of the shores of the United States that are owned by States, municipalities, or other political subdivisions: *Provided,* That the Federal contribution toward the construction of protective works shall not in any case exceed one-third of the total cost: *Provided further,* That where a political subdivision has heretofore erected a sea wall to prevent erosion, by waves and currents, to a public highway considered by the Chief of Engineers sufficiently important to justify protection, Federal contribution toward the repair of such wall and the protection thereof by the building of an artificial beach is authorized at not to exceed one-third of the original cost of such wall, and that investigations and studies hereinafter provided for are hereby authorized for such localities: *Provided further,* That the plan of protection shall have been specifically adopted and authorized by Congress after investigation and study by the Beach Erosion Board under the provisions of section 2 of the River and Harbor Act approved July 3, 1930, as amended and supplemented.

Federal contribution.

Repair, etc., of sea wall.

Plan of protection.

46 Stat. 945.
33 U. S. C. § 426.

Payment to States, etc.

SEC. 2. When the Chief of Engineers shall find that any such project has been constructed in accordance with the authorized plans and specifications he shall cause to be paid to the State, municipality, or political subdivision the amount authorized by Congress.

Payments on construction.

SEC. 3. The Chief of Engineers may, in his discretion, from time to time, make payments on such construction as the work progresses, but these payments, including previous payments, if any, shall not be more than the United States pro rata part of the value of the labor and materials which have been actually put into such construction in conformity to said plans and specifications: *Provided,* That the construction of improvement and protective works may be undertaken by the Chief of Engineers upon the request of, and contribution of

Works undertaken by Chief of Engineers.

required funds by, the interested State, municipality or other political subdivision.

SEC. 4. As used in this Act, the word "shores" includes all the shore lines of the Atlantic and Pacific Oceans, the Gulf of Mexico, the Great Lakes, and lakes, estuaries and bays directly connected therewith.

Approved August 13, 1946.

"Shores."

[CHAPTER 961]

AN ACT

To insure the preservation of technical and economic records of domestic sources of ores of metals and minerals.

August 13, 1946
[H. R. 4562]
[Public Law 728]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) after the termination of hostilities in the present war or at such date prior or subsequent thereto as the agency may determine all files and records which relate to the technological and economic phases of domestic sources, supply, and beneficiation of the ores of metals and minerals, and which no longer are required in the conduct of the business of the various governmental agencies (including Government owned or controlled corporations) dealing with such matters, shall be transferred to and consolidated in the possession of the Bureau of Mines.

Bureau of Mines.
Transfer of records
relating to ores.

(b) Whenever an agency having custody of any such files and records determines that it has no further need therefor, it shall immediately notify the Bureau of Mines. Upon receipt of such notification the Bureau of Mines, with the aid and advice of the staff of such agency, shall carefully examine such files and records, eliminate extraneous and duplicative material therefrom, and classify the data contained therein in such form as will be of greatest permanent value to the national economy. Each item transferred to the Bureau of Mines shall be microfilmed by the agency having original custody of such files and records and such microfilm shall be delivered to The National Archives.

Notification.

Microfilming.

(c) Such portions of the aforesaid files and records as are not retained by the Bureau of Mines shall be subject to disposal in the manner prescribed by law.

Disposal of portions
not retained.

(d) The National Archives shall reimburse the agencies for the out-of-pocket cost of microfilming.

Reimbursement.

Approved August 13, 1946.

[CHAPTER 962]

AN ACT

To provide for the training of officers for the naval service, and for other purposes.

August 13, 1946
[S. 2304]
[Public Law 729]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a naval and Marine Corps officer candidate training program, supplementary to existing programs, is hereby established, which shall be administered by the Secretary of the Navy in accordance with the provisions of this Act and with such regulations as the President may prescribe.

Navy.
Officer candidate
training program.

SEC. 2. No individual shall be enrolled in the training program which this Act establishes unless (a) he be a male citizen of the United States; (b) with the consent of his parent or legal guardian in the case of a minor, he shall have entered into a contractual agreement with the Secretary of the Navy, acting for and on behalf of the United States, in which said individual obligates himself to the United States

Enrollment.
Requirements and
obligation.

for such periods as may be necessary to effectuate the purposes of this Act; and (c) he signs an agreement to accept a commission in the Navy or Marine Corps if offered and, having accepted such commission, he will, in the event of termination thereof, accept such commission in the Organized Naval or Marine Corps Reserve that may be offered him and thereafter will not resign from the Reserve prior to the sixth anniversary of the date of rank stated in his original commission in the Regular Navy or Marine Corps. The Secretary of the Navy may release any individual from such obligation and separate the individual from the training program at any time that, in the opinion of the Secretary of the Navy, the best interest of the naval service requires such action.

Release from obligation, etc.

Enrollees.

SEC. 3. The Secretary of the Navy is authorized to enroll in the training program—

(a) any person (1) who, on May 1, 1946, was a member of the Naval Reserve Officers' Training Corps or (2) who subsequent to such date may be admitted to such corps and who will not be more than twenty-five years of age on July 1 of the calendar year in which eligible for appointment to commissioned ranks pursuant to subsection 6 (a). Upon enrollment such persons shall be appointed midshipmen in the Naval Reserve.

Naval aviation officer candidate.

(b) as a naval aviation officer candidate (1) any high-school graduate or person of equivalent educational level, or any person who has completed satisfactorily less than two scholastic years' work in an accredited college or university, and who will not be more than twenty-one years and six months of age on July 1 of the calendar year of his appointment as midshipman as hereinafter prescribed; each such candidate shall be enlisted as an apprentice seaman, United States Naval Reserve, and shall, following enrollment, be required to attend such accredited college or university as may be authorized by the Secretary of the Navy as a regular student until he shall have satisfactorily completed not less than two scholastic years of work and in addition shall be required to participate in such military or civil aviation training activities as may be prescribed by the Secretary of the Navy; following the satisfactory completion of such scholastic work and aviation-training activities, such candidates shall be appointed midshipmen in the Navy and ordered to duty for flight training; (2) any member of the Naval Reserve Officers' Training Corps who has satisfactorily completed two scholastic years' training in such corps and any other person who shall have satisfactorily completed not less than two scholastic years' work in an accredited college or university, and any enlisted man of the Navy or Marine Corps who shall demonstrate by a test the attainment of an educational level equivalent to that of two scholastic years of work in an accredited college or university; such candidates shall be not more than twenty-one years and six months of age on July 1 of the calendar year of enrollment as an aviation officer candidate and, upon enrollment, shall be appointed midshipmen in the Navy and ordered to duty for flight training.

Enlistment as apprentice seaman.

Retainer pay and benefits.

SEC. 4. Except as otherwise provided in this section, each midshipman appointed pursuant to part (a) of section 3, while continuing in such status, and each apprentice seaman enlisted pursuant to part (b) of section 3, until the completion of scholastic instruction, shall, except while on active duty, receive retainer pay at the rate of \$600 per year and shall, in addition, be entitled to the benefits provided for him by section 10: *Provided*, That such benefits and retainer pay may be received by midshipmen appointed pursuant to part (a) of section 3 for a period not exceeding four academic years. Each midshipman

Time limitation.

Travel allowance.

and apprentice seaman enrolled pursuant to this Act shall be entitled to an allowance for (a) initial travel to the college or university in which matriculated, (b) travel while under orders, and (c) travel upon discharge while in a noncommissioned status, in the manner and to the same extent provided for midshipmen at the United States Naval Academy: *Provided further*, That no allowance for travel upon discharge shall be paid if the dischargee continues his scholastic instruction at other than Government expense in the same college or university in which matriculated. While in flight training or on other flight duty midshipmen appointed under part (b) of section 3 shall be entitled to the pay and allowances now or hereafter provided by law for midshipmen under instruction at the United States Naval Academy and to the same percentage increases of their pay as are now or hereafter provided by law for officers of the Navy assigned to duty involving flying, and shall be issued at Government expense necessary uniforms and equipment as directed by the Secretary of the Navy.

SEC. 5. All midshipmen appointed under part (b) of section 3 may, upon satisfactory completion of flight training, be designated naval aviators and assigned to duty involving flying.

SEC. 6. (a) Midshipmen appointed pursuant to section 3 (a) may be commissioned as ensigns in the line of the Navy, second lieutenants in the Marine Corps, or with the rank of ensign in the appropriate commissioned grade in such staff corps of the Navy in which the rank of ensign is now or may hereafter be authorized, following the satisfactory completion of all the academic and naval science requirements of the established four-year Naval Reserve Officers' Training Corps course.

2. Midshipmen appointed pursuant to section 3 (b) may be commissioned as ensigns in the line of the Navy or second lieutenants in the Marine Corps following the satisfactory completion of two years' flight training and flight duty as midshipmen as prescribed in part (b) of section 3 and in section 5.

(b) There may also be commissioned as ensign in the line of the Navy or second lieutenant in the Marine Corps, or with the rank of ensign in the appropriate commissioned grade in such staff corps of the Navy in which the rank of ensign is now or may hereafter be authorized, any male citizen of the United States who is not more than twenty-five years of age on July 1 of the calendar year in which appointed: (1) Who shall have satisfactorily completed a four-year course at an accredited college or university, or (2) who is an enlisted man of the Navy or Marine Corps who shall demonstrate by a test the attainment of an educational level equivalent to that of an individual who has satisfactorily completed a four-year course at an accredited college or university.

(c) Officers commissioned pursuant to this Act in the rank of ensign in a staff corps shall be selected for appointment by a board of commissioned officers of the staff corps concerned.

(d) The date of rank stated in the commissions of officers commissioned in any year pursuant to the foregoing subsections of this section shall be the date of graduation of midshipmen from the Naval Academy in that year and all ensigns of the line of the Navy and second lieutenants of the Marine Corps of the same date of rank, upon being commissioned, shall have precedence among themselves in such order as may be determined by the Secretary of the Navy to insure that the precedence of the officers shall be in accord with their demonstrated performance regardless of the source from which prescribed, and giving due consideration to whatever differences may exist in the methods of assigning grades between the various education institutions at which the officers have been educated. Each officer

Restriction.

Midshipmen in
flight training, etc.
Pay and allowances.

Uniforms, etc.

Designation as naval
aviators.Commission as en-
sign, etc.Selection for ap-
pointment in staff
corps.

Date of rank.

Precedence.

Running mates.

commissioned in a staff corps of the Navy pursuant to the foregoing subsections of this section shall, upon being commissioned, have assigned as his running mate such line officer of the same rank and same date of rank as the Secretary of the Navy may determine.

Commission in reserve component upon application.

SEC. 7. Any officer commissioned under subsection 1 of subsection 6 (a) or under subsection 6 (b) may, upon his own application, after not less than fifteen months or two years, respectively, of satisfactory service as a commissioned officer, have his commission in the regular service terminated and be commissioned in the Naval Reserve or the Marine Corps Reserve and in the discretion of the Secretary of the Navy, be released from active duty. The date of rank in such commission in a reserve component shall be the same as that of the commission previously held in the regular service.

Annual selection and retention of officers.

SEC. 8. The Secretary of the Navy shall in each calendar year cause to be examined (a) the records of all ensigns of the line of the Navy and second lieutenants of the Marine Corps commissioned pursuant to subsection 2 of section 6 (a) who apply for retention in the regular service as permanent officers and who in the then current calendar year will reach the first anniversary of the date of rank stated in their respective commissions, selecting from among such officers the number that he may determine necessary for retention, and (b) the records of all other officers appointed pursuant to this Act who apply for retention in the regular service as permanent officers and who in the then current calendar year will reach the third anniversary of the date of rank stated in their respective commissions, selecting from among such officers the number that he may determine necessary for retention.

Termination of commission.

SEC. 9. (a) The commission of each officer commissioned pursuant to subsection 2 of section 6 (a) who, prior to June 1 of the calendar year following that in which commissioned, shall not have applied for retention in the regular service and of each officer not selected for retention under clause (a) of section 8 shall be terminated on June 30 of the appropriate calendar year. Upon termination of commission, each such officer who thereupon accepts appointment to commissioned rank in the Naval or Marine Corps Reserve may apply for and receive retainer pay at the rate of \$100 for each calendar month or part thereof during which, while an officer of the Naval or Marine Corps Reserve, he pursues full-time instruction in an accredited college or university but not to exceed a total of \$2,000, such instruction to commence not later than a date to be determined by the Secretary of the Navy; in addition, each such officer shall be entitled to the benefits provided for him by section 10 of this Act.

Appointment to commissioned rank in Reserve.
Retainer pay, etc.

(b) The commission of each officer commissioned pursuant to subsection 1 of section 6 (a) and pursuant to section 6 (b) who, prior to June 1 of the third calendar year following that in which commissioned, shall not have applied for retention in the regular service and of each officer not selected for retention under clause (b) of section 8 shall be terminated on June 30 of the appropriate calendar year. Upon termination of commission, each such officer may be commissioned in the Naval or Marine Corps Reserve in the grade of lieutenant (junior grade) or first lieutenant, as the case may be (if in a staff corps, with the rank of lieutenant (junior grade) in the grade appropriate to that rank), and to rank from a date three years after the date of rank stated in his original commission in the Regular Navy or Regular Marine Corps.

Reserve commission in grade of lieutenant (jg), etc.

Payment of administrative expenses.

SEC. 10. The Secretary of the Navy may provide, by contract or otherwise, for payment of all expenses incident to the administration of this Act, including but not limited to, payment for tuition, fees, books, and laboratory expenses of midshipmen in the Naval Reserve

Officers' Training Corps, naval aviation officer candidates, and of officers released under subsection 9 (a) of this Act.

SEC. 11. The Secretary of the Navy may, in his discretion, give to any enlisted man in the naval service or any male citizen who has had active military or naval service such advance standing in any program provided by this Act as the previous education and training of such person justifies.

Advance standing.

SEC. 12. The Secretary of the Navy, under such regulations as he may prescribe, may revoke the commission of any officer of the Regular Navy or the Regular Marine Corps who at the date of revocation has had less than six years of continuous service as a commissioned officer, and each officer whose commission is so revoked shall be discharged from the service without advance pay or allowances.

Revocation of commission.

SEC. 13. National service life insurance in the amount of \$10,000, the premiums for which shall be paid at Government expense, shall be issued to the following persons: (a) Apprentice seamen, United States Naval Reserve, enrolled as aviation officer candidates, at the commencement of flight-training activities and until the termination of their status as aviation officer candidates; (b) midshipmen, United States Navy, upon enrollment as aviation officer candidates and until the termination of that status; (c) midshipmen at the United States Naval Academy, at the commencement of flight-training activities and until the termination of their status as midshipmen. Upon being commissioned in the Regular Navy or Marine Corps such persons shall have the option of continuing such insurance at their own expense.

Issuance of insurance.

Apprentice seamen.

Midshipmen.

Option.

SEC. 14. In the event that the quota of midshipmen authorized by law to be appointed annually to the Naval Academy from (1) enlisted men of the United States Navy and Marine Corps, (2) enlisted men of the Naval Reserve or Marine Corps Reserve, or (3) by the President at large, is not filled, the Secretary of the Navy may fill the vacancies in such quota by appointing other candidates from any other of such sources who were found best qualified on examination for admission into the Academy and not otherwise appointed.

Naval Academy.
Filling of quota
vacancies.

SEC. 15. Each midshipman hereafter appointed to the Naval Academy shall be required to sign an agreement that, in the event of the acceptance of his resignation from a commissioned status in the Regular Navy or Marine Corps prior to the sixth anniversary of his graduation from the Naval Academy, he will accept such commission in the Organized Naval or Marine Corps Reserve to which he may be appointed and will not resign from the Reserve prior to such sixth anniversary.

Agreement to accept
Reserve commission.

SEC. 16. The President may appoint annually seventy-five midshipmen to the United States Naval Academy from among the sons of Army, Navy, and Marine Corps personnel.

Appointments by
President.

SEC. 17. There are hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act.

Appropriations authorized.

SEC. 18. (a) Subsection (a) of section 22 of the Act of March 4, 1925 (43 Stat. 1276), as amended by the Act of February 13, 1945 (Public Law Numbered 1, Seventy-ninth Congress), is hereby further amended by substituting for the words "fourteen thousand" in the last proviso thereof the words "fifteen thousand four hundred".

Total personnel.

59 Stat. 3.
34 U. S. C., Supp.
V, § 821 (a).

(b) Of the number of Naval Reserve Officers' Training Corps members authorized by subsection (a) of this section, not more than fourteen thousand shall at any one time be enrolled in the training program established by this Act.

Enrollment in training program.

SEC. 19. No person shall be appointed assistant paymaster in the Navy who, on July 1 of the calendar year in which appointed will not be less than twenty-one or more than twenty-five years of age,

Assistant paymaster.
Qualifications for appointment.

nor until his physical, mental, and moral qualifications have been established to the satisfaction of the Secretary of the Navy.

Repeals.

34 U. S. C. § 403.

34 U. S. C. § 405.

34 U. S. C. § 855f;
Supp. V, § 855f.

34 U. S. C., Supp.
V, §§ 855f, 1032a.

34 U. S. C. §§ 1033,
1042; Supp. V, § 1042
note.

34 U. S. C. § 61.

SEC. 20. The following Acts and parts of Acts are hereby repealed:

(a) Section 2 of the Act of May 6, 1932 (47 Stat. 149).

(b) Subsection (a) of section 14 of the Act of June 23, 1938 (52 Stat. 951).

(c) Section 307 of the Act of June 25, 1938 (52 Stat. 1182).

(d) Sections 2 and 3 of the Act of January 30, 1941 (55 Stat. 4).

(e) Section 8 of the Act of February 28, 1925 (43 Stat. 1082).

(f) Section 1379 of the Revised Statutes.

Approved August 13, 1946.

[CHAPTER 963]

AN ACT

To fix the rate of postage on domestic air mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the rate of postage on domestic air mail shall be 5 cents for each ounce or fraction thereof.

SEC. 2. As used in this Act, "domestic air mail" shall embrace all mailable matter being transported as mail by air within the continental United States, within any Territory or possession of the United States, within any geographical area which is a protectorate of the United States, or between any of the aforesaid: *Provided*, That with respect to mail transported under authority of section 1 of the Act of October 14, 1940 (54 Stat. 1175; 39 U. S. C., 1940 edition, 488a), the postage rate of 5 cents for each ounce or fraction of an ounce shall be applicable only to mail of the first class, and for all other classes the rates shall be as prescribed by that Act.

SEC. 3. This Act shall take effect on the first day of the second month following the month of enactment.

Approved August 14, 1946.

[CHAPTER 964]

AN ACT

To simplify and improve credit services to farmers and promote farm ownership by abolishing certain agricultural lending agencies and functions, by defining the lending powers of the Secretary of Agriculture, by authorizing Government insurance of loans to farmers, by creating preferences for loans and insured mortgages to enable veterans to acquire farms, by providing additional specific authority and directions with respect to the liquidation of resettlement projects and rural rehabilitation projects for resettlement purposes, and for other purposes.

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Farmers' Home Administration Act of 1946."

DISPOSITION OF CERTAIN AGENCIES AND THEIR ASSETS AND PERSONNEL

SEC. 2. (a) The following agencies, functions, powers, and duties are hereby abolished and the following laws relating thereto repealed:

(1) The Farm Security Administration and all of its functions, powers, and duties.

(2) All functions, powers, and duties of the Governor of the Farm Credit Administration which relate to the making, administration, and

August 14, 1946

[H. R. 5560]

[Public Law 730]

Domestic air mail
postage rate.

"Domestic air mail."

Air mail in Alaska.

Effective date.

August 14, 1946

[H. R. 5991]

[Public Law 731]

Farmers' Home Ad-
ministration Act of
1946.

FSA.

FOA.

liquidation of (a) all loans to farmers under the Act entitled "An Act to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes", approved January 29, 1937 (U. S. C., 1940 edition, title 12, secs. 1020i-1020o); (b) all loans identified or referred to in sections 5 (b), 5 (c), and 5 (d) of Executive Order Numbered 6084, dated March 27, 1933, and (c) all other emergency crop production, feed, seed, drought, and rehabilitation loans administered by the Farm Credit Administration on the effective date of this Act. The said Act approved January 29, 1937, is hereby repealed.

(3) All functions, powers, and duties of the National Housing Agency with respect to property, funds, and other assets which were formerly under the administration or supervision of the Farm Security Administration and were transferred to or consolidated with the National Housing Agency by Executive Order Numbered 9070 of February 24, 1942, except housing projects and except such other properties and assets as are now in the process of liquidation.

(b) All assets, funds, contracts, property, and records and all liabilities of the agencies abolished by this Act and all assets, funds, contracts, property, and records which the Secretary of Agriculture, the Governor of the Farm Credit Administration, and the National Housing Administrator have been using or have acquired primarily in the administration of any function, power, or duty so abolished and all liabilities chargeable thereto shall be collected or liquidated, as the case may be, by the Secretary of Agriculture, in accordance with this Act and the Bankhead-Jones Farm Tenant Act, as amended. The Secretary shall promptly transmit to the Treasurer of the United States for appropriate credits all collections or other proceeds realized from the assets, funds, contracts and property which are authorized to be administered, collected or liquidated by this Act, except that (1) the Secretary may retain so much of the personal property, such as office furniture, equipment, machines, automobiles, stationery, and office supplies, as he finds will be necessary in carrying out his duties under this Act and the Bankhead-Jones Farm Tenant Act, as amended; (2) until the loans obtained by the Secretary of Agriculture or the War Food Administrator from the Reconstruction Finance Corporation for carrying on the Farm Security programs have been paid, the Secretary shall pay to the Reconstruction Finance Corporation, as collected, in accordance with the terms of the applicable loan agreements, the proceeds of all assets transferred to him for administration and liquidation which are pledged as security for such loans; and (3) the proceeds from collections on farmers' crop production and harvesting loans (U. S. C., 1940 edition, title 12, secs. 1020i-1020n, 1020o) made available by the paragraph entitled "Farmers' crop production and harvesting loans" under the item "Farm Credit Administration" in the Department of Agriculture Appropriation Act, 1947, shall be available to the Secretary of Agriculture for the fiscal year 1947 for making loans under title II of the Bankhead-Jones Farm Tenant Act, as amended.

(c) The funds appropriated, authorized to be borrowed, and made available under the items "Farmers' crop production and harvesting loans" (under the heading "Farm Credit Administration"), "Loans, Grants, and Rural Rehabilitation" and "Farm Tenancy", in the Department of Agriculture Appropriation Act, 1947, shall be available for the making and servicing of loans under this Act, for servicing and collecting loans made under prior authority, liquidation of rural rehabilitation projects, and for administrative expenses in connection therewith, and to the extent that such funds are validly obligated and committed on June 30, 1947, shall be available for use

50 Stat. 5.

12 U. S. C. note
prec. § 636.

Repeal.

NHA.

50 U. S. C., Supp.
V, app., note foll.
§ 601.
Exceptions.Collection or liqui-
dation of assets, li-
abilities, etc.50 Stat. 522.
7 U. S. C. §§ 1000-
1029; Supp. V, § 1001
et seq.
Post, pp. 1064, 1071,
1072.Retention of per-
sonal property.*Supra*.

Payments to R.F.C.

Availability of
funds collected on
loans.50 Stat. 5.
Supra.*Ante*, p. 295.50 Stat. 524.
7 U. S. C. §§ 1007-
1009.
Post, p. 1071.
Funds available for
loans, etc.*Ante*, pp. 295, 292,
294.

by the Secretary in fulfilling such obligations and commitments subject to the limitations set forth in the Acts appropriating or authorizing such funds.

Liquidation of labor supply centers, etc.
Ante, p. 969.

50 U. S. C., Supp. V, app. § 1351 note.

(d) All labor supply centers, labor homes, labor camps, and facilities formerly under the supervision or administration of the Farm Security Administration and originally transferred or made available to the War Food Administrator for use in the farm labor supply program pursuant to Public Law 45, Seventy-eighth Congress, approved April 29, 1943 (57 Stat. 70), and all similar labor centers, homes, camps, and facilities constructed or acquired by the War Food Administrator or the Department of Agriculture pursuant to subsequent similar laws or otherwise, shall be liquidated as provided in this Act and the proceeds paid to the Treasurer of the United States as each such center, home, camp, or facility is no longer needed in the farm labor supply program originally initiated pursuant to Public Law 45, or until six months after the termination of the present hostilities as determined by concurrent resolution of the Congress, or by the President, whichever is the earlier.

Utilization of personnel.

50 Stat. 522.
7 U. S. C. §§ 1000-1029; Supp. V, § 1061 *et seq.*

Infra, post, pp. 1071, 1072.
Liquidation of trusts.

(e) Any of the personnel that is being utilized on the effective date of this Act for the performance of functions, powers, or duties abolished or transferred by this Act, including, but not limited to those related to emergency crop and feed loans, shall be utilized by the Secretary of Agriculture in the performance of his duties and functions under this Act and the Bankhead-Jones Farm Tenant Act, as amended, to the extent that he determines that such personnel are qualified and necessary therefor.

(f) The Secretary of Agriculture shall liquidate, as expeditiously as possible, trusts under the transfer agreements with the various State Rural Rehabilitation Corporations and is authorized and directed to negotiate with responsible officials to that end.

Maximum delay in transfer of functions, etc.

(g) With the approval of the Secretary of Agriculture, the consummation of the transfer of any function, power, duty, asset, or liability transferred by this Act may be delayed not in excess of ninety days after the effective date of this Act, during which time such function, power, or duty, and any function, power, or duty abolished by this Act, may be administered by such agency as the Secretary may designate and in accordance with such rules and regulations as the Secretary may prescribe. Such rules and regulations shall, however, conform as nearly as may be practicable to the provisions of this Act, the several appropriation Acts which are involved, or the Bankhead-Jones Farm Tenant Act, as amended, whichever is appropriate.

Supra.

AMENDMENT TO TITLE IV OF THE BANKHEAD-JONES FARM TENANT ACT

50 Stat. 527, 525.
7 U. S. C. §§ 1014-1029, 1010-1013; Supp. V, § 1011.

SEC. 3. The following sections of title IV of the Bankhead-Jones Farm Tenant Act, as amended, except insofar as they affect title III of the Bankhead-Jones Farm Tenant Act, as amended, are hereby amended to read as follows:

"Sec. 41. For the purposes of this Act, the Secretary shall have the power to—

Appointment of experts, etc.

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 *et seq.*
Ante, pp. 216, 219.

"(a) Appoint (without regard to the civil-service laws or the Classification Act of 1923, as amended) such experts as may be necessary in carrying out the provisions of this Act: *Provided*, That the Administrator of the Farmers' Home Administration shall be appointed by the President, by and with the advice and consent of the Senate. The salary of none of such experts or the Administrator shall exceed \$10,000 per annum. The Secretary shall also have the power to appoint, subject to the provisions of the civil-service laws, such other officers and employees as may be necessary and fix their com-

Salary limitation.

pensation in accordance with the Classification Act of 1923, as amended, except that for a period of not to exceed nine months from the effective date of this provision, the Secretary may make appointments and continue employees of the Farm Security Administration and the non-civil-service employees of the Emergency Crop and Feed Loan Division, utilized in the performance of the functions of the Farmers' Home Administration under this Act, without regard to the civil-service laws or regulations.

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, § 661 et seq.
Ante, pp. 216, 219.

"(b) The Secretary may administer his powers and duties under this Act through such area finance, State, and local offices in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico as he determines to be necessary: *Provided*, That existing regional offices shall be liquidated on or before June 30, 1947. The Secretary may authorize one office to serve the area composed of two or more States (Territories or Puerto Rico) if he determines that the volume of business in the area is not sufficient to justify separate State offices.

Administration.

Liquidation of regional offices.

"(c) Accept and utilize voluntary and uncompensated services, and with the consent of the agency concerned, utilize the officers, employees, equipment, and information of any agency of the Federal Government, or of any State, Territory, or political subdivision.

Voluntary services, etc.

Expenditures for personal services, supplies, etc.

"(d) Within the limits of appropriations made therefor, make necessary expenditures for personal services and rent at the seat of government and elsewhere; contract stenographic reporting services; purchase and exchange of supplies and equipment, law books, books of reference, directories, periodicals, newspapers, and press clippings; travel and subsistence expenses, including the expense of attendance at meetings and conferences; purchase, operation, and maintenance, at the seat of government and elsewhere, of motor-propelled passenger-carrying and other vehicles; printing and binding; and for such other facilities and services as he may from time to time find necessary for the proper administration of this Act.

Contracts for services and supplies.

Ante, p. 809.

"(e) Make contracts for services and purchases of supplies without regard to the provisions of section 3709 of the Revised Statutes (U. S. C. 1934 ed., title 41, sec. 5) when the aggregate amount involved is less than \$300.

Acquisition of land.

"(f) Acquire land and interests therein without regard to section 355 of the Revised Statutes, as amended. This subsection shall not apply with respect to the acquisition of land or interests in land under title III.

33 U. S. C. § 733.
50 Stat. 526.
7 U. S. C. §§ 1010-1013; Supp. V, § 1011.

Adjustment of claims, etc.

"(g) Compromise or adjust claims and adjust and modify the terms of mortgages, leases, contracts and agreements entered into or administered pursuant to this Act as circumstances may require, in the following manner:

Claims of \$10,000 or more.

"(1) Compromise of claims of \$10,000 or more must be effected by reference to the Secretary of the Treasury or to the Attorney General, pursuant to the provisions of section 3469 of the Revised Statutes (U. S. C., 1940 edition, title 31, sec. 194);

31 U. S. C., Supp. V, § 194.
Claims of less than \$10,000.

"(2) Claims of less than \$10,000 may be compromised or may be adjusted or reduced on the basis of a reasonable determination by the Secretary of the debtor's ability to pay and the value of the security and with or without the payment of any consideration at the time of such adjustment; releases from personal liability may also be made with or without the payment of any consideration at the time of adjustment of—

"(A) borrowers who have transferred their farms to other approved applicants under agreements assuming the outstanding indebtedness to the Secretary under this title; and

"(B) Borrowers who have transferred their farms to other

approved applicants under agreements assuming that portion of their outstanding indebtedness to the Secretary which is equal to the earning capacity value of the farm at the time of the transfer, and borrowers whose farms have been acquired by the Secretary, in cases where the county committees certify and the Secretary determines that the borrowers have cooperated in good faith with the Secretary, have farmed in a workmanlike manner, used due diligence to maintain the security against loss, and otherwise fulfilled the covenants incident to their loans, to the best of their abilities;

“(C) No compromise or adjustment shall be made upon terms more favorable than recommended by the appropriate County Committee established pursuant to section 42 of this Act;

Infra.
Claims of \$100 or less.

“(3) Any claim of \$100 or less, which has been due and payable for three years or more, and where the debtor has no assets from which the claim could be collected or is deceased and has left no estate, or has been absent from his last known address for a period of at least two years and his whereabouts cannot be ascertained without undue expense, may be charged off or released by the Secretary upon a report and favorable recommendation of the employee of the Administration having charge of the claim: *Provided*, That claims of \$10 or less may be canceled and released whenever it appears to the Secretary that further collection efforts would be ineffectual or likely to prove uneconomical; and

Claims of \$10 or less.

Report to Congress.

“(4) At the end of each fiscal year the Secretary shall report to Congress the names of all persons against whom claims in excess of \$1,000 have been compromised, the address of such person, the nature of the claim, the amount of the compromise, and the reason therefor.

Collection of claims, etc.

“(h) Collect all claims and obligations arising or administered under this Act, or under any mortgage, lease, contract, or agreement entered into or administered pursuant to this Act and, if in his judgment necessary and advisable, pursue the same to final collection in any court having jurisdiction. All legal work arising out of such claims and obligations, including, but not limited to, the prosecution and defense of all litigation, is authorized to be performed, as determined by the Solicitor of the Department of Agriculture, through the Department of Justice, by attorneys of the Office of the Solicitor of the Department of Agriculture, or by local counsel approved by the Solicitor of the Department of Agriculture, whose fees, upon approval by the Solicitor, shall be paid by the Secretary; and

Rules, etc.

“(i) Make such rules and regulations and such delegations of authority as he deems necessary to carry out this Act.

“COUNTY COMMITTEES

Terms of office.

“SEC. 42. (a) The Secretary is authorized and directed to appoint in each county in which activities are carried on under this Act a county committee composed of three individuals residing in the county, at least two of whom shall be farmers residing on a farm and deriving the principal part of their income from farming. In making the first appointments pursuant to the amendments made by Farmers' Home Administration Act of 1946, the Secretary shall designate one member of each committee to serve for a period of one year, one member to serve for a period of two years, and one member to serve for a period of three years. All subsequent appointments shall be for a three-year period. The Secretary may appoint an alternate for each member of each committee who shall have the same qualifications and be appointed for the same term as such member. The members of

Alternates.

each committee shall elect one member to serve as chairman. Members of the committees and their alternates shall be removable for cause by the Secretary.

“(b) Each member of the committee shall be allowed compensation at the rate of not to exceed \$5 per day while engaged in the performance of duties under this Act. The number of days per month that each member may be paid shall be determined and approved by the Secretary. In addition, they shall be allowed such amounts as the Secretary may prescribe for necessary traveling and subsistence expenses. The compensation and expenses of the committee members and their alternates shall be paid by the Secretary.

“(c) The committee shall meet on the call of the committee chairman, or on the call of such other person as the Secretary may designate. Two members of the committee shall constitute a quorum. The Secretary shall prescribe rules governing the procedure of the committees, furnish forms and equipment necessary for the performance of their duties, and authorize and provide for the compensation of such clerical assistants as he deems may be required by any committee.

“(d) Committees established under this Act shall, in addition to the duties specifically imposed under this Act, perform such other duties under this Act as the Secretary may require of them, or as may be delegated to them by the Secretary.

“RESETTLEMENT PROJECTS

“SEC. 43. (a) The Secretary shall do all things necessary to complete the liquidation as expeditiously as possible of all resettlement projects and rural rehabilitation projects for resettlement purposes including, but not limited to, defense relocation corporations, land-leasing and land-purchasing associations, all properties retransferred from the National Housing Agency by section 2 (a) (3) of the Farmers' Home Administration Act of 1946, and all other corporations or associations organized for similar purposes and financed, in whole or in part, with funds made available to the Secretary, the War Food Administrator, the Farm Security Administration, the Resettlement Administration, or the Federal Emergency Relief Administration.

“(b) Within six months after the effective date of the Farmers' Home Administration Act of 1946, the Secretary shall determine which of the lands comprising the projects described in (a) hereof are suitable for use, either with or without subdivision, as farms of sufficient size to constitute efficient farm management units and to enable diligent farm families to carry on farming of a type which the Secretary deems can be carried on successfully in the localities in which the lands are situated. The Secretary shall file with the Congress, promptly after making such determination, a complete report of the determination, with full information as to the location of all lands comprising such projects, and of the facts taken into account by the Secretary in making the determination. All lands which the Secretary determines are suitable for farming and all personal property incident to or comprising such projects and usable in farming operations shall, wherever practicable, be sold by the Secretary as expeditiously as possible to individuals eligible to receive the benefits of title I of this Act and in a manner consistent with the provisions of such title. The Secretary, if appropriations are made therefor by Congress, may make loans to such purchasers to enable them to improve such lands or repair such property, which loans shall be made only after certification of the county committees and otherwise in a manner consistent with the provisions of title I: *Provided*, That all sales of project lands in economic units shall be in accordance with the terms, conditions, and limitations of S. 704, Seventy-ninth Congress, second session.

Compensation

Meetings, etc.

Duties.
Post, p. 1072.

Liquidation.

Act, p. 1062.

Determination of
lands suitable for use
as farms.

Report to Congress.

Sale of lands.

50 Stat. 522.
7 U. S. C. §§ 1000-
1006; Supp. V, § 1001
note.
Post, p. 1072.

Act, p. 711.

Grants, etc., of public facilities.

“(c) Public facilities, such as electric light, water and sewage systems, buildings and lands for schools and churches, and land for public roads, streets, and alleys, may be granted or dedicated to public or semipublic institutions or granted to public or private organizations where (1) such facilities or lands cannot be sold at reasonable prices, (2) similar facilities or land are not available at reasonable rates and terms to the inhabitants of the particular area and (3) the recipients of such facilities will agree to operate and maintain them and shall relieve the Government of all responsibility in connection therewith. In making grants or dedications of such facilities, the Secretary shall give due consideration to all applications for such grants or dedications and shall award the facilities to the organization or institution found by the Secretary to be most capable of maintaining and operating such properties. In all sales, grants, or dedications of such facilities, the Secretary shall take reasonable precautions to provide that they will not be used in competition with companies or organizations in the area furnishing adequate services to the inhabitants upon reasonable rates and terms.

Disposition of surplus real and personal property.

“(d) Real and personal property comprising such projects which is not determined by the Secretary to be suitable for sale as family-size farms as provided in (b) hereof, or which is not granted or dedicated as provided in (c) hereof, shall, within eighteen months after the effective date of the Farmers' Home Administration Act of 1946, either be transferred by the Secretary to appropriate agencies of the United States for disposition as surplus property of the United States or be sold by the Secretary at public or private sale to any individual or corporation at the best price obtainable, after public notice, for cash or on secured credit, without regard to the laws governing the disposition of surplus real or personal property of the United States: *Provided, however,* That in the case of all sales on credit under this subparagraph (d) the Secretary shall obtain an initial cash payment of at least 20 per centum of the sales price and the remainder shall be paid in equal annual installments within a term not in excess of five years: *Provided further,* That whenever it is found by the Secretary that it is not practicable to dispose of lands reserved for sale pursuant to subparagraph (b) hereof under the provisions of title I of this Act, such lands may be sold by the Secretary under the authority of this subparagraph (d).

Sales on credit.

50 Stat. 522.
7 U. S. C. §§ 1000-1006; Supp. V, § 1001 note.

Post, p. 1072.
Sale of properties held by defense relocation corporations, etc.

Applicability to labor supply centers, etc.

“(e) The Secretary shall cause the defense relocation corporations, land-leasing and land-purchasing associations, and other similar corporations or associations to sell properties to which they hold title in accordance with the limitations and procedures prescribed in this section.

“(f) The provisions of this section shall apply to all labor supply centers, labor homes, labor camps, and facilities upon their transfer to the Secretary as provided in section 2 (d) of this Act.

“SPECIAL CONDITIONS AND LIMITATIONS ON LOANS

“SEC. 44. The Secretary, under this Act—

“(a) Shall make no loan—

“(1) to any corporation or cooperative association;

“(2) unless the appropriate county committee certifies in writing that the applicant is eligible to obtain such loan and that, in the opinion of such committee, he will honestly endeavor to carry out undertakings and obligations required of him under a loan which may be made by the Secretary;

“(3) to any person, unless the applicant represents in writing, and it is administratively determined by the Secretary, after a certification to such effect by the appropriate county committee,

that credit sufficient in amount to finance the actual needs of the applicant is not available to him at the rates (but not exceeding the rate of 5 per centum per annum) and terms prevailing in the community in or near which the applicant resides for loans of similar size and character from commercial banks, cooperative lending agencies, or from any other responsible source;

“(4) for the carrying on of any land-purchase or land-leasing program, or for the purpose of carrying on any operations in collective farming, or cooperative farming, or for the organization, promotion, or management of homestead associations, land-leasing associations, land-purchasing associations, or cooperative land-purchasing for colonies of rehabilitants and tenant purchasers, except for the liquidation as expeditiously as possible of any such projects heretofore initiated.

“(b) Shall, except as otherwise specifically provided by the Congress, make all loans at the interest rate of 5 per centum per annum evidenced by notes requiring full liability of the maker and upon such security and such other terms and conditions as the Secretary may prescribe, including such provisions for the supervision of the borrower as the Secretary shall deem necessary to protect his interests.

Interest rate.

“(c) Shall, in the case of every loan, require in the loan and security instruments that if at any time it shall appear to the Secretary that the borrower may be able to obtain a loan from a production credit association, Federal land bank, or other responsible cooperative or private credit source at rates (but not exceeding the rate of 5 per centum per annum) and terms for loans for similar periods of time and purposes prevailing in the area in which the loan is to be made, the borrower shall, upon request of the Secretary, apply for and accept such loan in sufficient amount to repay the Secretary and to pay for any stock necessary to be purchased in the cooperative lending agency in connection with the loan.

Application for repayment loan, etc.

“TRANSFER OF LANDS TO SECRETARY

“SEC. 45. The President may at any time in his discretion transfer to the Secretary any right, interest or title held by the United States in any lands acquired in the program of national defense and no longer needed therefor, which the President shall find suitable for the purposes of this Act, and the Secretary shall dispose of such lands in the manner and subject to the terms and conditions of this Act.

“TRANSACTIONS WITH CORPORATIONS

“SEC. 46. Nothing in this Act shall authorize the making of any loan or the sale or other disposition of real property or any interest therein, other than interests in coal, oil, gas, or other minerals, to any private corporation, except in furtherance of liquidation pursuant to section 43, or the leasing of mineral interests to corporations or individuals from time to time in accordance with policies established by the Secretary of Agriculture.

Ante, p. 1067.

“SURVEYS AND INVESTIGATIONS

“SEC. 47. The Secretary is authorized to conduct surveys and investigations relating to the conditions and factors affecting, and the methods of accomplishing most effectively, the purposes of this Act, and may, when funds are specifically appropriated therefor by the Congress, publish and disseminate information pertinent to the various aspects of its activities.

"VARIABLE PAYMENTS

"SEC. 48. The Secretary shall require annual payments in installments sufficient to pay any obligations or indebtedness to him under this Act within the term of such obligation or indebtedness. The Secretary shall provide a method whereby a borrower may pay any obligation or indebtedness by a system of variable payments under which a surplus above the required installment for any year may be paid in periods of above-normal income and employed to reduce payments below the required annual payment in subsequent periods of subnormal income. Any advance payments to the Secretary shall not affect the obligation to pay the required annual installment during periods of normal or above-normal income.

"SET-OFF

"SEC. 49. No set-off shall be made against any payment to be made by the Secretary to any person under the provisions of this Act, by reason of any indebtedness of such person to the United States, and no debt due to the Secretary under the provisions of this Act shall be set off against any payments owing by the United States, unless the Secretary shall find that such set-off will not adversely affect the objectives of this Act.

"TAXATION

"SEC. 50. (a) All property which is being utilized to carry out the purposes of title I of this Act (other than property used solely for administrative purposes) shall, notwithstanding that legal title to such property remains in the Secretary, be subject to taxation by the State, Territory, district, dependency, and political subdivision concerned, in the same manner and to the same extent as other similar property is taxed.

"(b) All property to which subsection (a) of this section is inapplicable which is held by the Secretary pursuant to this Act shall be exempt from all taxation now or hereafter imposed by the United States or any State, Territory, district, dependency, or political subdivision, but the Secretary shall make payments in respect of any such property in lieu of taxes.

"BID AT FORECLOSURE

"SEC. 51. The Secretary is authorized and empowered to bid for and purchase at any foreclosure or other sale, or otherwise to acquire property pledged or mortgaged or conveyed to secure any loan or other indebtedness owing to or acquired by the Secretary under this Act; to accept title to any property so purchased or acquired; to operate for a period not in excess of one year from the date of acquisition, or lease such property for such period as may be deemed necessary to protect the investment therein; and to sell or otherwise dispose of such property in a manner consistent with the provisions of section 43 of this Act.

"PENALTIES

"SEC. 52. (a) Whoever makes any material representation, knowing it to be false, for the purpose of influencing in any way the action of the Secretary upon any application, discount, purchase, or repurchase agreement, contract of sale, lease or loan, or any change or extension of any of the same by renewal, compromise, adjustment, deferment of action or otherwise, or the acceptance, release or substitution of security therefor, shall, upon conviction thereof, be punished by a

50 Stat. 522.
7 U. S. C. §§ 1000-
1006; Supp. V, § 1001
note.

Post, p. 1072.

Payments in lieu of
taxes.

Ante, p. 1067.

False representa-
tion.

fine of not more than \$2,000 or by imprisonment for not more than two years, or both.

“(b) Whoever, being employed in any capacity by the Secretary, (1) embezzles, abstracts, purloins or willfully misapplies any moneys, funds, securities or other things of value, whether belonging to the Secretary or pledged or otherwise entrusted to him; or (2) with intent to defraud the Secretary, or any body politic or other corporation, or any individual, or to deceive any officer, auditor or examiner of the Secretary, makes any false entry in any book, report or statement of, or to, the Secretary, or draws any order, or issues, puts forth or assigns any note or other obligation or draft, mortgage, judgment or decree thereof; or (3) with intent to defraud the Secretary, participates or shares in or receives directly or indirectly any money, profit, property or benefits through any transaction, loan, commission, contract or any other act of the Secretary shall, upon conviction thereof, be punished by a fine of not more than \$5,000 or by imprisonment for not more than five years, or both.

Embezzlement, etc.

“(c) Whoever willfully shall conceal, remove, dispose of, or convert to his own use or that of another, any property mortgaged or pledged to, or held by, the Secretary as security for any obligation, shall, upon conviction thereof, be punished by a fine of not more than \$2,000 or by imprisonment for not more than two years, or both.

Removal, etc., of property held as security.

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

Conspiracy.

“FEES AND COMMISSIONS PROHIBITED

“SEC. 53. No officer, attorney, or other employee of the Secretary shall, directly or indirectly, be the beneficiary of or receive any fee, commission, gift, or other consideration for or in connection with any transaction or business under this Act other than such salary, fee, or other compensation as he may receive as such officer, attorney, or employee. No member of a county committee established under section 42 shall knowingly make or join in making any certification prohibited by section 2 (c). Any person violating any provision of this section shall, upon conviction thereof, be punished by a fine of not more than \$2,000 or imprisonment for not more than two years, or both.

Ante, p. 1066.
Post, p. 1074.

“EXTENSION OF TERRITORIES

“SEC. 54. The provisions of this Act shall extend to the Territories of Alaska and Hawaii and to Puerto Rico. In the case of Alaska and Puerto Rico, the term ‘county’ as used in this Act shall be deemed synonymous with Territory, or any subdivision thereof as may be designated by the Secretary, and payments under section 33 of this Act shall be made to the Governor of the Territory or to the fiscal agent of such subdivision.

“County.”

50 Stat. 526.
7 U. S. C. § 1012.

“SEPARABILITY

“SEC. 55. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.”

SEC. 4. Title II of the Bankhead-Jones Farm Tenant Act, as amended, is hereby amended to read as follows:

50 Stat. 524.
7 U. S. C. §§ 1007-1009.

“TITLE II—PRODUCTION AND SUBSISTENCE LOANS

“BORROWERS AND TERMS

Infra. “SEC. 21. Out of the funds made available under section 23, the Secretary may make loans to farmers and stockmen who are citizens of the United States for the purchase of livestock, seed, feed, fertilizer, farm equipment and supplies, other farm needs, the refinancing of indebtedness and family subsistence: *Provided*, That no loan shall be made under this section for the purchase or leasing of land or for the carrying on of any land-purchase or land-leasing program: *Provided further*, That, under this section, (1) the initial loan to any one borrower shall not exceed \$3,500 and no further loan may be made by the Secretary under this title to a borrower so long as the total amount outstanding to that borrower, including interest and taxes or other liens and obligations which have accrued and are properly chargeable to the account of the borrower, exceeds \$5,000; (2) the term of any such loan, including renewals and extensions, shall not exceed five years from the date the original loan was made; and (3) no person who has failed to liquidate his indebtedness under this section for five consecutive years shall be eligible for further loans hereunder until he has paid such indebtedness in full, except that indebtedness to the Farm Security Administration or the Emergency Crop and Feed Loan Offices heretofore created shall not be included until five years from the effective date of the Farmers’ Home Administration Act of 1946, in determining the amounts of loans, terms of loans, and five-year period for eligibility set forth in this section.

Restriction.

Initial loan, etc.

Eligibility for further loans.

“DEBT ADJUSTMENT

“SEC. 22. The Secretary may assist in the voluntary adjustment of indebtedness between farm debtors and their creditors and may cooperate with State, Territorial, and local agencies and committees engaged in such debt adjustment. Services furnished by the Secretary under this section may be without charge to the debtor or creditor.

“APPROPRIATION

Appropriations authorized.

“SEC. 23. There is authorized to be appropriated to the Secretary such sums as the Congress may from time to time determine to be necessary to enable the Secretary to carry out the purposes of this title.”

AMENDMENT TO TITLE I OF THE BANKHEAD-JONES FARM TENANT ACT

50 Stat. 522.
7 U. S. C. §§ 1001-1006; Supp. V, § 1001 note.

SEC. 5. Title I of the Bankhead-Jones Farm Tenant Act, as amended, is hereby amended to read as follows:

“TITLE I—TENANT PURCHASE LOANS AND MORTGAGE INSURANCE

“POWER OF SECRETARY

“SECTION 1. (a) The Secretary of Agriculture (hereinafter referred to as the ‘Secretary’) is authorized to make loans and to insure mortgages in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico to persons eligible to receive the benefits of this title to enable such persons to acquire, repair or improve family-size farms, or to refinance indebtedness against undersized or underimproved units when loans are being made or insured by the Secretary to enlarge or improve such units. Loans may also be made to assist

borrowers under this title in making the improvements needed to adjust their farming operations to changing conditions.

“(b) (1) Except with respect to veterans qualified under subsection (b) (2) of this section, only farm tenants, farm laborers, sharecroppers, and other individuals (including owners of inadequate or under-improved farm units) who obtain, or who recently obtained, the major portion of their income from farming operations, shall be eligible to receive the benefits of this title. In making available the benefits of this title, the Secretary shall give preference to persons who are married, or who have dependent families, and, wherever practicable, to persons who are able to make an initial down payment, or who are owners of livestock and farm implements necessary successfully to carry on farming operations. No person shall be eligible who is not a citizen of the United States.

Persons eligible for benefits.

“(2) Any veteran (defined herein as a person who served in the land or naval forces of the United States during any war between the United States and any other nation, and who shall have been discharged or released therefrom under conditions other than dishonorable) who intends to engage in farming as a principal occupation, and who meets the requirements of rules and regulations prescribed by the Secretary as to industry, experience, character, and other assurances of success as farmers, shall be eligible for the benefits of this title and their applications shall be entitled to preference over those of non-veterans.

Veterans.

“(c) No loan shall be made, or mortgage insured, for the acquisition, improvement, or enlargement of any farm unless it is of such size and type as the Secretary determines to be sufficient to constitute an efficient family-type farm-management unit and to enable a diligent farm family to carry on successful farming of a type which the Secretary deems can be carried on successfully in the locality in which the farm is situated: *Provided*, That loans may be made to veterans, or mortgages insured for veterans, as defined in section 1 (b) (2) hereof, who have pensionable disabilities, to enable such veterans to acquire, enlarge, repair, or improve farm units of sufficient size to meet the farming capabilities of such veterans and afford them income which, together with their pensions, will enable them to meet living and operating expenses and the amounts due on their loans.

Size and type of farm.

Loans to veterans with pensionable disabilities.

“FUNCTIONS OF COUNTY COMMITTEES

“SEC. 2. (a) The county committees established under section 42 shall—

Ante, p. 1066.

“(1) examine applications (filed with the chairman of the county committee, or with such other person as the Secretary may designate) of persons desiring to obtain the assistance of the Secretary in financing the acquisition of farms or farming operations in the county as provided in this Act; and

Examination of applications.

“(2) examine and appraise farms in the county with respect to which applications are made.

Appraisal of farms.

“(b) If the committee finds that an applicant is eligible to receive the benefits of this Act, that, in the opinion of the committee, by reason of his character, ability, industry, and experience, he will successfully carry out undertakings required of him under a loan which may be made or insured under this Act, that credit sufficient in amount to finance the actual needs of the applicant, specified in the application, is not available to him at the rates (but not exceeding the rate of 5 per centum per annum) and terms prevailing in the community in or near which the applicant resides for loans of similar size and character from commercial banks, cooperative lending agencies, or from any

Certification.

other responsible source; and that the farm with respect to which the application is made is of such character that there is a reasonable likelihood that the making or insuring of the loan with respect thereto will carry out the purposes of this title, it shall so certify to the Secretary. The committee shall also certify to the Secretary the amount which the committee finds is the fair and reasonable value of the farm based upon its normal earning capacity. The farm shall be appraised by competent employees of the Secretary thoroughly trained in appraisal techniques and the appraisal shall be made available to the county committee and the Secretary for their guidance in determining the value of the farm as specified above.

Availability of appraisal.

Nonparticipation of member in certification.

“(c) No member of the committee shall participate in any certification under his section with respect to any application or farm in which such member, or any person related to such member within the third degree of consanguinity or affinity has any pecuniary interest, direct or indirect, or in which any of them had such interest within one year prior to the date of certification.

Certification for loan, etc.

“(d) No loan shall be made for any purpose under this Act and no mortgage shall be insured under this Act, unless certification by the committee, as required under this section, has been made with respect to the applicant applying for the loan and with respect to the farm which is to be taken as security either for an insured or an uninsured mortgage.

“TERMS OF LOANS

Amounts.

“SEC. 3. (a) Loans made under this title shall be in such amount (not in excess of the amount certified by the county committee to be the value of the farm) as may be necessary to enable the borrower to acquire the farm and for necessary repairs and improvements thereon, and shall be secured by a first mortgage or deed of trust on the farm. Loans may not be made for the acquisition or enlargement of farms which have a value, as acquired, enlarged, or improved, in excess of the average value of efficient family-type farm-management units, as determined by the Secretary, in the county, parish, or locality where the farm is located.

Provisions of instruments.

“(b) The instruments under which the loan is made and security given therefor shall—

“(1) provide for the repayment of the loan within an agreed period of not more than forty years from the making of the loan;

“(2) provide for the payment of interest on the unpaid balance of the loan at the rate of $3\frac{1}{2}$ per centum per annum;

“(3) provide for the repayment of the unpaid balance of the loan, together with interest thereon, in installments in accordance with amortization schedules prescribed by the Secretary;

“(4) be in such form and contain such covenants as the Secretary shall prescribe to secure the payment of the unpaid balance of the loan, together with interest thereon, to protect the security, and to assure that the farm will be maintained in repair, and waste and exhaustion of the farm prevented, and that such proper farming conservation practices as the Secretary shall prescribe will be carried out;

“(5) provide that the borrower shall pay taxes and assessments on the farm to the proper taxing authorities, and insure and pay for insurance on farm buildings;

“(6) provide that upon the borrower's assigning, selling, or otherwise transferring the farm, or any interest therein, without the consent of the Secretary, or upon default in the performance of, or upon any failure to comply with, any covenant or condition contained in such instruments, or upon involuntary transfer or sale, the Secretary

may declare the amount unpaid immediately due and payable, and that, without the consent of the Secretary, no final payment shall be accepted, or release of the Secretary's interest be made, less than five years after the making of the loan; and

"(7) contain the provisions for refinancing specified in section 44 (c).

"(c) Except as provided in paragraph (6) of subsection (b), no instrument provided for in this section shall prohibit the prepayment of any sum due under it.

"(d) No provision of section 75, as amended, of the Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898 (U. S. C. 1940 ed., title 11, sec. 203), otherwise applicable in respect to any indebtedness incurred under this title by any beneficiary thereof, shall be applicable in respect of such indebtedness until such beneficiary has repaid at least 15 per centum thereof.

Ante, p. 1069.
Prepayment.

Nonapplicability.

47 Stat. 1470.
11 U. S. C., Supp.
V, § 203.
Ante, p. 230.

"EQUITABLE DISTRIBUTION OF LOANS AND MORTGAGE INSURANCE

"SEC. 4. In making loans and insuring mortgages under this title, the amount which is devoted to such purposes during any fiscal year shall be distributed equitably among the several States and Territories on the basis of farm population and the prevalence of tenancy, as determined by the Secretary: *Provided*, That there may be distributed to each State such amounts as are necessary to insure mortgages or finance loans pursuant to all bona fide applications from veterans qualified under section 1 hereof: *Provided further*, That there may be disbursed in any fiscal year to each State or Territory such amount not in excess of \$100,000 as is determined by the Secretary to be necessary to finance loans in such State or Territory under this title.

Veterans' applica-
tions.

Ante, p. 1072.

"APPROPRIATION

"SEC. 5. To carry out the provisions of this title with respect to tenant-purchase loans, there is authorized to be appropriated not to exceed \$50,000,000 for each fiscal year beginning with the fiscal year ending June 30, 1947, and such further sums as may be necessary in carrying out the provisions of this title during such fiscal year, with respect to tenant purchase loans and insured mortgages.

Appropriations au-
thorized.

"FARM TENANT MORTGAGE INSURANCE FUND

"SEC. 11. (a) There is hereby created a fund, to be known as the 'farm tenant-mortgage insurance fund' (hereinafter in this title referred to as the 'fund'), which shall be used by the Secretary as a revolving fund for carrying out the provisions of this title with respect to mortgages insured under section 12 and to mortgages accepted for the account of the fund under section 13. There is authorized to be appropriated to the Secretary the sum of \$25,000,000 to constitute such fund.

Revolving fund.

Post, pp. 1076, 1077.
Appropriation au-
thorized.

"(b) Moneys in the fund not needed for current operations shall be deposited with the Treasurer of the United States to the credit of the fund or invested in direct obligations of the United States or obligations guaranteed as to principal and interest by the United States. The Secretary may purchase, with money in the fund, any notes issued by the Secretary to the Secretary of the Treasury to obtain money for the fund.

Moneys not needed
for current operations.

"(c) All amounts deposited in or credited to the fund and the proceeds of investments of amounts in the fund shall be used only for purposes to which the fund is specifically authorized to be devoted under this title and shall not be diverted to any other use.

Use of fund.

Report on status of fund.

“(d) The Secretary shall include in his annual report a complete statement with respect to the status of the fund.

“INSURANCE OF MORTGAGES

“SEC. 12. (a) The Secretary is authorized, upon application of a prospective mortgagor or mortgagee under a first mortgage eligible for insurance under this title, to insure such mortgage and to make commitments for the insurance of any such mortgage prior to the date of its execution.

Post, p. 1078.

“(b) The aggregate amount of principal obligations on all mortgages insured under this title, on all mortgages with respect to which commitments to insure have been made, and on all mortgages accepted for the account of the fund and not disposed of under section 14 shall not exceed \$100,000,000 in any one fiscal year. With respect to any fiscal year, the amount available for insurance, commitment and acceptance of mortgages under this title shall be distributed among the several States and Territories on the basis provided in section 4 and preferences shall be given to mortgages executed by veterans qualified under section 1.

Ante, p. 1075.

Ante, p. 1072.

Eligibility of mortgage.

“(c) In order for a mortgage to be eligible under this title—

Ante, p. 1072.

“(1) the person obligated to pay thereunder shall be a person who would be eligible under section 1 for a loan under title I;

Ante, p. 1073.

“(2) the farm mortgaged shall be one with respect to which, under section 1 (c), a loan could be made under title I;

Ante, p. 1073.

“(3) there shall be an appropriate certification by the county committee as required by section 2 of this Act;

Ante, p. 1074.

“(4) the mortgage instruments shall comply with section 3 (b), except that the base rate of interest shall be 2½ per centum per annum;

Limitation on principal obligation, etc.

“(5) the principal obligation (and fees and other charges chargeable under subsection (d) of this section) shall not exceed 90 per centum of the reasonable value of the farm and necessary repairs and improvements thereon, as such values are certified by the county committee pursuant to section 2 (b);

Ante, p. 1073.

Covenant.

“(6) the mortgage instruments shall contain a covenant to pay to the Secretary the initial and annual charges provided for in subsections (d) and (e) of this section, and a covenant to pay to the Secretary, as collection agent for the mortgagee, the amounts payable by the mortgagor to the mortgagee under the mortgage; and

Acceptance of benefits.

Post, p. 1077.

“(7) the mortgage instruments shall contain a stipulation (not binding upon the Secretary) that the holder of the mortgage will accept the benefits provided by section 13 in lieu of any right of foreclosure which he may have against the property and any right to a deficiency judgment against the mortgagor on account of the mortgage.

Payment of initial fees, etc.

“(d) The Secretary shall require the payment by the mortgagor or mortgagee of such initial fees for inspection, appraisal, and other charges as it finds necessary and such amounts may be included in the principal obligation of the mortgage, and the payment of such delinquency charges and default reserves as it finds necessary. The proceeds of such fees shall be deposited in the Treasury for use for administrative expense as provided in subparagraph (e) (2) hereof.

Collection of charges.

“(e) (1) The Secretary shall collect from the mortgagor, upon insurance of the mortgage, an initial charge of 1 per centum of the principal obligation of the mortgage and annually thereafter when payment of an installment of principal and interest is due, a charge of 1 per centum of the principal obligation remaining unpaid after

such installment is paid, without taking into account delinquent payments or prepayments. If the principal obligation of the mortgage is paid in full in less than five years after the time when the mortgage was entered into, the Secretary may require payment by the mortgagor of a charge equal to the amount of the last annual charge required of the mortgagor.

“(2) One-half of the amount paid as charges in pursuance of this subsection shall be the premium for insurance and shall be deposited in the fund and may be used only for purposes to which the fund may be devoted. The other half of the amounts so paid shall be deposited in the Treasury to the credit of the Secretary and shall be available only for administrative expenses to carry out the provisions of this title, relating to mortgage insurance.

Insurance premium.

Administrative expenses.

“(f) (1) The Secretary shall promptly remit to the mortgagee under any mortgage insured under this title any sums collected by it as agent for the mortgagee. The Secretary shall promptly advise any such mortgagee of any default by the mortgagor.

Remission of collections to mortgagee, etc.

“(2) If within thirty days after the due date of any installment the mortgagor under an insured mortgage has failed to pay to the Secretary the amount due, the Secretary shall notwithstanding the amount paid is less than the interest and principal due, pay the amount of such principal and interest to the mortgagee, less the amount of any previous prepayments.

Failure of mortgagor to pay amount due.

“(3) Payments to mortgagees under paragraph (2) shall be advanced out of the fund for the account of the mortgagor. Such advances shall be repaid to the fund out of the first available collections received from the mortgagor, with interest thereon at the rate fixed in the insured mortgage, and shall be added to subsequent installments.

Advances to mortgagees.

“(g) Any contract of insurance executed by the Secretary under this section shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of any holder thereof from the date of the execution of such contract, except for fraud or misrepresentation of which such holder has actual knowledge.

Validity, etc., of contract.

“(h) The Secretary may, at any time, for good cause shown and under such terms and conditions as he may prescribe, consent to the release of the mortgagor from his liability under the mortgage or the credit instruments secured thereby, or consent to the release of parts of the mortgaged property from the lien of the mortgage.

Release of mortgagor from liability, etc.

“(i) The holder of any mortgage insured under this title may, upon notice to the Secretary, assign such mortgage together with the accompanying note and contract of insurance and the assignee thereof shall thereupon become entitled to all the benefits of such contract of insurance: *Provided*, That no such assignment shall be binding upon the Secretary until notice thereof has been given the Secretary and the Secretary has acknowledged receipt of such notice.

Assignment of mortgage, etc.

Notice.

“PAYMENT OF INSURANCE

“SEC. 13. (a) In any case in which the mortgagor under a mortgage insured under section 12 is in default for more than twelve months, the mortgagee shall be entitled to receive the benefit of the insurance as hereinafter provided, upon assignment to the Secretary of (1) all the mortgagee’s rights and interests arising under the mortgage so in default; (2) all claims of the mortgagee against the mortgagor or others, arising out of the mortgage transaction; (3) all policies of title or other insurance and all surety bonds and other guaranties and any and all claims thereunder relating to the mortgage or the mortgaged

Default. *Ante*, p. 1076.

property; (4) any balance of the mortgage loan not advanced to the mortgagor; and (5) any cash or property held by the mortgagee, or to which he is entitled, as deposit made for the account of the mortgagor and which has not been applied in reduction of the principal of the mortgage indebtedness; and upon transfer to the Secretary of such originals or copies of records, documents, books, papers and accounts relating to the mortgage transaction, as the Secretary prescribes. Upon such assignment and transfer, the Secretary shall pay to the mortgagee, in cash, an amount equal to the value of the mortgage and the note and mortgage shall thereupon become a part of the fund. For the purposes of this subsection, the value of the mortgage shall be determined, in accordance with rules and regulations prescribed by the Secretary, by adding to the amount of the original principal obligation of the mortgage which was unpaid on the date of default, the amount of all unpaid interest and the amount of all payments which have been made by the mortgagee for taxes, special assessments, water rates, and other payments in discharge of liens which are prior to the mortgage, and insurance on the property mortgaged, and by deducting from such total amount any amount received on account of the mortgage indebtedness after such default.

Payment to mortgagee.

Determination of value of mortgage.

Issuance of notes for payments, etc.

“(b) If there should not be sufficient cash in the fund to enable the Secretary to make payments to mortgagees as provided in subsection (a) of this section, the Secretary may make and issue notes to the Secretary of the Treasury to obtain funds to make such payments. Such notes shall be signed by the Secretary or by his duly authorized representatives and shall be negotiable. Such notes shall bear interest, payable semiannually, at a rate equal to the average rate of interest, computed to the end of the calendar month next preceding the date of issue, borne by all interest bearing obligations of the United States then forming a part of the public debt, and shall have such maturities as the Secretary may determine with the approval of the Secretary of the Treasury.

Purchase of notes and renewals.

“(c) The Secretary of the Treasury is authorized to purchase any notes issued by the Secretary pursuant to this section and any renewals thereof and for such purchases may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which such securities may be issued under such Act, as amended, are hereby extended to include any such purchases. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States.

40 Stat. 288.
31 U. S. C. § 774 (2);
Supp. V, § 754a et seq.
Ante, p. 316.

Violation by mortgagor.

“(d) In any case in which the mortgagor violates any covenant or condition of his mortgage, the Secretary may require the mortgagee to assign such mortgage, together with the incidents thereto, upon payment of the value of the mortgage determined in accordance with this section.

“PROCEDURE WITH RESPECT TO MORTGAGES IN DEFAULT

“Sec. 14. (a) Upon accepting the assignment of any insured mortgage, the Secretary shall ascertain whether or not the mortgagor (which term as used in this section shall include the mortgagor or his heirs or assigns) desires to remain in possession of the mortgaged property. If the mortgagor does not desire to remain in possession of the mortgaged property or if the Secretary is unable to make the findings prescribed by the next sentence, the Secretary may proceed to foreclose the mortgage. If the mortgagor desires to remain in possession of the mortgaged property and if the Secretary finds that the mortgagor (1) has made reasonable efforts to meet all defaulted payments and to comply with the other covenants and conditions of

Foreclosure.

Agreement providing for defaulted payments.

his mortgage and (2) will probably be able to meet such defaulted payments within five years after the maturity date or dates of the defaulted payments, the Secretary may enter into an agreement with the mortgagor providing for the payment of such defaulted payments together with interest thereon, at such times not later than five years after the maturity date or dates as the Secretary may deem to be within the probable future means of the mortgagor. Should any mortgagor with whom the Secretary has entered into such agreement thereafter fail to meet any payments, the Secretary may proceed to foreclose the mortgage.

“(b) Amounts realized under section 51 on account of property which was subject to an insured mortgage shall be deposited in the fund. Amounts payable by the Secretary under section 50 (a) as taxes, with respect to such property, shall be paid out of the fund.

Ante, p. 1070.

Ante, p. 1070.

“INSURED MORTGAGES ELIGIBLE AS INVESTMENTS

“SEC. 15. (a) The first paragraph of section 24, chapter 6, of the Federal Reserve Act, as amended (U. S. C., 1940 ed., title 12, sec. 371) (relating to loans on farm lands by member banks), is hereby amended by inserting after the words ‘National Housing Act’, the following: ‘or which are insured by the Secretary of Agriculture pursuant to title I of the Bankhead-Jones Farm Tenant Act’.

48 Stat. 1263.
12 U. S. C., Supp.
V, § 371.

Ante, p. 1072.

“(b) Section 35 of chapter III of the Act entitled ‘An Act to regulate the business of life insurance in the District of Columbia’, approved June 19, 1934 (D. C. Code, 1940 edition, title 35, sec. 535), is amended by inserting in paragraph (3a) after the words ‘Federal Housing Administrator’ the following: ‘or by the Secretary of Agriculture pursuant to title I of the Bankhead-Jones Farm Tenant Act’.”

48 Stat. 1152.
D. C. Code § 35-535
(3a).

Ante, p. 1072.

ACCOUNTS AND CLAIMS OF DEFENSE RELOCATION CORPORATIONS

SEC. 6. (a) The Comptroller General of the United States is authorized and directed to allow credit in the accounts of disbursing and certifying officers for advances made in good faith on behalf of the Department of Agriculture to defense relocation corporations and land purchasing associations.

CONSOLIDATION OF AGRICULTURAL CREDIT AND SERVICE OFFICES

SEC. 7. The Secretary of Agriculture and the Governor of the Farm Credit Administration are hereby directed, wherever practicable, to make suitable arrangements whereby all field offices under their supervision or direction extending agricultural credit or furnishing agricultural services to farmers to utilize the same or adjacent offices to the end that eligible farmers in each locality will be enabled to obtain their agricultural credit and services at one central point.

CONTINGENT PROVISIONS FOR TRANSFERRING POWERS TO AGRICULTURAL CREDIT AGENCY

SEC. 8. (a) In the event the Agricultural Credit Act (H. R. 4873), Seventy-ninth Congress, first session, passed by the House of Representatives on March 20, 1946, becomes law prior to the effective date of this Act:

(1) The functions, powers, and duties vested in the Secretary of Agriculture by this Act and by the Bankhead-Jones Farm Tenant Act, as amended, except insofar as such functions, powers, or duties involve or are necessary to the administration of title III of the Bankhead-Jones Farm Tenant Act, shall be vested in the Agricultural Credit Agency;

50 Stat. 522, 525.
7 U. S. C. §§ 1000-
1029, 1010-1015; Supp.
V, § 1001 *et seq.*
Ante, pp. 1064, 1071,
1072.

(2) The functions, powers, and duties of the Secretary of Agriculture transferred under (1) above and the property and assets acquired by the Secretary of Agriculture primarily in the administration of such functions, powers, and duties, shall be administered within the Division of the Agricultural Credit Agency created for the purpose of supervising and administering direct lending to farmers, subject to the supervision, direction, and authority of the Agricultural Credit Board, the Agricultural Credit Administrator, and the Deputy Administrator in charge of that Division, to the same extent as other units of a division of the Agricultural Credit Agency;

(3) The functions, powers, and duties vested in the Solicitor of the Department of Agriculture and attorneys of his office by this Act and the Bankhead-Jones Farm Tenant Act shall be vested in the general counsel and attorneys of the Agricultural Credit Agency, respectively.

SEC. 9. Any conveyance of real estate by the Government or any Government agency under this Act shall include all mineral rights.

Approved August 14, 1946.

[CHAPTER 965]

AN ACT

To amend the Act of March 10, 1934, entitled "An Act to promote the conservation of wildlife, fish, and game, and for other purposes".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 10, 1934 (48 Stat. 401), is hereby amended to read as follows:

"In order to promote effectual planning, development, maintenance, and coordination of wildlife conservation and rehabilitation in the United States, its Territories and possessions, the Secretary of the Interior, through the Fish and Wildlife Service, is authorized (a) to provide assistance to, and cooperate with, Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes, in minimizing damages from overabundant species, in providing public shooting areas, and in carrying out other measures necessary to effectuate the purposes of this Act; and (b) to make surveys and investigations of the wildlife of the public domain, including lands and waters or interests therein acquired or controlled by any agency of the United States.

"SEC. 2. Whenever the waters of any stream or other body of water are authorized to be impounded, diverted, or otherwise controlled for any purpose whatever by any department or agency of the United States, or by any public or private agency under Federal permit, such department or agency first shall consult with the Fish and Wildlife Service and the head of the agency exercising administration over the wildlife resources of the State wherein the impoundment, diversion, or other control facility is to be constructed with a view to preventing loss of and damage to wildlife resources, and the reports and recommendations of the Secretary of the Interior and of the head of the agency exercising administration over the wildlife resources of the State, based on surveys and investigations conducted by the Fish and Wildlife Service and by the said head of the agency exercising administration over the wildlife resources of the State, for the purpose of determining the possible damage to wildlife resources and of the means and measures that should be adopted to prevent loss of and damage to wildlife resources, shall be made an integral part of any report submitted by any agency of the Federal Government responsible for engineering surveys and construction of such projects.

50 Stat. 522.
7 U. S. C. §§ 1000-
1029; Supp. V, § 1001
et seq.
Ante, pp. 1064, 1071,
1072.
Mineral rights.

August 14, 1946
[H. R. 6097]
[Public Law 732]

Conservation of
wildlife.
16 U. S. C. §§ 661-
666.

Assistance to public
and private agencies.

Surveys, etc.

Impoundment, etc.,
of waters.

Reports, etc., of
Secretary and head of
State agency.

"The cost of planning for and the construction or installation and maintenance of any such means and measures shall be included in and shall constitute an integral part of the costs of such projects: *Provided*, That, in the case of projects hereafter authorized to be constructed, operated, and maintained in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), the Secretary of the Interior shall, in addition to allocations to be made under section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187), make findings on the part of the estimated cost of the project which can properly be allocated to the preservation and propagation of fish and wildlife, and costs allocated pursuant to such findings shall not be reimbursable. In the case of construction by a Federal agency, that agency is authorized to transfer, out of appropriations or other funds made available for surveying, engineering, or construction to the Fish and Wildlife Service, such funds as may be necessary to conduct the investigations required by this section to be made by it.

"SEC. 3. Whenever the waters of any stream or other body of water are impounded, diverted, or otherwise controlled for any purpose whatever by any department or agency of the United States, adequate provision consistent with the primary purposes of such impoundment, diversion, or other control shall be made for the use thereof, together with any areas of land, or interest therein, acquired or administered in connection therewith, for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon. In accordance with general plans, covering the use of such waters and other interests for these purposes, approved jointly by the head of the department or agency exercising primary administration thereof, the Secretary of the Interior, and the head of the agency exercising administration over the wildlife resources of the State wherein the waters and areas lie, such waters and other interests shall be made available without cost for administration (a) by such State agency, if the management thereof for the conservation of wildlife relates to other than migratory birds; (b) by the Secretary of the Interior, if the waters and other interests have particular value in carrying out the national migratory bird management program.

"SEC. 4. Such areas as are made available to the Secretary of the Interior for the purposes of this Act under sections 1 and 3, or by any other law, proclamation, or Executive order, shall be administered directly or under cooperative agreements entered into pursuant to the provisions of section 1 by the Secretary of the Interior under such rules and regulations for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon, as may be adopted by him in accordance with general plans approved jointly by the Secretary of the Interior and the head of the department or agency exercising primary administration of such areas: *Provided*, That such rules and regulations shall not be inconsistent with the laws for the protection of fish and game of the States in which such area is situated.

"SEC. 5. The Secretary of the Interior, through the Fish and Wildlife Service and the Bureau of Mines, is authorized to make such investigations as he deems necessary to determine the effects of domestic sewage, mine, petroleum, and industrial wastes, erosion silt, and other polluting substances on wildlife, and to make reports to the Congress concerning such investigations and of recommendations for alleviating dangerous and undesirable effects of such pollution. These investigations shall include (1) the determination of standards of water quality for the maintenance of wildlife; (2) the

Costs of planning, construction, etc.

Findings.

5 U. S. C. § 485; 43 U. S. C. § 411 *et seq.* Ante, p. 867.

53 Stat. 1193.
43 U. S. C. § 485h.

Transfer of funds.

Provision for use of impounded waters, etc.

Administration of available areas.

Rules and regulations.

Investigations to determine effects of polluting substances.

Reports to Congress.

study of methods of abating and preventing pollution, including methods for the recovery of useful or marketable products and byproducts of wastes; and (3) the collation and distribution of data on the progress and results of such investigations for the use of Federal, State, municipal, and private agencies, individuals, organizations, or enterprises.

Appropriation authorized.

“SEC. 6. There is authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions of this Act and regulations made pursuant thereto, including the construction of such facilities, buildings, and other improvements necessary for economical administration of areas made available to the Secretary of the Interior under this Act, and the employment in the city of Washington and elsewhere of such persons and means as the Secretary of the Interior may deem necessary for such purposes.

Penalty.

“SEC. 7. Any person who shall violate any rule or regulation promulgated in accordance with this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500 or imprisoned for not more than one year, or both.

“Wildlife”; “wildlife resources.”

“SEC. 8. The terms ‘wildlife’ and ‘wildlife resources’ as used herein include birds, fishes, mammals, and all other classes of wild animals and all types of aquatic and land vegetation upon which wildlife is dependent.

Inapplicability to TVA.

“SEC. 9. The provisions of this Act shall not apply to the Tennessee Valley Authority.”

Approved August 14, 1946.

[CHAPTER 966]

AN ACT

August 14, 1946
[H. R. 6932]

[Public Law 733]

To provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products.

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

TITLE I

Agricultural research.

Title I of the Act entitled “An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges”, approved June 29, 1935 (the Bankhead-Jones Act), is amended as follows:

49 Stat. 436.
7 U. S. C. §§ 427-427g; Supp. V, § 427d.
7 U. S. C. § 427.

Declaration of policy.

(1) By substituting for section 1, title I, the following section:
“SECTION 1. It is hereby declared to be the policy of the Congress to promote the efficient production and utilization of products of the soil as essential to the health and welfare of our people and to promote a sound and prosperous agriculture and rural life as indispensable to the maintenance of maximum employment and national prosperity. It is also the intent of Congress to assure agriculture a position in research equal to that of industry which will aid in maintaining an equitable balance between agriculture and other sections of our economy. For the attainment of these objectives, the Secretary of Agriculture is authorized and directed to conduct and to stimulate research into the laws and principles underlying the basic problems of agriculture in its broadest aspects, including but not limited to: Research relating to the improvement of the quality of, and the development of new and improved methods of the production, marketing,

Research.

distribution, processing, and utilization of plant and animal commodities at all stages from the original producer through to the ultimate consumer; research into the problems of human nutrition and the nutritive value of agricultural commodities, with particular reference to their content of vitamins, minerals, amino and fatty acids, and all other constituents that may be found necessary for the health of the consumer and to the gains or losses in nutritive value that may take place at any stage in their production, distribution, processing, and preparation for use by the consumer; research relating to the development of present, new, and extended uses and markets for agricultural commodities and byproducts as food or in commerce, manufacture, or trade, both at home and abroad, with particular reference to those foods and fibers for which our capacity to produce exceeds or may exceed existing economic demand; research to encourage the discovery, introduction, and breeding of new and useful agricultural crops, plants, and animals, both foreign and native, particularly for those crops and plants which may be adapted to utilization in chemical and manufacturing industries; research relating to new and more profitable uses for our resources of agricultural manpower, soils, plants, animals, and equipment than those to which they are now, or may hereafter be, devoted; research relating to the conservation, development, and use of land, forest, and water resources for agricultural purposes; research relating to the design, development, and the more efficient and satisfactory use of farm buildings, farm homes, farm machinery, including the application of electricity and other forms of power; research relating to the diversification of farm enterprises, both as to the type of commodities produced, and as to the types of operations performed, on the individual farm; research relating to any other laws and principles that may contribute to the establishment and maintenance of a permanent and effective agricultural industry including such investigations as have for their purpose the development and improvement of the rural home and rural life, and the maximum contribution by agriculture to the welfare of the consumer and the maintenance of maximum employment and national prosperity; and such other researches or experiments bearing on the agricultural industry or on rural homes of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of Puerto Rico, the respective States, and Territories. In effectuating the purposes of this section, maximum use shall be made of existing research facilities owned or controlled by the Federal Government or by State agricultural experiment stations and of the facilities of the Federal and State extension services. Research authorized under this section shall be in addition to research provided for under existing law (but both activities shall be coordinated so far as practicable)."

Needs of Puerto Rico, etc.
Maximum use of existing facilities.

Coordination.

Research by experiment stations.
49 Stat. 437.
7 U. S. C. § 427a.
Appropriations authorized.

(2) By adding at the end thereof the following new sections:

"Sec. 9. (a) In order to carry out further the purposes of section 2 of this title, there is hereby authorized to be appropriated in addition to all other appropriations authorized by this title the following sums:

"(1) \$2,500,000 for the fiscal year ending June 30, 1947, and each subsequent fiscal year.

"(2) An additional \$2,500,000 for the fiscal year ending June 30, 1948, and each subsequent fiscal year.

"(3) An additional \$5,000,000 for the fiscal year ending June 30, 1949, and each subsequent fiscal year.

"(4) An additional \$5,000,000 for the fiscal year ending June 30, 1950, and each subsequent fiscal year.

"(5) An additional \$5,000,000 for the fiscal year ending June 30, 1951, and each subsequent fiscal year.

“(6) In addition to the foregoing such additional funds beginning with the fiscal year ending June 30, 1952, and thereafter, as the Congress may deem necessary.

Acquisition of land,
buildings, etc.

“The moneys appropriated in pursuance of this title shall also be available for the purchase and rental of land and the construction or acquisition of buildings necessary for conducting research provided for in this title, for the equipment and maintenance of such buildings, and for printing and disseminating the results of research. Sums appropriated in pursuance of this title shall be in addition to, and not in substitution for, sums appropriated or otherwise made available for agricultural experiment stations. The said agricultural experiment stations are authorized to plan and conduct any research provided for under this title in cooperation with each other and such other appropriate agencies and individuals as may contribute to the solution of these problems and sums appropriated in pursuance of this title shall be available to meet the necessary expenses of such research.

Unexpended bal-
ances.

“Unexpended balances of allotments to experiment stations from appropriations made under this section during the first five fiscal years may remain available for expenditure by the same experiment stations at which the unexpended balances occurred for the purposes specified in section 1 and for the following periods: Unexpended balances of the first year's allotments, five years; of the second fiscal year's allotments, four years; of the third fiscal year's allotments, three years; of the fourth fiscal year's allotments, two years; and of the fifth fiscal year's allotments, one year; and any unexpended balances of allotments to any experiment stations from appropriations made under this section of any subsequent fiscal year shall be deducted from the next succeeding annual allotments to such experiment stations.

Allotments to
Puerto Rico, States,
and Territories.
49 Stat. 437.
7 U. S. C. § 427a.

“(b) Not less than 97 per centum of the sums appropriated for any fiscal year under this section shall be available for the purposes of section 2 to be allotted to Puerto Rico, each State and Territory as follows:

Equal allotment.

“(1) Twenty per centum of the sums appropriated for any fiscal year under this section shall be allotted equally to Puerto Rico, each State and Territory: *Provided*, That no allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which Puerto Rico or the State or Territory makes available for such fiscal year out of its own funds, for research and for the establishment and maintenance of necessary facilities for the prosecution of such research. If Puerto Rico or any State or Territory fails to make available for such purposes for any fiscal year a sum equal to the amount to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary.

Restriction.

“(2) Not less than 52 per centum of the sums appropriated for any fiscal year under this section shall be allotted to Puerto Rico, each State and Territory as follows: One-half in an amount which bears the same ratio to the total amount to be allotted as the rural population of Puerto Rico or the State or Territory bears to the total rural population of Puerto Rico and all the States and Territories as determined by the last preceding decennial census; and one-half in an amount which bears the same ratio to the total amount to be allotted as the farm population of Puerto Rico or the State or Territory bears to the total farm population of Puerto Rico and all the States and Territories as determined by the last preceding decennial census: *Provided*, That no allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which Puerto Rico, or the

Population ratios.

Restriction.

State or Territory makes available for such fiscal year out of its own funds for research and for the establishment and maintenance of necessary facilities for the prosecution of such research. If Puerto Rico or any State or Territory fails to make available for such purposes for any fiscal year a sum equal to the amount to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary.

“(3) Not more than 25 per centum of the sums appropriated for any fiscal year under this section shall be allotted to the States for cooperative research in which two or more State agricultural experiment stations are cooperating to solve problems that concern the agriculture of more than one State. The funds available for such purposes shall be designated as the ‘Regional research fund, Office of Experiment Stations’ and shall be used only for cooperative regional projects recommended by a committee of nine persons elected by and representing the directors of the State agricultural experiment stations and approved by the Secretary of Agriculture or his authorized representative. The necessary travel expense of said committee of nine in performance of their duties may be paid from the regional research fund, Office of Experiment Stations, provided for under this subsection.

“(c) Three per centum of the sums appropriated for any fiscal year under this section shall be available to the Office of Experiment Stations of the United States Department of Agriculture for administration of research under this section, including participation in planning and coordinating the cooperative regional research.

“Sec. 10. (a) In order to carry out further research on utilization and associated problems in connection with the development and application of present, new, and extended uses of agricultural commodities and products thereof authorized by section 1 of this title, and to disseminate information relative thereto, and in addition to all other appropriations authorized by this title, there is hereby authorized to be appropriated the following sums:

“(1) \$3,000,000 for the fiscal year ending June 30, 1947, and each subsequent fiscal year.

“(2) An additional \$3,000,000 for the fiscal year ending June 30, 1948, and each subsequent fiscal year.

“(3) An additional \$3,000,000 for the fiscal year ending June 30, 1949, and each subsequent fiscal year.

“(4) An additional \$3,000,000 for the fiscal year ending June 30, 1950, and each subsequent fiscal year.

“(5) An additional \$3,000,000 for the fiscal year ending June 30, 1951, and each subsequent fiscal year.

“(6) In addition to the foregoing, such additional funds beginning with the fiscal year ending June 30, 1952, and thereafter, as the Congress may deem necessary.

“The Secretary of Agriculture, in accordance with such regulations as he deems necessary, and when in his judgment the work to be performed will be carried out more effectively, more rapidly, or at less cost than if performed by the Department of Agriculture, may enter into contracts with such public or private organizations or individuals as he may find qualified to carry on work under this section without regard to the provisions of section 3709, Revised Statutes, and with respect to such contracts he may make advance progress or other payments without regard to the provisions of section 3648, Revised Statutes. Contracts hereunder may be made for work to continue not more than four years from the date of any such contract. Notwithstanding the provisions of section 5 of the Act of June 20, 1874,

Cooperative research by State experiment stations.

“Regional research fund, Office of Experiment Stations.”
Committee.

Travel expenses.

Office of Experiment Stations.

Uses of agricultural commodities.
Research on utilization, etc.

Ante, p. 1082.

Appropriations authorized.

Contracts with public or private organizations, etc.

Ante, p. 809.

Ante, p. 809.

Time limitation.

Unexpended balances.

18 Stat. 110.

Research laboratories.

Availability of results.

Ante, p. 1082.

Cooperative research with State experiment stations. Appropriations authorized.

Administrative expenses.

49 Stat. 437.
7 U. S. C. § 427b.

"Special research fund, Department of Agriculture."
49 Stat. 437.
7 U. S. C. § 427c.

Marketing research projects.

Ante, p. 1083.

Cooperative research projects.
Ante, p. 1085; *supra*.

as amended (31 U. S. C. 713), any unexpended balances of appropriations properly obligated by contracting with an organization as provided in this subsection may remain upon the books of the Treasury for not more than five fiscal years before being carried to the surplus fund and covered into the Treasury. Research authorized under this subsection shall be conducted so far as practicable at laboratories of the Department of Agriculture. Projects conducted under contract with public and private agencies shall be supplemental to and coordinated with research of these laboratories. Any contracts made pursuant to this authority shall contain requirements making the results of research and investigations available to the public through dedication, assignment to the Government, or such other means as the Secretary shall determine.

"(b) In order to carry out further the purposes of section 1, other than research on utilization of agricultural commodities and the products thereof, and in addition to all other appropriations authorized by this title, there is hereby authorized to be appropriated for cooperative research with the State agricultural experiment stations and such other appropriate agencies as may be mutually agreeable to the Department of Agriculture and the experiment stations concerned, the following sums:

"(1) \$1,500,000 for the fiscal year ending June 30, 1947, and each subsequent fiscal year.

"(2) An additional \$1,500,000 for the fiscal year ending June 30, 1948, and each subsequent fiscal year.

"(3) An additional \$1,500,000 for the fiscal year ending June 30, 1949, and each subsequent fiscal year.

"(4) An additional \$1,500,000 for the fiscal year ending June 30, 1950, and each subsequent fiscal year.

"(5) In addition to the foregoing such additional funds beginning with the fiscal year ending June 30, 1951, and thereafter, as the Congress may deem necessary.

"(c) The Secretary may incur necessary administrative expenses not to exceed 3 per centum of the amount appropriated in any fiscal year in carrying out this section, including the specific objects of expense enumerated in section 3 of this title.

"(d) The 'Special research fund, Department of Agriculture', provided by section 4 of this title, shall continue to be available solely for research into laws and principles underlying basic problems of agriculture in its broadest aspects; research relating to the improvement of the quality of, and the development of, new and improved methods of production of, distribution of, and new and extended uses and markets for, agricultural commodities and byproducts and manufactures thereof; and research relating to the conservation, development, and use of land and water resources for agricultural purposes. Such research shall be in addition to research provided for under other law (but both activities shall be coordinated so far as practicable) and shall be conducted by such agencies of the Department of Agriculture as the Secretary of Agriculture may designate or establish.

"SEC. 11. Notwithstanding any other provision of this title, (1) not less than 20 per centum of the funds authorized to be appropriated under section 9 (a) shall be used by State agricultural experiment stations for conducting marketing research projects approved by the Department of Agriculture, and (2) cooperative research projects provided for under sections 9 (b) (3) and 10 (b) shall be carried out under cooperative agreements between the Secretary of Agriculture and the cooperating agencies and shall include appropriate provisions for preventing duplication or overlapping of work within the State or States

cooperating. Should duplication or overlapping occur subsequent to approval of a cooperative research project, the Secretary of Agriculture is authorized and directed to withhold unexpended balances on such projects notwithstanding the prior approval thereof. The Secretary of Agriculture shall include in his annual report to Congress a complete statement of research work being performed under contracts or cooperative agreements under this title, showing the names of the agencies cooperating and the amounts expended thereon, segregated by Federal and non-Federal funds."

Withholding of unexpended balances.

Report to Congress.

TITLE II

This title may be cited as the "Agricultural Marketing Act of 1946".

Agricultural Marketing Act of 1946.

SEC. 202. The Congress hereby declares that a sound, efficient, and privately operated system for distributing and marketing agricultural products is essential to a prosperous agriculture and is indispensable to the maintenance of full employment and to the welfare, prosperity, and health of the Nation. It is further declared to be the policy of Congress to promote through research, study, experimentation, and through cooperation among Federal and State agencies, farm organizations, and private industry a scientific approach to the problems of marketing, transportation, and distribution of agricultural products similar to the scientific methods which have been utilized so successfully during the past eighty-four years in connection with the production of agricultural products so that such products capable of being produced in abundance may be marketed in an orderly manner and efficiently distributed. In order to attain these objectives, it is the intent of Congress to provide for (1) continuous research to improve the marketing, handling, storage, processing, transportation, and distribution of agricultural products; (2) cooperation among Federal and State agencies, producers, industry organizations, and others in the development and effectuation of research and marketing programs to improve the distribution processes; (3) an integrated administration of all laws enacted by Congress to aid the distribution of agricultural products through research, market aids and services, and regulatory activities, to the end that marketing methods and facilities may be improved, that distribution costs may be reduced and the price spread between the producer and consumer may be narrowed, that dietary and nutritional standards may be improved, that new and wider markets for American agricultural products may be developed, both in the United States and in other countries, with a view to making it possible for the full production of American farms to be disposed of usefully, economically, profitably, and in an orderly manner. In effectuating the purposes of this title, maximum use shall be made of existing research facilities owned or controlled by the Federal Government or by State agricultural experiment stations and of the facilities of the Federal and State extension services. To the maximum extent practicable marketing research work done hereunder in cooperation with the States shall be done in cooperation with the State agricultural experiment stations; marketing educational and demonstrational work done hereunder in cooperation with the States shall be done in cooperation with the State agricultural extension service; market information, inspection, regulatory work and other marketing service done hereunder in cooperation with the State agencies shall be done in cooperation with the State departments of agriculture, and State bureaus and departments of markets.

Declaration of policy.

Maximum use of existing research facilities.

Cooperation with State agencies.

SEC. 203. The Secretary of Agriculture is directed and authorized:

Research to determine best methods of processing, etc.

Availability of results.

Costs of marketing, etc.

Standards of quality, etc.

Elimination of artificial barriers.

New or expanded markets.

Consumer education.

Restriction.

Marketing information.

Agricultural products in interstate commerce.

Certificate.

Facilities for processing, etc.

Transportation services, rates, etc.

(a) To conduct, assist, and foster research, investigation, and experimentation to determine the best methods of processing, preparation for market, packaging, handling, transporting, storing, distributing, and marketing agricultural products: *Provided*, That the results of such research shall be made available to the public for the purpose of expanding the use of American agricultural products in such manner as the Secretary of Agriculture may determine.

(b) To determine costs of marketing agricultural products in their various forms and through the various channels and to foster and assist in the development and establishment of more efficient marketing methods (including analyses of methods and proposed methods), practices, and facilities, for the purpose of bringing about more efficient and orderly marketing, and reducing the price spread between the producer and the consumer.

(c) To develop and improve standards of quality, condition, quantity, grade, and packaging, and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices.

(d) To conduct, assist, foster, and direct studies and informational programs designed to eliminate artificial barriers to the free movement of agricultural products.

(e) To foster and assist in the development of new or expanded markets (domestic and foreign) and new and expanded uses and in the moving of larger quantities of agricultural products through the private marketing system to consumers in the United States and abroad.

(f) To conduct and cooperate in consumer education for the more effective utilization and greater consumption of agricultural products: *Provided*, That no money appropriated under the authority of this Act shall be used to pay for newspaper or periodical advertising space or radio time in carrying out the purposes of this section and section 203 (e).

(g) To collect and disseminate marketing information, including adequate outlook information on a market-area basis, for the purpose of anticipating and meeting consumer requirements, aiding in the maintenance of farm income, and bringing about a balance between production and utilization of agricultural products.

(h) To inspect, certify, and identify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce, under such rules and regulations as the Secretary of Agriculture may prescribe, including assessment and collection of such fees as will be reasonable and as nearly as may be to cover the cost of the service rendered, to the end that agricultural products may be marketed to the best advantage, that trading may be facilitated, and that consumers may be able to obtain the quality product which they desire, except that no person shall be required to use the service authorized by this subsection. Any official certificate issued under the authority of this subsection shall be received by all officers and all courts of the United States as *prima facie* evidence of the truth of the statements therein contained.

(i) To determine the needs and develop or assist in the development of plans for efficient facilities and methods of operating such facilities for the proper assembly, processing, transportation, storage, distribution, and handling of agricultural products.

(j) To assist in improving transportation services and facilities and in obtaining equitable and reasonable transportation rates and services and adequate transportation facilities for agricultural products and farm supplies by making complaint or petition to the Interstate Commerce Commission, the Maritime Commission, the Civil

Aeronautics Board, or other Federal or State transportation regulatory body with respect to rates, charges, tariffs, practices, and services, or by working directly with individual carriers or groups of carriers.

(k) To collect, tabulate, and disseminate statistics on marketing agricultural products, including, but not restricted to statistics on market supplies, storage stocks, quantity, quality, and condition of such products in various positions in the marketing channel, utilization of such products, and shipments and unloads thereof.

Statistics on marketing.

(l) To develop and promulgate, for the use and at the request of any Federal agency or State, procurement standards and specifications for agricultural products, and submit such standards and specifications to such agency or State for use or adoption for procurement purposes.

Procurement standards and specifications.

(m) To conduct, assist, encourage, and promote research, investigation, and experimentation to determine the most efficient and practical means, methods, and processes for the handling, storing, preserving, protecting, processing, and distributing of agricultural commodities to the end that such commodities may be marketed in an orderly manner and to the best interest of the producers thereof.

Efficient methods for handling, etc.

(n) To conduct such other research and services and to perform such other activities as will facilitate the marketing, distribution, processing, and utilization of agricultural products through commercial channels.

Facilitating marketing, distribution, etc.

SEC. 204. (a) In order to conduct research and service work in connection with the preparation for market, processing, packaging, handling, storing, transporting, distributing, and marketing of agricultural products as authorized by this title, there is hereby authorized to be appropriated the following sums:

Appropriations authorized.

(1) \$2,500,000 for the fiscal year ending June 30, 1947, and each subsequent fiscal year.

(2) An additional \$2,500,000 for the fiscal year ending June 30, 1948, and each subsequent fiscal year.

(3) An additional \$5,000,000 for the fiscal year ending June 30, 1949, and each subsequent fiscal year.

(4) An additional \$5,000,000 for the fiscal year ending June 30, 1950, and each subsequent fiscal year.

(5) An additional \$5,000,000 for the fiscal year ending June 30, 1951, and each subsequent fiscal year.

(6) In addition to the foregoing, such additional funds beginning with the fiscal year ending June 30, 1952, and thereafter, as the Congress may deem necessary.

Such sums appropriated in pursuance of this title shall be in addition to, and not in substitution for, sums appropriated or otherwise made available to the Department of Agriculture.

(b) The Secretary of Agriculture is authorized to make available from such funds such sums as he may deem appropriate for allotment to State departments of agriculture, State bureaus and departments of markets, State agricultural experiment stations, and other appropriate State agencies for cooperative projects in marketing service and in marketing research to effectuate the purposes of title II of this Act: *Provided*, That no such allotment and no payment under any such allotment shall be made for any fiscal year to any State agency in excess of the amount which such State agency makes available out of its own funds for such research. The funds which State agencies are required to make available in order to qualify for such an allotment shall be in addition to any funds now available to such agencies for marketing services and for marketing research. The allotments authorized under this section shall be made to the agency or agencies

Availability of funds for allotment to State agencies.

Restriction.

Allotments to best qualified agencies.

best equipped and qualified to conduct the specific project to be undertaken. Such allotments shall be covered by cooperative agreements between the Secretary of Agriculture and the cooperating agency and shall include appropriate provisions for preventing duplication or overlapping of work within the State or States cooperating. Should duplication or overlapping occur subsequent to approval of a cooperative project or allotment of funds, the Secretary of Agriculture is authorized and directed to withhold unexpended balances on such projects notwithstanding the prior approval thereof.

Cooperation with other branches of Government, State agencies, etc.

Contracts and agreements with States, etc.

Time limitation.

Ante, p. 809.

Unexpended balances.

18 Stat. 110.

Availability of research, etc., results.

Promulgation of orders, etc.

Report to Congress.

Consolidation of functions, etc.

SEC. 205. (a) In carrying out the provisions of title II of this Act, the Secretary of Agriculture may cooperate with other branches of the Government, State agencies, private research organizations, purchasing and consuming organizations, boards of trade, chambers of commerce, other associations of business or trade organizations, transportation and storage agencies and organizations, or other persons or corporations engaged in the production, transportation, storing, processing, marketing, and distribution of agricultural products whether operating in one or more jurisdictions. The Secretary of Agriculture shall have authority to enter into contracts and agreements under the terms of regulations promulgated by him with States and agencies of States, private firms, institutions, and individuals for the purpose of conducting research and service work, making and compiling reports and surveys, and carrying out other functions relating thereto when in his judgment the services or functions to be performed will be carried out more effectively, more rapidly, or at less cost than if performed by the Department of Agriculture. Contracts hereunder may be made for work to be performed within a period not more than four years from the date of any such contract, and advance, progress, or other payments may be made. The provisions of section 3648 (31 U. S. C., sec. 529) and section 3709 (41 U. S. C., sec. 5) of the Revised Statutes shall not be applicable to contracts or agreements made under the authority of this section. Any unexpended balances of appropriations obligated by contracts as authorized by this section may, notwithstanding the provisions of section 5 of the Act of June 20, 1874, as amended (31 U. S. C., sec. 713), remain upon the books of the Treasury for not more than five fiscal years before being carried to the surplus fund and covered into the Treasury. Any contract made pursuant to this section shall contain requirements making the result of such research and investigations available to the public by such means as the Secretary of Agriculture shall determine.

(b) The Secretary of Agriculture shall promulgate such orders, rules, and regulations as he deems necessary to carry out the provisions of this title. In his annual report to Congress, he shall include a complete statement of research work being performed under contracts or cooperative agreements under this title, showing the names of the agencies cooperating and the amounts expended thereon, segregated by Federal and non-Federal funds.

SEC. 206. In order to facilitate administration and to increase the effectiveness of the marketing research, service, and regulatory work of the Department of Agriculture to the fullest extent practicable, the Secretary of Agriculture is authorized, notwithstanding any other provisions of law, to transfer, group, coordinate, and consolidate the functions, powers, duties, and authorities of each and every agency, division, bureau, service, section, or other administrative unit in the Department of Agriculture primarily concerned with research, service, or regulatory activities in connection with the marketing, transportation, storage, processing, distribution of, or service or regulatory activities in connection with, the utilization of, agricultural products, into a single administrative agency. In making such changes as may

be necessary to carry out effectively the purposes of this title, the records, property, personnel, and funds of such agencies, divisions, bureaus, services, sections, or other administrative units in the Department of Agriculture affected thereby are authorized to be transferred to and used by such administrative agency to which the transfer may be made, but such unexpended balances of appropriations so transferred shall be used only for the purposes for which such appropriations were made.

SEC. 207. When used in this title, the term "agricultural products" includes agricultural, horticultural, viticultural, and dairy products, livestock and poultry, bees, forest products, fish and shellfish, and any products thereof, including processed and manufactured products, and any and all products raised or produced on farms and any processed or manufactured product thereof.

"Agricultural products."

SEC. 208. The Secretary of Agriculture shall have the power to appoint, remove, and fix, in accordance with existing law, the compensation of such officers and employees, and to make such expenditures as he deems necessary, including expenditures for rent outside the District of Columbia, travel, supplies, books, equipment, and such other expenditures as may be necessary to the administration of this title: *Provided*, That the Secretary of Agriculture may appoint and fix the compensation of any technically qualified person, firm, or organization by contract or otherwise on a temporary basis and for a term not to exceed six months in any fiscal year to perform research, inspection, classification, technical, or other special services, without regard to the civil-service laws or the Classification Act of 1923, as amended.

Powers of Secretary

Temporary services.

42 Stat. 1488.
5 U. S. C. §§ 661-674;
Supp. V, § 661 et seq.
Anie, pp. 216, 219.

TITLE III

SEC. 301. In order to aid in implementing the research and service work authorized under titles I and II of this Act, and to assist in obtaining the fullest cooperation among Federal and State agencies, producers, farm organizations, and private industry, in the development of and in effectuating such research and service programs, and in order to secure the greatest benefit from the expenditure of funds, the Secretary of Agriculture shall establish a national advisory committee. The functions of such advisory committee shall be to consult with the Secretary of Agriculture and other appropriate officials of the Department of Agriculture, to make recommendations relative to research and service work authorized by this Act, and to assist in obtaining the cooperation of producers, farm organizations, industry groups, and Federal and State agencies in the furtherance of such research and service programs. The chairman of the committee shall be the Secretary of Agriculture or such other official of the Department of Agriculture as he shall designate. The committee shall consist of eleven members, six of whom shall be representatives of producers or their organizations. The committee shall meet at least once each quarter and at such other times as are deemed necessary. Members of the committee may not appoint alternates to serve in their stead. Committee members other than the chairman shall not be deemed to be employees of the United States and are not entitled to compensation, but the Secretary of Agriculture is authorized to allow their traveling and subsistence expenses necessary in connection with their attendance at meetings called by him for the purposes of this section.

National advisory committee.

Functions.

Composition.

Meetings.

Compensation.

SEC. 302. In the furtherance of the research and service work authorized by this Act, the Secretary of Agriculture may, in addition to the national advisory committee, establish appropriate committees, including representatives of producers, industry, government, and science, to assist in effectuating specific research and service programs.

Committees to assist in specific programs.

REORGANIZATION PLANS

REORGANIZATION PLANS

REORGANIZATION PLAN NO. 2 OF 1946 ¹

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 16, 1946, pursuant to the provisions of the Reorganization Act of 1945, approved December 20, 1945.

Transmitted May 16, 1946.
Effective July 16, 1946.
59 Stat. 613.
5 U. S. C., Supp. V, §§ 1337-1337-16.

FEDERAL SECURITY AGENCY AND DEPARTMENT OF LABOR

Section 1. *Children's Bureau.*—(a) The Children's Bureau in the Department of Labor, exclusive of its Industrial Division, is transferred to the Federal Security Agency. All functions of the Children's Bureau and of the Chief of the Children's Bureau except those transferred by subsection (b) of this section, all functions of the Secretary of Labor under Title V of the Social Security Act (49 Stat. 620, ch. 531), as amended, and all other functions of the Secretary of Labor relating to the foregoing functions are transferred to the Federal Security Administrator and shall be performed by him or under his direction and control by such officers and employees of the Federal Security Agency as he shall designate, except that the functions authorized by section 2 of the act of April 9, 1912 (37 Stat. 79, ch. 73), as amended, and such other functions of the Federal Security Agency as the Administrator may designate, shall be administered, under his direction and control, through the Children's Bureau.

49 Stat. 620.
42 U. S. C. § 701 et seq.; Supp. V, § 703a.
Ante, p. 986.

20 U. S. C. § 18a.

(b) The functions of the Children's Bureau and of the Chief of the Children's Bureau under the Fair Labor Standards Act of 1938 (52 Stat. 1060, ch. 676), as amended, are transferred to the Secretary of Labor and shall be performed under his direction and control by such officers and employees of the Department of Labor as he shall designate.

29 U. S. C. §§ 201-219; Supp. V, §§ 207, 211.

Sec. 2. *Vital statistics.*—The functions of the Secretary of Commerce, the Bureau of the Census, and the Director of the Bureau of the Census with respect to vital statistics (including statistics on births, deaths, marriages, divorces, and annulments) are transferred to the Federal Security Administrator and shall be performed under his direction and control by the United States Public Health Service or by such officers and employees of the Federal Security Agency as the Administrator shall designate.

Sec. 3. *United States Employees' Compensation Commission.*—The functions of the United States Employees' Compensation Commission are transferred to the Federal Security Agency and shall be performed in such manner and under such rules and regulations as the Federal Security Administrator shall prescribe. Such regulations shall provide for a board of three persons to be designated or appointed by the Federal Security Administrator with authority to hear and, subject to applicable law, make final decision on appeals taken from determinations and awards with respect to claims of employees of the Federal Government or of the District of Columbia. The United States Employees' Compensation Commission is abolished.

Sec. 4. *Social Security Board.*—The functions of the Social Security Board in the Federal Security Agency, together with the functions

¹ For action on Reorganization Plan No. 1 of 1946 see H. Con. Res. 155, *post*, p. 1329.

of its chairman, are transferred to the Federal Security Administrator and shall be performed by him or under his direction and control by such officers and employees of the Federal Security Agency as he shall designate. The Social Security Board is abolished.

Sec. 5. *Assistant heads of Federal Security Agency.*—In addition to the existing Assistant Federal Security Administrator, there shall be not to exceed two assistant heads of the Federal Security Agency, each of whom shall be appointed by the Federal Security Administrator under the classified civil service, receive a salary at the rate of \$10,000 per annum, and perform such duties and head such constituent unit of the Federal Security Agency as the Administrator may provide.

Sec. 6. *Functions under act of June 20, 1936, with respect to the blind.*—The functions of the Office of Education and of the Commissioner of Education under the act of June 20, 1936 (49 Stat. 1559, ch. 638) are transferred to the Federal Security Administrator and shall be performed under his direction and control by such officers and employees of the Federal Security Agency as he shall designate.

Sec. 7. *Assistant Commissioner of Education.*—The functions of the Assistant Commissioner of Education created by the act of May 26, 1930 (46 Stat. 384, ch. 330) are transferred to the Office of Education to be performed under the direction and control of the Commissioner of Education by such officers or employees of the Office as he may designate with the approval of the Federal Security Administrator. The Office of Assistant Commissioner of Education is abolished.

Sec. 8. *Federal Board for Vocational Education.*—The Federal Board for Vocational Education and its functions are abolished.

Sec. 9. *Board of Visitors of Saint Elizabeth's Hospital.*—The Board of Visitors of Saint Elizabeth's Hospital and its functions are abolished.

Sec. 10. *Coordination of grant-in-aid programs.*—In order to coordinate more fully the administration of grant-in-aid programs by officers and constituent units of the Federal Security Agency, the Federal Security Administrator shall establish, insofar as practicable, (a) uniform standards and procedures relating to fiscal, personnel, and the other requirements common to two or more such programs, and (b) standards and procedures under which a State agency participating in more than one such program may submit a single plan of operation and be subject to a single Federal fiscal and administrative review of its operation.

Sec. 11. *Winding up of affairs.*—Suitable measures shall be taken by the Federal Security Administrator to wind up those outstanding affairs of the agencies herein abolished which are not otherwise disposed of by this plan.

Sec. 12. *Transfer of personnel, property, records, and funds.*—The personnel, property, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available), which the Director of the Bureau of the Budget shall determine to relate primarily to the functions transferred hereunder are transferred to the respective agencies concerned for use in the administration of the functions so transferred, except that all of the personnel, property, records, and funds of the Industrial Division of the Children's Bureau shall be transferred to such agency or agencies of the Department of Labor as the Secretary of Labor shall designate. Any of the personnel transferred under this plan which the transferee agency shall find to be in excess of the personnel necessary for the administration of the functions transferred to such agency shall be retransferred under existing law to other positions in the Government or separated from the service.

²⁰ U. S. C. §§ 107-107f.

²⁰ U. S. C. § 2a.

REORGANIZATION PLAN NO. 3 OF 1946

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59 Stat. 613.
5 U. S. C., Supp. V, §§ 133y-133y-16.

PART I. DEPARTMENT OF THE TREASURY

Section 101. *Functions transferred to the United States Coast Guard.*—(a) There are hereby transferred to the Commandant of the Coast Guard those functions of the bureau, offices, and boards specified in the first sentence of section 104 of this plan, and of the Secretary of Commerce, which pertain to approval of plans for the construction, repair, and alteration of vessels; approval of materials, equipment, and appliances; classification of vessels; inspection of vessels and their equipment and appliances; issuance of certificates of inspection, and of permits indicating the approval of vessels for operations which may be hazardous to life or property; administration of load line requirements; enforcement of other provisions for the safety of life and property on vessels; licensing and certificating of officers, pilots, and seamen; suspension and revocation of licenses and certificates; investigation of marine casualties; enforcement of manning requirements, citizenship requirements, and requirements for the mustering and drilling of crews; control of log books; shipment, discharge, protection, and welfare of merchant seamen; enforcement of duties of shipowners and officers after accidents; promulgation and enforcement of rules for lights, signals, speed, steering, sailing, passing, anchorage, movement, and towlines of vessels and lights and signals on bridges; numbering of undocumented vessels; prescription and enforcement of regulations for outfitting and operation of motorboats; licensing of motorboat operators; regulation of regattas and marine parades; all other functions of such bureau, offices, and boards which are not specified in section 102 of this plan; and all other functions of the Secretary of Commerce pertaining to those functions of the agencies abolished under section 104 of this plan which are not specified in section 102 of this plan, including the remission and mitigation of fines, penalties and forfeitures incurred under the laws governing these functions and those incurred under the Act of December 17, 1941, 55 Stat. 808, as amended.

(b) The functions relating to the award of numbers to undocumented vessels vested by law in the Collectors of Customs are hereby transferred to the Commandant of the Coast Guard.

Sec. 102. *Functions transferred to Bureau of Customs.*—There are hereby transferred to the Commissioner of Customs those functions of the bureau, offices, and boards specified in the first sentence of section 104 of this plan, and of the Secretary of Commerce, which pertain to registry, enrollment, and licensing of vessels, including the issuance of commissions to yachts, the assignment of signal letters, and the preparation of all reports and publications in connection therewith; measurement of vessels, administration of tonnage duties, and collection of tolls; entry and clearance of vessels and aircraft, regulation of vessels in the coasting and fishing trades, and limitation of the use of foreign vessels in waters under the jurisdiction of the United States;

47 U. S. C., Supp. V, § 353 note.

recording of sales, conveyances, and mortgages of vessels; protection of steerage passengers; all other functions of such bureau, offices, and boards which were performed by the Bureau of Customs on behalf thereof immediately prior to the effective date of Executive Order No. 9083 of February 28, 1942 (7 F. R. 1609); and the power to remit and mitigate fines, penalties and forfeitures incurred under the laws governing these functions.

Sec. 103. *Powers of the Secretary of the Treasury.*—The functions transferred by sections 101 and 102 of this plan may be performed through such officers and employees of the United States Coast Guard and the Bureau of Customs, respectively, as may be designated by the Commandant of the Coast Guard and the Commissioner of Customs, respectively, and shall be performed subject to the direction and control of the Secretary of the Treasury except as otherwise required by law with respect to the United States Coast Guard whenever it operates as a part of the Navy.

Sec. 104. *Abolition of agencies.*—The Bureau of Marine Inspection and Navigation, the office of the director thereof, the offices of supervising inspectors, principal traveling inspectors, local inspectors, assistant inspectors, shipping commissioners, deputy shipping commissioners, and the Board of Supervising Inspectors, the Boards of Local Inspectors, the Marine Casualty Investigation Board, and the Marine Boards are hereby abolished. The Secretary of the Treasury shall provide for winding up those affairs of the said abolished agencies which are not otherwise disposed of herein.

PART II. DEPARTMENT OF WAR AND DEPARTMENT OF THE NAVY

Sec. 201. *Functions with respect to certain insane persons.*—(a) The functions of Saint Elizabeths Hospital and the superintendent thereof, and of the Federal Security Agency and the Federal Security Administrator, with respect to the care, treatment, and custody of insane persons as provided in section 4843 of the Revised Statutes (24 U. S. C. 191) are hereby transferred or abolished as follows:

(1) Functions with respect to insane persons belonging to the Army or falling, by reason of employment or service in the Army, within any of the categories enumerated in said section, are transferred to the Secretary of War and shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of War as he may designate.

(2) Functions with respect to insane persons belonging to the Navy or falling, by reason of prior service in the Navy, within any of the categories enumerated in said section, are transferred to the Secretary of the Navy and shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of the Navy as he may designate. (For the purposes of this subparagraph (2), the Marine Corps but not the Coast Guard is included in the Navy.)

(3) Functions with respect to insane persons belonging to the Coast Guard are abolished.

(b) Nothing in subsection (a) of this section shall affect the functions and authority of Saint Elizabeths Hospital, the superintendent thereof, the Federal Security Agency, or the Federal Security Administrator with respect to any person heretofore admitted to Saint Elizabeths Hospital and a patient therein on the effective date of this plan under the provisions of section 4843 of the Revised Statutes, or the functions and authority of said officers and agencies or of the Public Health Service with respect to Coast Guard members as beneficiaries of the Public Health Service, as provided by section 504 of the Public Health Service Act (58 Stat. 710, 42 U. S. C. 222).

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

²⁴ U. S. C. § 191.

⁴² U. S. C., Supp. V, § 222.

PART III. DEPARTMENT OF THE NAVY

Sec. 301. *Hydrographic Office and Naval Observatory.*—The Hydrographic Office and the Naval Observatory, together with their respective functions, are hereby transferred from the Bureau of Naval Personnel, Department of the Navy, to the Chief of Naval Operations and shall be administered, subject to the direction and control of the Secretary of the Navy, under the Chief of Naval Operations.

Sec. 302. *Supply Department of the United States Marine Corps.*—The Paymaster's Department of the United States Marine Corps and the Quartermaster's Department of the United States Marine Corps, and the functions of such departments, are hereby consolidated to form a single new agency, which shall be known as the Supply Department of the United States Marine Corps, and at the head of which there shall be the Quartermaster General of the Marine Corps. The office and title of "The Paymaster General of the Marine Corps" provided for in the Act of March 24, 1944 (58 Stat. 121) are hereby abolished.

34 U. S. C., Supp. V, § 625b and note.

PART IV. DEPARTMENT OF THE INTERIOR

Sec. 401. *Certain functions with respect to the Franklin D. Roosevelt Library.*—The following functions are hereby transferred to the Secretary of the Interior and shall be performed, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate:

(a) The functions of the Commissioner of Public Buildings, under section 206 of the Act of July 18, 1939, 53 Stat. 1062, with respect to the care, maintenance, and protection of the buildings and grounds of the Franklin D. Roosevelt Library.

53 Stat. 1064.

(b) The functions of the Archivist of the United States, under section 207 of the said Act, with respect to the collection of fees from persons visiting and viewing the exhibit rooms or museum portion of said Library, excluding the fixing of charges to be collected but including the making of all other regulations with respect to such collection. (Any funds derived from such fees shall be paid, held, administered, and expended in consonance with the proviso in said section 207.)

53 Stat. 1065.

Sec. 402. *Functions relating to mineral deposits in certain lands.*—The functions of the Secretary of Agriculture and the Department of Agriculture with respect to the uses of mineral deposits in certain lands pursuant to the provisions of the Act of March 4, 1917 (39 Stat. 1134, 1150, 16 U. S. C. 520), Title II of the National Industrial Recovery Act of June 16, 1933, (48 Stat. 195, 200, 202, 205, 40 U. S. C. 401, 403 (a) and 408), the 1935 Emergency Relief Appropriation Act of April 8, 1935 (48 Stat. 115, 118), section 55 of Title I of the Act of August 24, 1935 (49 Stat. 750, 781), and the Act of July 22, 1937 (50 Stat. 522, 525, 530), as amended July 28, 1942 (56 Stat. 725, 7 U. S. C. 1011 (c) and 1018), are hereby transferred to the Secretary of the Interior and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate: *Provided*, That mineral development on such lands shall be authorized by the Secretary of the Interior only when he is advised by the Secretary of Agriculture that such development will not interfere with the primary purposes for which the land was acquired and only in accordance with such conditions as may be specified by the Secretary of Agriculture in order to protect such purposes. The provisions of law governing the crediting and distribution of revenues derived from the said lands shall be applicable to revenues derived in connection with the

49 Stat. 115.

7 U. S. C., Supp. V, § 1011 (c).
Ante, p. 1068.

functions transferred by this section. To the extent necessary in connection with the performance of the functions transferred by this section, the Secretary of the Interior and his representatives shall have access to the title records of the Department of Agriculture relating to the lands affected by this section.

Sec. 403. *Bureau of Land Management.*—(a) The functions of the General Land Office and of the Grazing Service in the Department of the Interior are hereby consolidated to form a new agency in the Department of the Interior to be known as the Bureau of Land Management. The functions of the other agencies named in subsection (d) of this section are hereby transferred to the Secretary of the Interior.

(b) There shall be at the head of such Bureau a Director of the Bureau of Land Management who shall be appointed by the Secretary of the Interior under the classified civil service, who shall receive a salary at the rate of \$10,000 per annum, and who shall perform such duties as the Secretary of the Interior shall designate.

(c) There shall be in the Bureau of Land Management an Associate Director of the Bureau of Land Management and so many Assistant Directors of the Bureau of Land Management as may be necessary, who shall be appointed by the Secretary of the Interior under the classified civil service and subject to the Classification Act of 1923, as amended, and who shall perform such duties as the Secretary of the Interior may prescribe.

(d) The General Land Office, the Grazing Service, the offices of Commissioner of the General Land Office, Assistant Commissioner of the General Land Office, Director of the Grazing Service, all Assistant Directors of the Grazing Service, all Registers of the District Land Offices, and United States Supervisor of Surveys, together with the Field Surveying Service now known as the Cadastral Engineering Service, are hereby abolished.

(e) The Bureau of Land Management and its functions shall be administered subject to the direction and control of the Secretary of the Interior, and the functions transferred to the Secretary by subsection (a) of this section shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate.

PART V. DEPARTMENT OF AGRICULTURE

Sec. 501. *Functions of certain agencies of the Department of Agriculture.*—The following functions are hereby transferred to the Secretary of Agriculture and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of Agriculture as he shall designate:

(a) All functions of the Agricultural Adjustment Administration and the Surplus Marketing Administration and of the respective heads of such Administrations.

(b) The administration of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation.

PART VI. DEPARTMENT OF COMMERCE

Sec. 601. *Certain functions of National Bureau of Standards.*—The following functions are hereby transferred to the Secretary of Commerce and shall be performed, subject to his direction and control, by such officers and agencies of the Department of Commerce as he may designate:

42 Stat. 1488.
5 U. S. C. §§ 661-
674; Supp. V, § 661
et seq.
Ante, pp. 216, 219.

(a) Those functions of the National Bureau of Standards under section 2 of the Act of March 3, 1901 (31 Stat. 1449) which are now performed by the Division of Commercial Standards of said Bureau, namely, (1) to assist, coordinate, and cooperate with groups of consumers, distributors or producers, technical organizations, and other persons, in the voluntary establishment, maintenance, recording, publishing and promoting of commercial standards as a nationally and internationally recognized basis for testing, grading, labeling, marketing, guaranteeing, or accepting staple, manufactured commodities moving in daily domestic and foreign trade, and (2) to assist in the development of Federal purchase standards specifications and in providing information to the public and the Government of such standards and specifications.

15 U. S. C. § 272.

(b) Those functions of said Bureau under said section 2 which are now performed by the Division of Simplified Trade and Practices of said Bureau, namely, to assist, coordinate, and cooperate with individual and groups of producers, distributors, and users in establishing, recording, publishing, and promoting a nation-wide program for the elimination of avoidable waste through the formulation of simplified trade practice recommendations which identify and list the sizes, types, dimensions, and varieties of products that are in national demand in the country, including but not limited to simplified trade practice recommendations concerning the following commodities: wood, textiles, paper and rubber products, metal and mechanical products, containers and miscellaneous products, materials handling equipment, ceramic products, electrical products, construction materials, and metal and woodworking tools.

(c) So much of the functions of the Director of said Bureau as relates to the foregoing activities.

PART VII. NATIONAL LABOR RELATIONS BOARD

Sec. 701. *Strike ballots under War Labor Disputes Act.*—The functions of the National Labor Relations Board under section 8 of the War Labor Disputes Act (57 Stat. 162, 167, ch. 144) with respect to taking secret ballots of employees on the question of an interruption of war production are hereby abolished.

57 Stat. 163, 167.
50 U. S. C., Supp.
V, app. § 1506.

PART VIII. SMITHSONIAN INSTITUTION

Sec. 801. *Canal Zone Biological Area.*—The functions of the Board of Directors of the Canal Zone Biological Area (which Board is provided for in the Act of July 2, 1940, 54 Stat. 724, ch. 516), together with the functions of the executive officer of such Board, are hereby transferred to the Smithsonian Institution. The said Board of Directors and the office of the said executive officer are hereby abolished.

48 U. S. C. §§ 1381-
1387.

PART IX. UNITED STATES EMPLOYMENT SERVICE

Sec. 901. *Placement functions under Selective Training and Service Act of 1940.*—There is hereby transferred to the United States Employment Service so much of the functions of the Selective Service System and of the Director of Selective Service under section 8(g) of the Selective Training and Service Act of 1940 (54 Stat. 890, ch. 720) as relates to aiding persons who have satisfactorily completed any period of active duty or of training and service under the said Act in securing positions other than the positions held by them prior to said period.

54 Stat. 891.
50 U. S. C. app.
§ 308(g).

PART X. RECORDS, PROPERTY, PERSONNEL, AND FUNDS

Sec. 1001. *Transfer of records, property, personnel, and funds.*—There are hereby transferred to the respective agencies in which functions are vested pursuant to the provisions of this plan, to be used, employed, and expended in connection with such functions, respectively, or in connection with winding up the outstanding affairs of agencies abolished by this plan, (1) the records and property now being used or held in connection with such functions, (2) the personnel employed in connection with such functions, and (3) the unexpended balances of appropriations, allocations, or other funds available or to be made available for use in connection with such functions.

Sec. 1002. *Disposition of excess personnel.*—Any of the personnel transferred under this plan which the transferee agency shall find to be in excess of the personnel necessary for the administration of the functions transferred to such agency by such plan shall be retransferred under existing law to other positions in the Government or separated from the service.

Sec. 1003. *Dispositions by Director of the Bureau of the Budget.*—Such further measures and dispositions as the Director of the Bureau of the Budget shall determine to be necessary in order to effectuate the provisions of this Part or in order to wind up the outstanding affairs relating to agencies or functions abolished by this plan shall be carried out in such manner as the Director may direct and by such agencies as he may designate.

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UNITED STATES STATUTES AT LARGE

CONTAINING THE

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

1946

AND

PROCLAMATIONS, TREATIES, INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES,
AND REORGANIZATION PLANS

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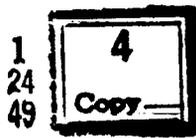
PART 2

PRIVATE LAWS, CONCURRENT RESOLUTIONS,
PROCLAMATIONS, TREATIES, AND INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES



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PRIVATE LAWS

PRIVATE LAWS

ENACTED DURING THE

SECOND SESSION OF THE SEVENTY-NINTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Monday, January 14, 1946, and adjourned sine die on Friday, August 2, 1946

HARRY S. TRUMAN, President; KENNETH MCKELLAR, President of the Senate *pro tempore*; SAM RAYBURN, Speaker of the House of Representatives.

[CHAPTER 1]

AN ACT

To authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act of July 31, 1894, as amended (5 U. S. C. Annotated 62), or any other provisions of law, the President, acting by and with the advice and consent of the Senate, is authorized to appoint Major General Graves Blanchard Erskine, a general officer in the United States Marine Corps, to the office of Retraining and Reemployment Administrator, and Major General Erskine's appointment to, acceptance of, and service in that office shall in no way affect any status, office, rank, or grade he may occupy or hold in the United States Marine Corps or any component thereof or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade: *Provided,* That so long as he holds the office of Retraining and Reemployment Administrator, Major General Erskine shall retain the rank and grade of major general which he now holds in the United States Marine Corps and he shall receive the pay and allowances payable to an officer serving on active duty with the rank and in the grade of major general in the United States Marine Corps, or any component thereof; and in the event the salary prescribed by law for the office of Retraining and Reemployment Administrator exceeds such pay and allowances, Major General Erskine

February 8, 1946

[S. 1590]

[Private Law 367]

MaJ. Gen. Graves
Blanchard Erskine.
Appointment as Re-
training and Reem-
ployment Administra-
tor.
28 Stat. 205.

Rank and grade;
pay and allowances.

shall receive directly from the Department of Labor the difference between such pay and allowances and such salary.

Supervision, etc.
(naval or otherwise).

SEC. 2. In the performance of his duties as Retraining and Reemployment Administrator, Major General Erskine shall be subject to no supervision, control, restriction, or prohibition (naval or otherwise) other than would be operative with respect to him if he were in no way connected with the United States Marine Corps, or any component thereof.

SEC. 3. The appropriations of the Department of Labor shall be available for reimbursement to the Marine Corps of all pay and allowances received by Major General Erskine from the Marine Corps or its agencies while he is serving as Retraining and Reemployment Administrator.

Approved February 8, 1946.

[CHAPTER 7]

AN ACT

For the relief of the estate of Edwin Perry Ashcraft.

February 12, 1946
[H. R. 1085]
[Private Law 368]

Edwin Perry Ash-
craft, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Edwin Perry Ashcraft, the sum of \$5,231.82. The payment of such sum shall be in full settlement of all claims of the said estate against the United States on account of the death of Edwin Perry Ashcraft, who died on March 1, 1944, as the result of personal injuries sustained on February 21, 1944, when he was struck by a United States Army truck while walking at a distance of several feet off a highway in Gore, Oklahoma: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 12, 1946.

[CHAPTER 8]

AN ACT

To authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Montana.

February 13, 1946
[S. 490]
[Private Law 369]

Henry Keiser.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, upon the application of Henry Keiser in writing, to offer for sale to the highest bidder, under such terms and conditions as the Secretary may prescribe, the allotment of Henry Keiser, Crow Indian allottee Numbered 3313, described as lots 11 and 12 of section 3, west half of section 10, township 2 south, range 30 east, and southwest quarter northwest quarter, northwest quarter southwest quarter, south half southwest quarter, and southeast quarter of section 1, township 8 south, range 37 east, principal meridian, Big Horn County, Montana, containing seven hundred and eighteen and seventy-five one hundredths acres: *Provided*, That such part of the proceeds received from the sale of said land as the

Secretary of the Interior may deem advisable shall be reinvested in other lands selected by said Henry Keiser, and such land so selected and purchased shall not be alienated or encumbered without the approval of the Secretary of the Interior and shall be nontaxable and such restrictions shall appear in the conveyance. The balance of such proceeds, if any, shall be deposited to the credit of Henry Keiser and shall be expended under individual Indian money regulations of the Department of the Interior.

Approved February 13, 1946.

[CHAPTER 9]

AN ACT

For the relief of Mr. and Mrs. Marion M. Hill.

February 13, 1946
[S. 991]

[Private Law 370]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Marion M. Hill, of Wheeler, Alabama, the sum of \$4,175 in full satisfaction of their claim against the United States for compensation for the death of their minor son, Arless Atchely Hill, as a result of personal injuries sustained by him when he was struck by a Government-owned vehicle driven by an employee of the Bureau of Internal Revenue in the performance of his official duties, near Wheeler, Alabama, on December 2, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. and Mrs.
Marion M. Hill.

Approved February 13, 1946.

[CHAPTER 10]

AN ACT

For the relief of Aftab Ali.

February 13, 1946
[S. 1081]

[Private Law 371]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Aftab Ali, of New York, New York, the sum of \$500, in full settlement of his claim against the United States for the refund of a bail bond posted for Azir Khan, an alien, such bond having been forfeited on January 17, 1944, when the said Azir Khan failed to appear for deportation: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Aftab Ali

Approved February 13, 1946.

[CHAPTER 11]

AN ACT

For the relief of James Alves Saucier.

February 14, 1946

[S. 831]

[Private Law 372]

James Alves Saucier.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Alves Saucier, of Poplarville, Mississippi, the sum of \$3,000, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him when he was struck by a United States Army truck at the Gulfport Army Airfield, Mississippi, on August 24, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 14, 1946.

[CHAPTER 12]

AN ACT

For the relief of Mabel Fowler.

February 14, 1946

[S. 845]

[Private Law 373]

Mabel Fowler.

39 Stat. 742.
5 U. S. C. Supp. V,
§ 757 *et seq.*

39 Stat. 744.
5 U. S. C. § 760;
Supp. V, § 760.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 751-791), Carl F. Fowler, who was electrocuted on September 16, 1943, while seeking to correct failure of electric facilities at the Army air base near Mitchell, South Dakota, shall be deemed to have been a civil employee of the United States within the purview of said Act, at the time of his death, and compensation for death shall be payable to Mabel Fowler, if she is found to be the widow of the said Carl F. Fowler, under the conditions provided in section 10 of such Act of September 7, 1916, such compensation to be computed in the manner prescribed in said Act upon the basis of \$175 as representing the monthly wage of the deceased at the time of his death. Any compensation for death received by said Mabel Fowler under any other workmen's compensation law shall be credited in such manner as the United States Employees' Compensation Commission may find to be just and equitable against any compensation which she may receive by reason of this Act: *Provided,* That claim for compensation for death under such Act shall be filed within one year from the approval of this Act: *Provided further,* That no benefits shall accrue prior to the approval of this Act.

Approved February 14, 1946.

[CHAPTER 13]

AN ACT

For the relief of Harold E. Bullock.

February 14, 1946

[S. 905]

[Private Law 374]

Harold E. Bullock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harold E. Bullock, of Las Vegas, Nevada, the sum of \$5,000, in full satisfaction of his

claim against the United States for compensation for the death of his wife, Mrs. Harold E. Bullock, as a result of personal injuries sustained by her, when the automobile in which she was riding was struck by a United States Army vehicle on Highway Numbered 66, near Oro Grande, California, on July 27, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 14, 1946.

[CHAPTER 14]

AN ACT

For the relief of Oscar S. Reed.

February 14, 1946
[S. 1077]
[Private Law 376]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oscar S. Reed, of Auburndale, Massachusetts, the sum of \$350, in full satisfaction of his claim against the United States for compensation for personal injuries and loss of earnings sustained by him as a result of an accident which occurred when the automobile in which he was riding was struck by a United States Navy vehicle, at Portsmouth, New Hampshire, on August 20, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof, shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Oscar S. Reed.

Approved February 14, 1946.

[CHAPTER 15]

AN ACT

For the relief of the estate of Manuel Rose Lima.

February 14, 1946
[S. 1101]
[Private Law 376]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Manuel Rose Lima, of New Bedford, Massachusetts, the sum of \$4,000, in full satisfaction of the claim of such estate against the United States for compensation for the death of said Manuel Rose Lima, as a result of personal injuries sustained by him when he was struck by a United States Navy vehicle while walking on Washington Street, in Nantucket, Massachusetts, on September 11, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Manuel Rose Lima,
estate.

Approved February 14, 1946.

[CHAPTER 16]

AN ACT

For the relief of Florence Barrows.

February 14, 1946
[S. 1142]
[Private Law 377]

Florence Barrows.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Florence Barrows, of the town of Exeter, county of Kent, State of Rhode Island, the sum of \$2,500, in full settlement for personal injuries sustained by her on December 18, 1943, when she was injured by an Army truck, W-422452, operated by an enlisted man of the United States Army: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 14, 1946.

[CHAPTER 17]

AN ACT

For the relief of Winter Brothers Company.

February 14, 1946
[S. 1158]
[Private Law 378]

Winter Brothers Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Winter Brothers Company, of Wrentham, Massachusetts, the sum of \$2,400; the payment of such sum shall be in full settlement of all claims of such company against the United States on account of losses sustained in the execution of Navy contract numbered NXsx-37041, for the supply of pipe taps, entered into by such company on September 13, 1943, such loss being due to a typographical error in the bid which, through a mutual mistake of fact by the contracting officer and the contractor, was not corrected in the signed contract: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 14, 1946.

[CHAPTER 18]

AN ACT

For the relief of Mr. and Mrs. Allan F. Walker.

February 14, 1946
[S. 1294]
[Private Law 379]

Mr. and Mrs. Allan F. Walker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Allan F. Walker, of Sepulveda, California, the sum of \$2,500, in full satisfac-

tion of their claims against the United States for compensation for the death of their son, Dennis Allan Walker, who died as a result of burns received by him when a United States Army airplane crashed at 9363 Burnet Avenue, in Sepulveda, California, on January 25, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 14, 1946.

[CHAPTER 19]

AN ACT

For the relief of John A. Hatcher.

February 14, 1946
[S. 1236]
[Private Law 380]

John A. Hatcher.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$650, to John A. Hatcher, of Teays, West Virginia, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses sustained as the result of an accident involving a United States Navy vehicle, near Saint Albans, West Virginia, on December 5, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 14, 1946.

[CHAPTER 20]

AN ACT

For the relief of the estate of William Carl Jones.

February 14, 1946
[S. 1323]
[Private Law 381]

William Carl Jones,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of William Carl Jones, of Merigold, Mississippi, the sum of \$3,551.90, in full satisfaction of the claims of such estate against the United States for compensation for the death of the said William Carl Jones as a result of gunshot wounds inflicted by a guard at the prisoner-of-war camp at Merigold, Mississippi, on March 24, 1945, and for reimbursement of medical, hospital, and funeral expenses incurred as a result of such injuries and death: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 14, 1946.

[CHAPTER 21]

AN ACT

For the relief of the legal guardian of Wayne Edward Wilson, a minor.

February 14, 1946

[S. 1338]

[Private Law 382]

Guardian of Wayne
Edward Wilson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Wayne Edward Wilson, a minor, of Lebanon, Delaware, the sum of \$3,000, in full satisfaction of all claims against the United States for compensation for personal injuries sustained by the said Wayne Edward Wilson, on August 28, 1944, and for reimbursement of medical, hospital, and other expenses incurred by him, as a result of his being burned when he came into contact with a cable hanging from a live electric wire, near Lebanon, Delaware, such cable having been dropped onto the electric wire from a United States Army airplane: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 14, 1946.

[CHAPTER 23]

AN ACT

To compensate Benali El Oukili Boucheta, an inhabitant of French Morocco, for the wrongful death of his son Mohamed Ben Boucheta Ben Ali El Oukili, near Marnia, Algeria, on September 30, 1944.

February 15, 1946

[S. 1360]

[Private Law 383]

Benali El Oukili
Boucheta.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Benali El Oukili Boucheta, a resident and inhabitant of French Morocco, the sum of \$780 in full satisfaction of his claim against the United States arising from the wrongful death near Marnia, Algeria, on September 30, 1944, of his son, Mohamed Ben Boucheta Ben Ali El Oukili: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 15, 1946.

[CHAPTER 24]

AN ACT

For the relief of William Wilson Wurster.

February 15, 1946

[S. 1448]

[Private Law 384]

William Wilson
Wurster.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and adjust the claim of William Wilson Wurster, San Francisco, California, on account of increased costs incurred by the said individual in the performance of his contract numbered

WA-1194, dated January 9, 1942, with the Federal Works Agency, by reason of unavoidable delays on the part of other contractors and the Government in the construction and completion of a defense housing project at or near Sacramento, California, and to allow in full and final settlement of the claim the amount of not to exceed \$3,140. There is hereby appropriated the sum of \$3,140, or so much thereof as may be necessary for the payment of the said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 15, 1946.

[CHAPTER 25]

AN ACT

For the relief of Paul E. Tacy.

February 15, 1946
[S. 1231]

[Private Law 385]

Paul E. Tacy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul E. Tacy, of Monterey, California, the sum of \$23.50, in full satisfaction of his claim against the United States for compensation for property damage sustained by him when his automobile was struck by a United States Army vehicle on Fountain Avenue, in Pacific Grove, California, on October 28, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 15, 1946.

[CHAPTER 26]

AN ACT

To compensate Clement Euziere, an inhabitant of French Morocco, for personal injuries caused by a naval vehicle near Oran, Algeria, on September 21, 1943.

February 15, 1946
[S. 1361]

[Private Law 386]

Clement Euziere.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clement Euziere, a resident and inhabitant of French Morocco, the sum of \$2,000, in full satisfaction of his claim against the United States arising from an accident occurring near Oran, Algeria, on September 21, 1943, in which he sustained permanent injuries, to wit: the loss of his left leg at the level of the upper third of the thigh: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 15, 1946.

[CHAPTER 27]

AN ACT

For the relief of Ogden and Dougherty, and for other purposes.

February 15, 1946
[S. 815]

[Private Law 387]

Edwin Dougherty
and M. H. Ogden.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to certify for payment to Edwin Dougherty and M. H. Ogden, trading as Ogden and Dougherty, the sum of \$15,414.21, recommended by the United States district engineer at Cincinnati, Ohio, the division engineer at Columbus, Ohio, and the Chief of Engineers as the amount of just mathematical errors in the accepted bid submitted on January 7, 1941, by Ogden and Dougherty for the construction of a hospital building at Patterson Field, Dayton, Ohio, the exigencies of the military service being such as not to admit of delay necessary to correct the errors in the bid before the contract was entered into and the construction work commenced.

Approved February 15, 1946.

[CHAPTER 29]

AN ACT

For the relief of Sigurdur Jonsson and Thorolína Thordardóttir.

February 18, 1946
[S. 314]

[Private Law 388]

Sigurdur Jonsson
and Thorolína Thordardóttir.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jon Sigurdsson as attorney in fact for his parents, Sigurdur Jonsson and Thorolína Thordardóttir, of Hafnarfjörður, Iceland, for and on their behalf, the sum of \$4,070.85, in full settlement of all claims against the United States for the death of their son, Thordur Sigurdsson, who was fatally injured when shot by an enlisted soldier in the Army of the United States on November 8, 1941, at Hafnarfjörður, Iceland: *Provided,* That the claimants accept such sum in full settlement of all claims against the United States for the death of their son: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 18, 1946.

[CHAPTER 37]

AN ACT

For the relief of Mrs. Lona Wilson.

February 28, 1946
[S. 1588]

[Private Law 389]

Mrs. Lona Wilson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lona Wilson, of Malta, Montana, the sum of \$119, in full satisfaction of her claim against the United States for the replacement costs of certain abstracts of title to lands, which abstracts were furnished by her to the Resettlement Administration upon its request on June 1, 1936, but were not

returned to her and have been reported lost by the Resettlement Administration: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 28, 1946.

[CHAPTER 38]

AN ACT

For the relief of Elisabeth Andersen.

February 28, 1946
[S. 400]
[Private Law 390]

Elisabeth Andersen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elisabeth Andersen, of Wilmington, Delaware, the sum of \$2,500, in full settlement of all her claims against the United States for personal injuries and property damage sustained by her when the automobile which she was driving was struck by a Civilian Conservation Corps truck on the Littleton Road, Morristown, New Jersey, on the night of July 25, 1937: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 28, 1946.

CHAPTER 39]

AN ACT

For the relief of Felix Frederickson.

February 28, 1946
[S. 543]
[Private Law 391]

Felix Frederickson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Felix Frederickson, of Seattle, Washington, the sum of \$5,000, in full satisfaction of his claims against the United States (1) for compensation for personal injuries sustained by him when he was struck by a United States mail truck at the intersection of Westlake Avenue and Virginia Street in Seattle, Washington, on January 4, 1944, and (2) for reimbursement of medical, hospital, and other expenses incurred by him as a result of such injuries: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 28, 1946.

[CHAPTER 40]

AN ACT

February 28, 1946
[S. 683]
[Private Law 392]

For the relief of Mrs. Marie Nepple, as executrix of the estate of Earl W. Nepple, deceased, and Mrs. Marie Nepple, individually.

Earl W. Nepple,
estate.

Mrs. Marie Nepple.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Marie Nepple, as executrix of the estate of Earl W. Nepple, deceased, of Los Angeles, California, the sum of \$5,000, in full settlement of all claims of said estate against the United States on account of the death of Earl W. Nepple, and to Mrs. Marie Nepple, individually, the sum of \$418.68, in full settlement of all claims for expenses incurred by her as a result of the death of said Earl W. Nepple, resulting from an accident involving an airplane of the United States Army, which occurred near Wittman, Arizona, on June 22, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 28, 1946.

[CHAPTER 41]

AN ACT

February 28, 1946
[S. 1084]
[Private Law 393]

For the relief of John C. May and Eva Jenkins May.

John C. May and
Eva Jenkins May.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John C. May and Eva Jenkins May, of New Orleans, Louisiana, the sum of \$3,652.25, in full satisfaction of their claim against the United States for compensation for the death of their son, Charles Kenneth May, age six years, resulting from fatal personal injuries received when he was struck and run over by a United States Army truck on Gentilly Highway at or near the intersection of Piety Street, New Orleans, Louisiana, on January 24, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 28, 1946.

[CHAPTER 42]

AN ACT

February 28, 1946
[S. 1126]
[Private Law 394]

For the relief of Alice A. Murphy.

Alice A. Murphy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alice A. Murphy, of the city of Providence, county of Providence, State of Rhode Island, the sum of \$200, in full settlement of her claim for personal injuries sustained by her while a passenger in a privately

owned bus that was struck by a bus owned and operated by the Navy Department on December 20, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 28, 1946.

[CHAPTER 43]

AN ACT

For the relief of Jess Hudson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jess Hudson, of Birmingham, Alabama, the sum of \$255.26, in full satisfaction of his claim against the United States for compensation for property damage sustained by him as the result of an accident which occurred on January 15, 1944, when the automobile which he was driving was struck by a United States Army vehicle on Fiftieth Street North, in Birmingham, Alabama: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 28, 1946.

February 28, 1946
[S. 1131]
[Private Law 395]

Jess Hudson.

[CHAPTER 44]

AN ACT

For the relief of Robert R. Rowe, Junior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert R. Rowe, Junior, of Louisville, Kentucky, \$6,000. The payment of such sum shall be in full settlement of all claims of the said Robert R. Rowe, Junior, against the United States on account of severe personal injuries sustained by him on April 29, 1944, when he was struck by a United States Army tractor and trailer at West Chestnut Street and South Twenty-sixth Street, Louisville, Kentucky: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 28, 1946.

February 28, 1946
[S. 1400]
[Private Law 396]

Robert R. Rowe, Jr.

[CHAPTER 45]

AN ACT

For the relief of Charles L. Phillips.

February 28, 1946
[S. 1423]

[Private Law 397]

Charles L. Phillips.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles L. Phillips, of East Greenwich, Rhode Island, the sum of \$81, in full satisfaction of all claims against the United States for medical services rendered to a patient who was injured when struck by a truck owned by the Navy Department at East Greenwich, Rhode Island: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved February 28, 1946.

[CHAPTER 46]

AN ACT

For the relief of Thomas F. Gray.

March 1, 1946
[S. 323]

[Private Law 398]

Thomas F. Gray.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to cancel the charge, in the amount of \$1,043.95, entered on the accounts of Thomas F. Gray, as postmaster at Niagara Falls, New York, by reason of the disallowance by the General Accounting Office of expenditures representing the salary of the said Thomas F. Gray as acting postmaster during the period from September 15 to December 8, 1942, such service not having been authorized by the Civil Service Commission.

Approved March 1, 1946.

[CHAPTER 47]

AN ACT

For the relief of the estate of Agnes J. Allberry.

March 2, 1946
[S. 865]

[Private Law 399]

Agnes J. Allberry,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Agnes J. Allberry, the sum of \$5,000, in full satisfaction of all claims against the United States for compensation for the death of the said Agnes J. Allberry, who died in Hawaii on August 11, 1943, as the result of burns received by her from the explosion of a United States Navy airplane which crashed near the place where she was working on August 9, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 2, 1946.

[CHAPTER 59]

AN ACT

For the relief of Willie H. Johnson.

March 6, 1946
[S. 1129]
[Private Law 400]

Willie H. Johnson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Willie H. Johnson, Dunnellon, Florida, the sum of \$350 in full settlement of all claims against the United States for personal injuries and loss of earnings sustained by him as the result of an accident which occurred in Dunnellon, Florida, on February 22, 1944, involving an Army vehicle: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 60]

AN ACT

For the relief of B. Pendino.

March 6, 1946
[H. R. 1315]
[Private Law 401]

B. Pendino.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to B. Pendino the sum of \$1,641.92, in full settlement of all claims against the United States for personal injuries and loss of wages sustained as the result of an accident involving a United States Army truck in Tampa, Florida, on November 1, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 61]

AN ACT

For the relief of Leonard Hutchings.

March 6, 1946
[H. R. 1464]
[Private Law 402]

Leonard Hutchings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Leonard Hutchings, the sum of \$5,000, in full satisfaction of all claims against the United States for compensation for the loss of an arm and other personal injuries he received in a collision with an Army vehicle near Liberty, Arizona, on the 24th day of April 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 62]

AN ACT

For the relief of Max Hirsch.

March 6, 1946

[H. R. 1848]

[Private Law 403]

Max Hirsch.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to remove from the records of his office the debt which has been raised therein against Mr. Max Hirsch, county Farm Security Administration supervisor, Anderson, Missouri, in the sum of \$289.65, together with interest thereon from date of loss of the public funds for which he is accountable and which were destroyed by fire, without his fault, on November 24, 1943.

Approved March 6, 1946.

[CHAPTER 63]

AN ACT

For the relief of Charles Zucker.

March 6, 1946

[H. R. 2168]

[Private Law 404]

Charles Zucker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Zucker, the sum of \$1,000, in full settlement of all claims against the United States for injuries sustained when a United States Army plane crashed at the Montefiore Cemetery, Suffolk County, Long Island, New York, on December 7, 1941: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 64]

AN ACT

For the relief of Solomon Schtierman.

March 6, 1946

[H. R. 2171]

[Private Law 405]

Solomon Schtierman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Solomon Schtierman the sum of \$1,500, in full settlement of all claims against the United States for injuries sustained when a United States Army plane crashed at the Montefiore Cemetery, Suffolk County, Long Island, New York, on December 7, 1941: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 65]

AN ACT

For the relief of Harry C. Westover.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to allow credit in the account of Harry C. Westover, collector of internal revenue for the sixth district of California, in the sum of \$2,160, representing the value of certain wine stamps erroneously issued to the Rubidoux Winery, Riverside, California, in the wrong denomination, affixed to barrels, and mutilated in accordance with provisions of the Internal Revenue Code prior to discovery of the error, no loss of tax having been incurred by the United States.

Approved March 6, 1946.

March 6, 1946
[H. R. 2270]

[Private Law 406]

Harry C. Westover.

[CHAPTER 66]

AN ACT

For the relief of Arnold Mecham.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arnold Mecham, of Nampa, Idaho, the sum of \$2,120. The payment of such sum shall be in full settlement of all claims of said Arnold Mecham against the United States on account of injuries sustained and resultant losses when the automobile he was driving was struck by an Army vehicle on United States Highway Numbered 30 near Boise, Idaho, on December 7, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

March 6, 1946
[H. R. 2289]

[Private Law 407]

Arnold Mecham.

[CHAPTER 67]

AN ACT

For the relief of Elsie Peter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elsie Peter, of Skokie, Illinois, the sum of \$5,730.74, in full settlement of all claims against the United States for property damage and personal injuries sustained and for medical, hospital, and dental expenses incurred and required as the result of her being struck by an Army truck in Skokie, Illinois, on January 12, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of any services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

March 6, 1946
[H. R. 2393]

[Private Law 408]

Elsie Peter.

[CHAPTER 68]

AN ACT

For the relief of Sam Kalak.

March 6, 1946
[H. R. 2452]

[Private Law 409]

Sam Kalak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Kalak, San Diego, California, the sum of \$1,490.99. The payment of such sum shall be in full settlement of all claims of the said Sam Kalak against the United States for damage to his home in San Diego, California, caused by the crash of a United States Navy airplane on June 14, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 69]

AN ACT

For the relief of W. D. Jones and Ethel S. Jones.

March 6, 1946
[H. R. 2661]

[Private Law 410]

W. D. Jones and
Ethel S. Jones.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. D. Jones and Ethel S. Jones, of Lake Waccamaw, North Carolina, the sum of \$3,904.74. The payment of such sum shall be in full settlement of all claims against the United States on account of damage to real and personal property, to wit: Hotel building and fixtures, owned by them and caused by a United States Army plane on July 5, 1943, when it crashed into their building: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 70]

AN ACT

For the relief of the legal guardian of Forest Eldon Powell.

March 6, 1946
[H. R. 2724]

[Private Law 411]

Guardian of Forest
Eldon Powell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Forest Eldon Powell, Castalian Springs, Tennessee, the sum of \$1,500. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained on March 3, 1944, by Forest Eldon Powell, minor, as a result of the explosion of a fuse for a tank mine which had been left near the

school attended by the said Forest Eldon Powell by United States Army forces on maneuvers: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 71]

AN ACT

For the relief of R. H. Sindle.

March 6, 1946
[H. R. 2728]
[Private Law 412]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. H. Sindle, Gallatin, Tennessee, the sum of \$101.54. The payment of such sum shall be in full settlement of all claims of the said R. H. Sindle against the United States for the loss of, and damage to, certain personal property owned by him as the result of acts of depredation committed by members of the United States Army on March 22, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

R. H. Sindle.

Approved March 6, 1946.

[CHAPTER 72]

AN ACT

For the relief of C. Frank James.

March 6, 1946
[H. R. 2769]
[Private Law 413]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. Frank James, the sum of \$5,364, in full settlement of all claims against the United States arising out of the death of his minor son, John Ronald James, resulting from an accident involving a United States Army truck on the Goldsboro-Kenly Highway, near Goldsboro, North Carolina, on October 13, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

C. Frank James.

Approved March 6, 1946.

[CHAPTER 73]

AN ACT

For the relief of William Phillips.

March 6, 1946
[H. R. 2963]

[Private Law 414]

William Phillips.
39 Stat. 746.
5 U. S. C. §§ 765-
770; Supp. V, § 770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of William Phillips, who is alleged to have sustained injuries from the explosion of dynamite while working for the Works Progress Administration in a rock quarry at Garland, Texas, on or about April 11, 1938, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, and as extended to employees engaged in emergency relief employment, if he files such claim with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act.

Approved March 6, 1946.

[CHAPTER 74]

AN ACT

For the relief of the estate of Bobby Messick.

March 6, 1946
[H. R. 2974]

[Private Law 415]

Bobby Messick, es-
tate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legally qualified representative of the estate of Bobby Messick, deceased, of Murfreesboro, Tennessee, the sum of \$3,000, in full settlement of all claims against the United States on account of the death of the said Bobby Messick who was instantly killed on September 18, 1943, when struck by a United States Army truck on United States Highway Numbered 41, six miles south of Murfreesboro, Tennessee: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 75]

AN ACT

For the relief of Thomas A. Butler.

March 6, 1946
[H. R. 3046]

[Private Law 416]

Thomas A. Butler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas A. Butler, of Richmond, Virginia, the sum of \$1,000, in full settlement of all claims against the United States for personal injuries and medical and other expenses sustained by him as the result of a collision of an Army truck with a streetcar on which he was a passenger in Richmond, Virginia, on November 19, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or

attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 76]

AN ACT

For the relief of the legal guardian of Olga Stanik, a minor.

March 6, 1946
[H. R. 3514]
[Private Law 417]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Olga Stanik, a minor, Carrollville, Wisconsin, the sum of \$2,500 in full settlement of all claims against the United States for personal injuries sustained by the said Olga Stanik on September 22, 1938, when she fell into an excavation on a project of the Works Progress Administration at the Otjen School, Carrollville, Wisconsin: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Guardian of Olga
Stanik.

Approved March 6, 1946.

[CHAPTER 77]

AN ACT

For the relief of C. H. Brumfield.

March 6, 1946
[H. R. 3784]
[Private Law 418]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. H. Brumfield, Chicago, Illinois, the sum of \$6,790. The payment of such sum shall be in full settlement of all claims of the said C. H. Brumfield against the United States on account of personal injuries, hospital and medical expenses, and loss of earnings and property damage sustained on August 31, 1943, when an automobile owned and driven by him was in collision with a United States Army vehicle on United States Highway Numbered 2, near Devils Lake, North Dakota. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

C. H. Brumfield.

Approved March 6, 1946.

[CHAPTER 78]

AN ACT

For the relief of Lucy Delgado and Irma M. Delgado.

March 6, 1946
[H. R. 4249]
[Private Law 419]

Lucy Delgado and
Irma M. Delgado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,570 to Lucy Delgado, and to pay the sum of \$750 to Irma M. Delgado, both of Puerto Rico, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained as the result of an accident which occurred on June 11, 1944, on Insular Highway Numbered 25 between Cataño and Santurce, Puerto Rico, and which involved a United States Army truck in which they were riding: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 6, 1946.

[CHAPTER 79]

AN ACT

For the relief of Isabel Carlson.

March 7, 1946
[H. R. 854]
[Private Law 420]

Isabel Carlson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Isabel Carlson, of Chicago, Illinois, the sum of \$2,500, in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses sustained as a result of being struck by a United States post-office vehicle, on Clark Street, Chicago, Illinois, on March 15, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of any services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 7, 1946.

[CHAPTER 85]

AN ACT

For the relief of Herbert C. Rockwell.

March 13, 1946
[S. 1637]
[Private Law 421]

Herbert C. Rockwell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herbert C. Rockwell, of Washington, Pennsylvania, the sum of \$158.05, in full settlement of all claims against the United States for property damage sustained on August 10, 1944, when a vehicle belonging to the Federal Bureau of Investigation rolled away from its parking place on a down-grade

street and collided with the automobile of Herbert C. Rockwell which was parked in front of 416½ North Main Street, Washington, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 13, 1946.

[CHAPTER 86]

AN ACT

For the relief of the Dubuque and Wisconsin Bridge Company.

March 13, 1946

[H. R. 2748]

[Private Law 422]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Dubuque and Wisconsin Bridge Company, Dubuque, Iowa, the sum of \$481.67. The payment of such sum shall be in full settlement of all claims of the said Dubuque and Wisconsin Bridge Company against the United States for toll charges for the use of their Eagle Point Bridge by a rural mail carrier for the period October 1, 1936, through June 30, 1944. A contract for the payment of such toll charges was canceled by the Post Office Department on September 30, 1936, because of the refusal of the General Accounting Office to grant credit for such payment. This decision was subsequently reversed and a new contract negotiated, effective July 1, 1944, to pay such toll charges: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Dubuque and Wisconsin Bridge Co.

Approved March 13, 1946.

[CHAPTER 87]

AN ACT

Authorizing sale of the allotment of LeRoy Milliken on the Crow Indian Reservation, Montana.

March 13, 1946

[H. R. 4027]

[Private Law 423]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, upon the application of LeRoy Milliken in writing, to offer for sale to the highest bidder, upon such terms and conditions as the Secretary may prescribe, the following-described lands allotted to said LeRoy Milliken: The south half of the south half of the north half of the northeast quarter, the south half of the northeast quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, and the southeast quarter, of section 24, township 5 south, range 26 east, the north half of the northeast quarter, the southeast quarter of the northeast quarter, and the northeast quarter of the northwest quarter, of section 25, township 5 south, range 26 east, and lots 4, 9, and 10 of section 19, township 5 south, range 27 east, Montana principal meridian.

LeRoy Milliken.

Approved March 13, 1946.

[CHAPTER 88]

AN ACT

Authorizing the issuance of a patent in fee to Alice Yarlott Othermedicine.

March 13, 1946
[H. R. 4034]

[Private Law 424]

Alice Yarlott Other-
medicine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue Alice Yarlott Othermedicine, a Crow Indian allottee, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Montana: The northwest quarter of the southeast quarter, section 11, township 9 south, range 34 east, Montana principal meridian, Big Horn County, Montana, containing forty acres.

Approved March 13, 1946.

[CHAPTER 89]

AN ACT

Authorizing the issuance of a patent in fee to Wilbert Keiser.

March 13, 1946
[H. R. 4035]

[Private Law 425]

Wilbert Keiser.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Wilbert Keiser a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Montana: Lot 4 and the southwest quarter of the southwest quarter of section 2, and the west half of the northwest quarter of section 11, township 3 north, range 31 east, Montana principal meridian, containing one hundred and fifty-seven and twenty-two one-hundredths acres.

Approved March 13, 1946.

[CHAPTER 90]

AN ACT

For the relief of Mrs. Margaret McWilliams.

March 14, 1946
[H. R. 1090]

[Private Law 426]

Mrs. Margaret Mc-
Williams.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Margaret McWilliams, formerly of 2781 Jefferson Avenue, Mount Clemens, Michigan, the sum of \$1,180.64, in full settlement of all claims against the United States for damages sustained by being ejected by Army officers at Selfridge Field from their location while doing business as "The Selfridge Inn" on September 4, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 14, 1946.

[CHAPTER 94]

AN ACT

For the relief of the legal guardians of John Buchan and Lawrence Gillingham, minors.

March 15, 1946
[H. R. 1615]
[Private Law 427]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,850.55 to the legal guardian of John Buchan and to pay the sum of \$2,294 to the legal guardian of Lawrence Gillingham, all of 337 Forty-fourth Street, Brooklyn, New York, for personal injuries sustained by the minors when they were struck by an automobile driven by an employee of the United States Department of Justice, on January 27, 1942, at Fourth Avenue near Thirty-seventh Street, Brooklyn, New York: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 15, 1946.

Guardian of John
Buchan.

Guardian of Law-
rence Gillingham.

[CHAPTER 95]

AN ACT

To authorize the President to appoint Lieutenant General Walter B. Smith as Ambassador to the Union of Soviet Socialist Republics, without affecting his military status and perquisites.

March 15, 1946
[H. R. 5529]
[Private Law 428]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 1222 of the Revised Statutes (U. S. C., title 10, sec. 576), the provisions of section 1223 of the Revised Statutes (U. S. C., title 10, sec. 577), or any other provisions of law, or any rules or regulations issued thereunder, the President, acting by and with the advice and consent of the Senate, is authorized to appoint Lieutenant General Walter B. Smith, a general officer in the Army of the United States, as Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics and Lieutenant General Smith's appointment to, acceptance of, and service as such Ambassador Extraordinary and Plenipotentiary shall in no way affect any status, office, rank, or grade he may occupy or hold in the Army of the United States or any component thereof, or any emolument, perquisite, right, privilege, eligibility for promotion, or benefit incident to or arising out of any such status, office, rank, or grade: *Provided,* That so long as he remains Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics Lieutenant General Smith shall retain the rank and grade of lieutenant general which he now holds in the Army of the United States, but during such time shall receive the salary and allowances of Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics, payable from appropriations made by law for the Department of State, in lieu of his military pay and allowances.

Lt. Gen. Walter B.
Smith.
Appointment as
Ambassador Extraor-
dinary and Plenipo-
tentiary to U. S. S. R.

Rank and grade;
pay and allowances.

SEC. 2. In the performance of his duties as such Ambassador Extraordinary and Plenipotentiary, Lieutenant General Smith shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him

Supervision, etc.
(military or other-
wise).

if he were in no way connected with the War Department, the Military Establishment, or the Army of the United States, or any component thereof.

Approved March 15, 1946.

[CHAPTER 96]

AN ACT

For the relief of Christopher Dance.

March 16, 1946

[H. R. 1613]

[Private Law 429]

Christopher Dance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Christopher Dance, of Westfield, New Jersey, the sum of \$50. The payment of such sum shall be in full settlement of all claims of the said Christopher Dance against the United States for loss of his car when it was struck by an Army jeep on April 1, 1943, at Spruce Street, corner of Ninth Street, Roselle, Union County, New Jersey: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 16, 1946.

[CHAPTER 97]

AN ACT

For the relief of Thomas Sumner.

March 16, 1946

[H. R. 1854]

[Private Law 430]

Thomas Sumner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas Sumner, the sum of \$1,500, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses sustained as the result of being struck by a United States Army truck in Salt Lake City, Utah, on August 12, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 16, 1946.

[CHAPTER 98]

AN ACT

For the relief of the estate of Peter G. Fabian, deceased.

March 16, 1946

[H. R. 1890]

[Private Law 431]

Peter G. Fabian,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500 to the estate of Peter G. Fabian, of Rochester, New York, in full settlement of all claims against the United States for his death, hospital, medical, and funeral expenses incident thereto as a result of

being struck by a United States Army jeep in Rochester, New York, on June 14, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 16, 1946.

[CHAPTER 99]

AN ACT

For the relief of Albert E. Severns.

March 16, 1946
[H. R. 2335]
[Private Law 432]

Albert E. Severns.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert E. Severns, Seattle, Washington, the sum of \$2,500, in full settlement of all claims against the United States on account of personal injuries sustained by him on June 19, 1943, when he was struck by a United States Army command car near the intersection of First Avenue South and Railroad Avenue in Seattle, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 16, 1946.

[CHAPTER 100]

AN ACT

For relief of Mrs. S. P. Burton.

March 16, 1946
[H. R. 2487]
[Private Law 433]

Mrs. S. P. Burton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. S. P. Burton, Baton Rouge, Louisiana, the sum of \$1,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. S. P. Burton against the United States for personal injuries and property damage (excluding certain medical expenses and clothing damage for which she has been reimbursed in the amount of \$252.93) sustained as the result of a collision, on September 17, 1943, on Airline Highway Numbered 61 near Reserve, Louisiana, between the car in which she was riding and a truck and semivan in the service in the United States Army: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 16, 1946.

[CHAPTER 101]

AN ACT

For the relief of Mrs. Florence Mersman.

March 16, 1946

[H. R. 3791]

[Private Law 434]

Mrs. Florence Mersman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Florence Mersman the sum of \$1,330, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses, and losses sustained by her as a result of an Army truck striking the automobile in which she was riding at the intersection of Western Avenue and Marathon Street in the city of Los Angeles, California, on April 16, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 16, 1946.

[CHAPTER 102]

AN ACT

To relieve certain certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer.

March 16, 1946

[H. R. 4884]

[Private Law 435]

Guy F. Allen.
Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the employees responsible for the excess or erroneous payments represented by the sums herein stated be, and they are hereby, relieved of financial liability therefor and the Comptroller General is authorized and directed to allow credit in the settlement of the accounts of Guy F. Allen, chief disbursing officer, Treasury Department, in such amounts not exceeding the sums stated herein, which have been or hereafter may be disallowed, as may be necessary to relieve such disbursing officer of financial liability therefor: *Provided,* That this Act shall not be construed to bar recovery of the amounts herein specified from the persons to whom and through whom such amounts have been paid:

C. W. Bailey.

First: C. W. Bailey, certifying officer at Veterans' Administration, Washington, District of Columbia, in the sum of \$50.88, which amount was expended in October 1942, under symbol 11559.

S. F. Cooper.

Second: S. F. Cooper, certifying officer at Veterans' Administration, Washington, District of Columbia, in the sum of \$30, which amount was expended in August 1943, under symbol 11561.

M. L. Stoddard.

Third: M. L. Stoddard, certifying officer at Veterans' Administration facility, Togus, Maine, in the sum of \$21, which amount was expended in March and April 1943, under symbol 11565.

N. Jeffrey.

Fourth: N. Jeffrey, certifying officer at Veterans' Administration facility, Brecksville, Ohio, in the sum of \$22.62, which amount was expended in July 1942, under symbol 11568.

Eugene H. Dibble.

Fifth: Eugene H. Dibble, certifying officer at Veterans' Administration facility, Tuskegee, Alabama, in the sum of \$17.12, which amount was expended in June 1942, under symbol 11569.

F. A. Cleveland.

Sixth: F. A. Cleveland, certifying officer at Veterans' Administration facility, Wood, Wisconsin, in the sum of \$40.53, which amount was expended in May 1942, under symbol 11571.

Seventh: J. G. Taliaferro, certifying officer at Veterans' Administration facility, Wood, Wisconsin, in the sum of \$43.42, which amount was expended in June 1942, under symbol 11571.

J. G. Taliaferro.

Eighth: Chas. N. Pearsall, certifying officer at Veterans' Administration facility, Wadsworth, Kansas, in the sum of \$60.88, which amount was expended during the period July 1, 1942, through September 30, 1942, under symbol 11573.

Chas. N. Pearsall.

Ninth: Eugene A. Hiller, certifying officer at Veterans' Administration facility, Biloxi, Mississippi, in the sum of \$10.65, which amount was expended in September 1942, under symbol 11576.

Eugene A. Hiller.

Tenth: Paul I. Carter, certifying officer at Veterans' Administration facility, Portland, Oregon, in the sum of \$37.35, which amount was expended during the period July 1, 1942, through December 31, 1942, under symbol 11584.

Paul I. Carter.

Eleventh: I. R. Wagner, certifying officer at Veterans' Administration facility, Oteen, North Carolina, in the sum of \$10.31, which amount was expended in May 1942, under symbol 11591.

I. R. Wagner.

Approved March 16, 1946.

[CHAPTER 103]

AN ACT

For the relief of Mrs. Lionel Comeaux and New Orleans Public Service, Incorporated.

March 18, 1946

[H. R. 3224]

[Private Law 436]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,089.78, to Mrs. Lionel Comeaux, of New Orleans, Louisiana, and to pay the sum of \$1,570.97 to the New Orleans Public Service, Incorporated, in full settlement of all claims against the United States for personal injuries and loss of earnings to the said Mrs. Lionel Comeaux and damage to streetcar owned by the said New Orleans Public Service, Incorporated, and medical expenses paid by said company for Mrs. Lionel Comeaux as the result of being struck by a United States Navy bus at the intersection of Dauphine and Frenchmen Streets, New Orleans, Louisiana, on May 4, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Lionel Comeaux and New Orleans Public Service, Inc.

Approved March 18, 1946.

[CHAPTER 105]

AN ACT

For the relief of Ida Barger, Hazel A. Beecher, Etta Clark, Jesse Ruth France, John W. Nolan, Anna Palubicki, and Frank J. Schrom.

March 20, 1946

[H. R. 4269]

[Private Law 437]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the following-named persons the amount specified in the case of such person, in full satisfaction of his or her claim against the United States for the injury indicated in each case resulting from the explosions which

Ida Barger, and others.

occurred at the naval ammunition depot, Port Chicago, California, on July 17, 1944:

Ida Barger, for the loss of an eye and lacerations of the forehead, the sum of \$6,113.34;

Hazel A. Beecher, for the loss of an eye, \$7,351.41;

Etta Clark, for the loss of an eye and permanent facial scars, \$5,000;

Jesse Ruth France, for the loss of an eye, \$6,465.51;

John W. Nolan, for the loss of both eyes and partial paralysis of the right arm resulting in total disability, the sum of \$28,008.16;

Anna Palubicki, for the loss of vision of left eye, \$3,812.05;

Frank J. Schrom, for the loss of vision of right eye, \$6,971.55.

No part of any sum appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim satisfied by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 20, 1946.

[CHAPTER 111]

JOINT RESOLUTION

March 22, 1946

[H. J. Res. 243]

[Private Law 438]

Tendering the thanks of Congress to General of the Army George Catlett Marshall and to Fleet Admiral Ernest Joseph King and to the members of the armed forces of the United States who served under their direction; and providing for the striking and presentation to General Marshall and Fleet Admiral King of appropriate gold medals in the name of the people of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of the Congress are hereby tendered to General of the Army George Catlett Marshall for his distinguished leadership, as Chief of Staff of the Army and as a member of the Combined Chiefs of Staff of the United Nations, in planning the expansion, equipment, training, and deployment of the great Army of the United States and in formulating and executing the global strategy that led to victory in World War II; and to the members of the Army of the United States who served under his direction with such heroic devotion and personal sacrifice.

SEC. 2. That the thanks of the Congress are hereby tendered to Fleet Admiral Ernest Joseph King for his distinguished leadership, as Commander in Chief of the United States Fleet and Chief of Naval Operations and as a member of the Combined Chiefs of Staff of the United Nations, in planning the expansion, equipment, training, and operation of the United States Navy and in formulating and executing the global strategy that led to victory in World War II; and to the members of the United States Navy, the United States Marine Corps and the United States Coast Guard and to the members of the Reserve Forces who served under his direction with such heroic devotion and personal sacrifice.

SEC. 3. The President of the United States is requested to cause gold medals to be struck, with suitable emblems, devices, and inscriptions, in General Marshall's and Admiral King's honor. When the medals have been prepared, the President is requested to present them to General Marshall and Admiral King, together with a copy of this joint resolution engrossed on parchment, in the name of the people of the United States.

General of the Army
George Catlett Mar-
shall.
Thanks of Congress.

Fleet Admiral Er-
nest Joseph King.
Thanks of Congress.

Presentation of med-
als, etc.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sum as may be necessary to carry out the provisions of this joint resolution.

Approved March 22, 1946.

Appropriation au-
thorized.
Ante, p. 623.

[CHAPTER 115]

AN ACT

For the relief of the legal guardian of Kathleen Lawton McGuire.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Kathleen Lawton McGuire, a minor child, of 941 Eighth Street, Boulder, Colorado, the sum of \$1,000, in full settlement of all claims against the United States for compensation for injuries sustained as a result of being wounded by a bullet fired by Gino Morello, while a passenger on a train of the Denver and Fort Worth Railroad near Memphis, Texas, on May 7, 1944, the said Gino Morello being a military prisoner in the custody of military police at the time said shot was fired: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 28, 1946.

March 28, 1946
[H. R. 2670]
[Private Law 439]

Guardian of Kath-
leen Lawton McGuire.

[CHAPTER 116]

AN ACT

For the relief of George W. Murrell; Kirby Murrell, a minor; and the estate of Mamie W. Murrell, deceased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,039.65 to George W. Murrell, the sum of \$2,045 to George W. Murrell as natural tutor of Kirby Murrell, a minor, and the sum of \$5,407.95 to the estate of Mamie W. Murrell, deceased, in full settlement of all claims against the United States for property damage and personal injuries sustained, for medical, hospital, burial, and dental expenses incurred and required, and for the death of Mamie W. Murrell, as a result of the collision of an Army vehicle with an automobile operated by George W. Murrell, near Alexandria, Louisiana, on June 4, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 28, 1946.

March 28, 1946
[H. R. 3012]
[Private Law 440]

George W. Murrell.

Mamie W. Murrell,
estate.

[CHAPTER 117]

AN ACT

For the relief of Raymond C. Campbell.

March 28, 1946
[H. R. 3904]
[Private Law 441]

Raymond C. Camp-
bell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Raymond C. Campbell, Alexandria, Virginia, the sum of \$6,000. The payment of such sum shall be in full settlement of all claims of the said Raymond C. Campbell against the United States on account of injuries sustained by him, on December 12, 1944, on United States Highway Numbered 1, about two miles south of Alexandria, Virginia, when he was struck by an ambulance in the service of the Army of the United States: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 28, 1946.

[CHAPTER 119]

AN ACT

For the relief of the village of Cold Spring, Minnesota.

March 28, 1946
[H. R. 2008]
[Private Law 442]

Cold Spring, Minn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the village of Cold Spring, Minnesota, the sum of \$2,100. The payment of such sum shall be in full settlement of all claims against the United States as reimbursement for the payment by the said village of Cold Spring, Minnesota, of the costs of an action brought by Michael Schmit against it and the judgment rendered against it therein on April 10, 1944, for personal injuries sustained by Francis Schmit, son of the said Michael Schmit, who was burned by a flare used by employees of the Work Projects Administration on a water-main project in said village of Cold Spring, Minnesota: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 28, 1946.

[CHAPTER 123]

AN ACT

For the relief of the estate of Howard Francis Waldron.

April 9, 1946
[S. 976]
[Private Law 443]

Howard Francis
Waldron, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, to the estate of Howard Francis Waldron, of Minneapolis, Minnesota, in full satisfaction of all claims against the United

States for compensation for the death, on April 25, 1944, of the said Howard Francis Waldron, who was killed by the right rear wheel of a United States Government truck which began to move as he was boarding it near Cathedral Bluffs, Alaska: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 9, 1946.

[CHAPTER 124]

AN ACT

For the relief of A. F. Crawford.

April 9, 1946
[S. 983]
[Private Law 444]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. F. Crawford, of Omaha, Nebraska, the sum of \$926.12, in full satisfaction of his claim against the United States for compensation for personal injuries, expenses, and property damage sustained by him as the result of an accident which occurred on December 23, 1941, when the automobile which he was driving was struck by a United States Army truck near Snoqualmie, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

A. F. Crawford

Approved April 9, 1946.

[CHAPTER 125]

AN ACT

For the relief of Mrs. Alice Condon.

April 9, 1946
[S. 1319]
[Private Law 445]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Alice Condon, of Atlantic City, New Jersey, the sum of \$1,000, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her, and for reimbursement of medical and other expenses incurred by her, as a result of an accident which occurred when she was struck by a United States Army vehicle while crossing Sovereign Avenue, in Atlantic City, New Jersey, on April 4, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Alice Condon.

Approved April 9, 1946.

[CHAPTER 126]

AN ACT

April 9, 1946
[S. 1411]
[Private Law 446]

For the relief of Alfred Osterhoff, doing business as Illini Reefer Transit, Champaign, Illinois.

Alfred Osterhoff.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred Osterhoff, doing business as Illini Reefer Transit, of Champaign, Illinois, the sum of \$1,150, in full settlement of all claims of the said Alfred Osterhoff against the United States for property damage and for loss of use of his tractor and trailer as the result of an accident involving an Army vehicle which occurred on United States Highway Numbered 45, near Chebanse, Illinois, on March 28, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 9, 1946.

[CHAPTER 127]

AN ACT

April 9, 1946
[S. 1504]
[Private Law 447]

For the relief of Edith Roberta Moore.

Edith Roberta
Moore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith Roberta Moore, of Chicago, Illinois, the sum of \$4,000, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her, and for reimbursement of hospital and other expenses incurred by her, as a result of an accident which occurred when she was burned by steam, in guest house numbered 2, Camp Howze, Texas, on July 22, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 9, 1946.

[CHAPTER 128]

AN ACT

April 9, 1946
[S. 1609]
[Private Law 448]

For the relief of Catherin Gilbert.

Catherin Gilbert.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Catherin Gilbert, of Hartford, Connecticut, the sum of \$3,000, in full satisfaction of her claims against the United States for compensation for personal injuries sustained by her, and for reimbursement of hospital, medical,

and other expenses incurred by her, as a result of an accident which occurred when she was struck by a United States Army vehicle while walking along Village Street, in Hartford, Connecticut, on October 18, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 9, 1946.

[CHAPTER 129]

AN ACT

For the relief of Gordon Cole Hart.

April 9, 1946
[S. 1622]

[Private Law 449]

Gordon Cole Hart.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gordon Cole Hart, of Medford, Massachusetts, the sum of \$400, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him, as a result of an accident which occurred when a United States Army airplane while taking off struck the parked airplane in which he was sitting, at the East Boston Airport, Boston, Massachusetts, on September 15, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 9, 1946.

[CHAPTER 130]

AN ACT

For the relief of Mrs. Isabel N. Mifflin.

April 9, 1946
[S. 1627]

[Private Law 450]

Mrs. Isabel N. Mifflin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Isabel N. Mifflin, of Leesville, Louisiana, the sum of \$4,552.95, in full satisfaction of her claim against the United States for compensation for personal injuries and property damage sustained by her as a result of an accident which occurred when the automobile which she was driving was struck by a United States Army vehicle, near New Llano, Louisiana, on November 3, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 9, 1946.

[CHAPTER 131]

AN ACT

For the relief of James F. Desmond.

April 10, 1946

[S. 236]

[Private Law 451]

James F. Desmond.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General and the General Accounting Office are authorized and directed to credit the accounts of James F. Desmond, postmaster at Reading, Massachusetts, in the sum of \$7,141.11, representing the net shortage which resulted from embezzlement of funds by the former assistant postmaster at the Reading, Massachusetts, post office.

Approved April 10, 1946.

[CHAPTER 132]

AN ACT

For the relief of A. L. Clem and Ida M. Bryant.

April 10, 1946

[S. 1184]

[Private Law 452]

A. L. Clem and Ida
M. Bryant.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. L. Clem and Ida M. Bryant, of Independence, Kansas, the sum of \$1,440, in full settlement of all claims of the said A. L. Clem and Ida M. Bryant against the United States on account of property damage and personal injuries resulting from the presence of obnoxious odors emanating from the operation of the sewerage disposal plant at the Independence Army Air Base, and accruing prior to January 1, 1946: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 10, 1946.

[CHAPTER 133]

AN ACT

For the relief of the Danvers Shoe Company, Incorporated.

April 10, 1946

[S. 1840]

[Private Law 453]

Danvers Shoe Com-
pany, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle the claim of the Danvers Shoe Company, Incorporated, Manchester, New Hampshire, on account of increased costs incurred by the said company in the performance of its contracts numbered WSA-101T-296-44, and WSA-101T-383, dated May 26 and October 12, 1943, respectively, with the War Shipping Administration, by reason of its inability to procure the material necessary for the performance of the contracts at the price which it had been assured by the Government such material would be obtainable from the War Department, and to allow in full and final settlement of the claim the amount of not to exceed \$5,256.28. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$5,256.28, or so much thereof as may be necessary, for the payment of the said claim: *Provided,* That no part of the amount

appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 10, 1946.

[CHAPTER 147]

AN ACT

For the relief of Lander H. Willis.

April 20, 1946
[H. R. 841]
[Private Law 454]

Lander H. Willis.

39 Stat. 746.
5 U. S. C. §§ 765-770;
Supp. V, § 770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are waived in respect to the claim for compensation of Lander H. Willis, a rural mail carrier of the Post Office Department, Gray Court, South Carolina, for disability alleged to have resulted from an injury to his right hand on January 4, 1943, while in the performance of his duty, and the United States Employees' Compensation Commission is hereby authorized to receive, consider, and determine the merits of his claim when filed, under the remaining provisions of such Act, but only if he files such claim with the Commission within ninety days after the date of enactment of this Act. If the Commission finds that the claim of the said Lander H. Willis otherwise comes within the purview of such Act, it shall pay to him in a lump sum after such finding, in addition to any benefits to which he may be entitled after the date of enactment of this Act, the total amount of monthly compensation to which he is entitled by reason of the enactment of this Act for any period of disability prior to the date of enactment of this Act, together with the medical expenses which have been necessarily incurred on account of such injury prior to such date.

Approved April 20, 1946.

[CHAPTER 148]

AN ACT

For the relief of Bernice B. Cooper, junior clerk-typist, Weatherford, Texas, rural rehabilitation office, Farm Security Administration, Department of Agriculture.

April 20, 1946
[H. R. 988]
[Private Law 455]

Bernice B. Cooper.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Bernice B. Cooper, junior clerk-typist, Farm Security Administration, Department of Agriculture, Weatherford, Texas, is hereby released from any and all liability on account of the loss of funds in the amount of \$300, together with interest due thereon from date of loss, representing public funds for which she is accountable and which were stolen from her custody in the county rural rehabilitation office, Weatherford, Texas, on February 13, 1942, and the Comptroller General of the United States, and the War Food Administrator, are hereby authorized and directed to remove from their records the debt against the said Bernice B. Cooper in the amount of \$300, plus interest due thereon.

Approved April 20, 1946.

[CHAPTER 149]

AN ACT

For the relief of Mrs. Gertrude Verberg.

April 20, 1946

[H. R. 1073]

[Private Law 456]

Mrs. Gertrude Verberg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Gertrude Verberg, of 349 Thirty-eighth Street, Oakland, California, the sum of \$608.25, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and property damage sustained by her on December 20, 1943, on Stockton Street, San Francisco, California, when she was struck by a United States Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 150]

AN ACT

For the relief of John Bell.

April 20, 1946

[H. R. 1235]

[Private Law 457]

John Bell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Bell, Los Angeles, California, the sum of \$1,200. The payment of such sum shall be in full settlement of all claims of the said John Bell against the United States for personal injuries, medical expenses, and loss of earnings, sustained on March 20, 1944, when he was struck by a large box which fell on him from a United States Army truck at the Eight Hundred and Twenty-second Army Air Force Specialized Depot, Maywood, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 151]

AN ACT

For the relief of W. E. Noah.

April 20, 1946

[H. R. 1262]

[Private Law 458]

W. E. Noah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. E. Noah, of Sweetwater, Texas, the sum of \$1,500, in full settlement of all claims against the United States for personal injuries sustained on January 21, 1942, when he was struck by a United States Army truck in the town of Alpine, Texas: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof

shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 152]

AN ACT

For the relief of Virge McClure.

April 20, 1946
[H. R. 1269]
[Private Law 459]

Virge McClure.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Virge McClure, of Canton, North Carolina, the sum of \$1,000, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses sustained as the result of an attack by a registrant of local draft board numbered 2, Haywood County, North Carolina, of the Selective Service System, on May 12, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 153]

AN ACT

To record the lawful admission to the United States for permanent residence of Nora R. Neville.

April 20, 1946
[H. R. 1350]
[Private Law 460]

Nora R. Neville.

Quota deduction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General be, and is hereby, authorized and directed to record the lawful admission for permanent residence of Nora R. Neville, who entered the United States at New York, on July 15, 1924, and that she shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted as an immigrant for permanent residence. Upon the enactment of this Act, the Secretary of State shall direct the proper quota-control officer to deduct one number from the quota for Ireland (Eire) for the first year said quota for Ireland (Eire) is available.

Approved April 20, 1946.

[CHAPTER 154]

AN ACT

For the relief of Elias Baumgarten.

April 20, 1946
[H. R. 1356]
[Private Law 461]

Elias Baumgarten.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the immigration laws, relating to the issuance of immigration visas for admission to the United States for permanent residence and relating to admissions at ports of entry of aliens as

immigrants for permanent residence in the United States, the provisions of section 3 of the Immigration Act of 1917 (39 Stat. 875), as amended (U. S. C., title 8, sec. 136 (e)), which exclude from admission into the United States "persons who have been convicted of or admit having committed a felony, or other crime or misdemeanor involving moral turpitude", shall not hereafter be held to apply to Elias Baumgarten, on account of a conviction in Austria while a youth for having been involved in the stealing of certain merchandise. If he is found otherwise admissible under the immigration laws an immigration visa may be issued and admission granted to Elias Baumgarten under this Act upon application hereafter filed.

Approved April 20, 1946.

[CHAPTER 155]

AN ACT

For the relief of Mrs. Lucy Palmisano and the legal guardian of Anthony Palmisano, Junior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$350 to Mrs. Lucy Palmisano, of Bayonne, New Jersey, and the sum of \$200 to the legal guardian of Anthony Palmisano, Junior, of Bayonne, New Jersey. The payment of such sum shall be in full settlement of all claims of the said Mrs. Lucy Palmisano and the legal guardian of Anthony Palmisano, Junior, against the United States for injuries sustained on May 10, 1944, when a Navy truck struck Mrs. Palmisano and Anthony Palmisano, Junior, while they were crossing Hudson County Boulevard at Forty-ninth Street, Bayonne, New Jersey: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 156]

AN ACT

To grant an honorable discharge from the military service of the United States to William Rosenberg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers or their dependents, William Rosenberg shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company M, Forty-ninth Infantry, on the 26th of December 1917: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved April 20, 1946.

April 20, 1946
[H. R. 1399]

[Private Law 462]

Mrs. Lucy Palmisano and guardian of Anthony Palmisano, Jr.

April 20, 1946
[H. R. 1616]

[Private Law 463]

William Rosenberg.

[CHAPTER 157]

AN ACT

For the relief of Eli L. Scott.

April 20, 1946
[H. R. 1721]
[Private Law 464]

Eli L. Scott.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eli L. Scott, of Homewood, Alabama, the sum of \$7,598.20, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses incurred as the result of a collision between the motorcycle he was driving and a United States Army vehicle at Homewood, Alabama, on January 17, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 158]

AN ACT

For the relief of Mrs. Marie A. Shedd, Mrs. Maude C. Denney, and Mrs. Mabel Glenn Gray.

April 20, 1946
[H. R. 1732]
[Private Law 466]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Marie A. Shedd, of 1132 Stearns Drive, Los Angeles, California, the sum of \$5,798.30, in full settlement of all claims against the United States on account of the death of her daughter, Miss Sybil Shedd; to Mrs. Maude C. Denney, of 1211 North Stevens Avenue, El Paso, Texas, the sum of \$4,578.41, in full settlement of all claims against the United States for personal injuries sustained and for medical, hospital, nursing, and incidental expenses and loss of earnings incurred; and to Mrs. Mabel Glenn Gray, of 4020 Trowbridge Street, El Paso, Texas, the sum of \$3,267.24, in full settlement of all claims against the United States for personal injuries sustained and for medical, hospital, and incidental expenses and loss of earnings incurred, resulting from an accident involving an Army vehicle in El Paso, Texas, on January 21, 1944.

Approved April 20, 1946.

Mrs. Marie A.
Shedd.Mrs. Maude C.
Denney.Mrs. Mabel Glenn
Gray.

[CHAPTER 159]

AN ACT

For the relief of Mildred Neiffer.

April 20, 1946
[H. R. 1759]
[Private Law 466]

Mildred Neiffer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mildred Neiffer, Wilmington, Delaware, the sum of \$895, in full settlement of all claims

against the United States for the value of money orders purchased in favor of the said Mildred Neiffer on August 5, 1942, aboard the United States ship George F. Elliott, by her brother, Private (First Class) Elmer P. Neiffer, United States Marine Corps, and lost, together with all records thereof, as the result of enemy action: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 160]

AN ACT

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of A. G. Bailey against the United States.

April 20, 1946
[H. R. 1838]
[Private Law 467]

A. G. Bailey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of A. G. Bailey, Norfolk, Virginia, against the United States for alleged damages caused by the alleged negligent allowance by the United States Army authorities in charge of Camp Ashby, Virginia, of the flow of sewage from said camp over and across certain oyster grounds situated in the Western Branch or Lynnhaven River in Princess Anne County, Virginia, which grounds had been leased by the said A. G. Bailey adjacent to certain real property owned by him.

28 U. S. C. § 250.

SEC. 2. Proceedings for the determination of said claim shall be had in the same manner as in cases of which said court has jurisdiction under the provisions of section 145 of the Judicial Code, as amended: *Provided*, That suit hereunder shall be instituted within four months after the enactment of this Act: *And provided further*, That this Act shall be construed only to waive the immunity from suit of the Government of the United States with respect to the claim of the said A. G. Bailey and not otherwise to affect any substantive rights of the parties.

Approved April 20, 1946.

[CHAPTER 161]

AN ACT

For the relief of Harry Cohen.

April 20, 1946
[H. R. 1950]
[Private Law 468]

Harry Cohen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$161 to Harry Cohen, of 76 Suffolk Street, Malden, Massachusetts, in full settlement of all claims against the United States for personal injuries and medical expenses as a result of a collision between the Dodge truck in which he was a passenger and a United States Navy truck, in South Boston, Massachusetts, on March 13, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the

provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 162]

AN ACT

For the relief of Lee Harrison.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lee Harrison, a resident of Moose Creek, Alaska, the sum of \$313.75, in full settlement of all claims against the Government of the United States for injuries sustained by his wife, Mrs. Annie Harrison, now deceased, on September 23, 1941, on Glenn Highway, near Palmer, Alaska, while a passenger in a United States Army vehicle: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

April 20, 1946
[H. R. 2156]
[Private Law 469]

Lee Harrison.

[CHAPTER 163]

AN ACT

For the relief of Edward W. Thurber.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, to Edward W. Thurber, of Pawtuxet, Rhode Island, in full settlement of all claims against the United States for property damage, personal injuries, and loss in earnings sustained and medical and hospital expenses incurred by him as the result of an accident which occurred on November 2, 1942, in Warwick, Rhode Island, involving an Army airplane: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

April 20, 1946
[H. R. 2244]
[Private Law 470]

Edward W. Thurber.

[CHAPTER 164]

AN ACT

For the relief of the Cape and Vineyard Electric Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Cape and Vineyard Electric Company, Hyannis, Massachusetts, the sum of \$2,930.62. The payment of such sum shall be in full settlement of all claims against

April 20, 1946
[H. R. 2249]
[Private Law 471]

Cape and Vineyard
Electric Company.

the United States for damage to a power line of said Cape and Vineyard Electric Company, caused on October 9, 1942, by a United States Navy airplane: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 165]

AN ACT

For the relief of Catherine V. Sweeney.

April 20, 1946
[H. R. 2251]

[Private Law 472]

Catherine V.
Sweeney.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Catherine V. Sweeney, of Utica, New York, the sum of \$1,500. The payment of such sum shall be in full settlement of all claims of the said Catherine V. Sweeney against the United States on account of the serious and permanent personal injury sustained by her on October 1, 1943, in the town of Cicero, New York, when an automobile in which she was a passenger was struck by an Army truck of the Syracuse Army Air Base, bearing license numbered 3152053 and operated by Private First Class Joseph J. George: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 166]

AN ACT

For the relief of Columbus Thomas.

April 20, 1946
[H. R. 2288]

[Private Law 473]

Columbus Thomas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Columbus Thomas, route 2, Lorena, Texas, the sum of \$3,500. The payment of such sum shall be in full settlement of all claims against the United States for personal injuries sustained and for medical and hospital expenses and loss of earnings incurred, resulting from his being struck by an Army vehicle in Waco, Texas, on March 6, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 167]

AN ACT

For the relief of Mrs. Mertie Pike and the estate of Mrs. Burnice Smotherman, deceased.

April 20, 1946
[H. R. 2318]
[Private Law 474]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mertie Pike, of Murfreesboro, Tennessee, the sum of \$3,500, in full settlement of all claims against the United States for pain and suffering and personal injuries sustained, and to pay to the estate of Mrs. Burnice Smotherman, deceased, of Murfreesboro, Tennessee, the sum of \$5,000, in full settlement of all claims against the United States on account of the death of the said Mrs. Burnice Smotherman, as the result of the said Mrs. Mertie Pike and Mrs. Burnice Smotherman being struck by an Army vehicle on Tennessee State Highway Numbered 10, near Murfreesboro, Tennessee, on October 15, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Mertie Pike.

Mrs. Burnice
Smotherman, estate.

Approved April 20, 1946.

[CHAPTER 168]

AN ACT

For the relief of Joseph Tarantola and Ida Tarantola.

April 20, 1946
[H. R. 2415]
[Private Law 475]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,443 to Joseph Tarantola and Ida Tarantola, of Saint Louis, Missouri, in full settlement of all claims against the United States as compensation for the death of Martha Tarantola, their daughter, who was killed as a result of an accident involving a United States Army jeep, on Arsenal Street, Saint Louis, Missouri, on February 9, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Joseph Tarantola
and Ida Tarantola.

Approved April 20, 1946.

[CHAPTER 169]

AN ACT

For the relief of the legal guardian of James Irving Martin, a minor.

April 20, 1946
[H. R. 2509]
[Private Law 476]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of James Irving Martin, a minor, of Route 3, Murfreesboro, Tennessee,

Guardian of James
Irving Martin.

the sum of \$3,000, in full settlement of all claims against the United States on account of personal injuries sustained by the said James Irving Martin on or about March 25, 1944, when he was injured by the explosion of a rifle cartridge which had been left in the vicinity of his home by soldiers of the United States Army while on maneuvers, which injuries necessitated the removal of the left eye of said minor: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 170]

AN ACT

For the relief of John Doshim.

April 20, 1946
[H. R. 2682]

[Private Law 477]

John Doshim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Doshim, of New York City, New York, the sum of \$2,900, in full settlement of all claims against the United States for the refund of a bond on appeal posted for Hom Gwock Hong, an alien, same being forfeited on November 10, 1938, when he failed to appear pursuant to an order to surrender for deportation: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 171]

AN ACT

For the relief of the legal guardian of Wilma Sue Woods, Patsy Woods, Raymond E. Hilliard, and Thomas E. Hilliard, minors.

April 20, 1946
[H. R. 2848]

[Private Law 478]

Guardian of Wilma
Sue Woods, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the legal guardian of Wilma Sue Woods; to pay the sum of \$6,000 to the legal guardian of Patsy Woods; to pay the sum of \$6,000 to the legal guardian of Raymond E. Hilliard; to pay the sum of \$7,500 to the legal guardian of Thomas E. Hilliard, all of Charleston, Arkansas, in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses sustained as the result of the explosion of a rifle grenade carried from the range at Camp Chaffee, Arkansas, on December 16, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract

to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 172]

AN ACT

For the relief of B. H. Spann.

April 20, 1946
[H. R. 2884]
[Private Law 479]

B. H. Spann.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to B. H. Spann, of Claxton, Georgia, the sum of \$3,500, in full satisfaction of all claims against the United States of said B. H. Spann for damages for personal injuries sustained by him when struck by a vehicle of the United States Army near Reidsville, Georgia, on May 19, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 173]

AN ACT

For the relief of Mrs. Janet McKillip.

April 20, 1946
[H. R. 2901]
[Private Law 480]

Mrs. Janet McKillip.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,438.52, to Mrs. Janet McKillip, West Albany, New York, in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses sustained as the result of an accident involving an Army vehicle at approximately stop 31½ in front of number 1520 Central Avenue, town of Colonie, Albany County, New York, on April 20, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 174]

AN ACT

For the relief of Clyde Rownd, Della Rownd, and Benjamin C. Day.

April 20, 1946
[H. R. 2904]
[Private Law 481]

Clyde Rownd, Della Rownd, and Benjamin C. Day.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clyde Rownd, San

Bernardino, California, the sum of \$205.89; to Della Rownd, San Bernardino, California, the sum of \$204.12; and to Benjamin C. Day, San Bernardino, California, the sum of \$137.78. The payment of such sums shall be in full settlement of all claims against the United States for wages lost (1) by the said Clyde Rownd and Della Rownd on account of personal injuries sustained by them, and (2) by the said Benjamin C. Day in order to take care of his wife, Ethel Maude Day, because of personal injuries sustained by her, in a collision at the intersection of Sierra Way and Fifth Street, San Bernardino, California, on October 26, 1944, between a car in which such injured persons were riding and a United States Army truck driven by an Italian prisoner of war: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 175]

AN ACT

For the relief of David Siskind.

April 20, 1946

[H. R. 3050]

[Private Law 482]

David Siskind.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to David Siskind, of New York City, the sum of \$1,000, in full settlement of all claims against the United States for personal injury, medical expenses, and loss of earnings sustained as a result of a collision between the taxicab he was driving and a United States Navy jeep, June 14, 1944, at Madison Avenue and Forty-eighth Street, New York City: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 176]

AN ACT

For the relief of Elizabeth M. Simmons and Robert H. Simmons.

April 20, 1946

[H. R. 3121]

[Private Law 483]

Elizabeth M. Simmons and Robert H. Simmons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth M. Simmons and Robert H. Simmons, of Owensboro, Kentucky, the sum of \$1,034.65, in full satisfaction of all claims against the United States for damages for personal injuries and medical expenses sustained by Elizabeth M. Simmons when she fell while descending the steps, which were in a chipped and broken condition,

from the south entrance of the post office building at Owensboro, Kentucky, on April 26, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 177]

AN ACT

For the relief of Mrs. Jean Taube Weller.

April 20, 1946
[H. R. 3126]
[Private Law 484]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000, to Mrs. Jean Taube Weller, 334 McClellan Street, Schenectady, New York, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses sustained as the result of an accident involving an Army vehicle at approximately the intersection of Meta Street (also known as Highway 101) and Oak Street, in Ventura, California, on June 20, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Jean Taube
Weller.

Approved April 20, 1946.

[CHAPTER 178]

AN ACT

For the relief of Harry F. Vinton, Junior.

April 20, 1946
[H. R. 3127]
[Private Law 485]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry F. Vinton, Junior, of Braintree, Massachusetts, the sum of \$1,500, in full settlement of all claims against the United States for personal injuries sustained by him, as a result of being struck by a United States Navy truck on March 6, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Harry F. Vinton, Jr.

Approved April 20, 1946.

[CHAPTER 179]

AN ACT

For the relief of Mrs. Ruby Miller.

April 20, 1946

[H. R. 3161]

[Private Law 486]

Mrs. Ruby Miller.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ruby Miller, of Los Angeles, California, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Ruby Miller against the United States for personal injuries, hospital and medical expenses, and loss of earnings sustained on August 11, 1944, when she was struck by a United States Post Office vehicle at Alameda and Bauchet Streets, Los Angeles, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 180]

AN ACT

For the relief of Mattie Lee Wright.

April 20, 1946

[H. R. 3217]

[Private Law 487]

Mattie Lee Wright.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mattie Lee Wright, Pensacola, Florida, the sum of \$3,000. The payment of such sum shall be in full settlement of all claims of the said Mattie Lee Wright against the United States on account of personal injuries sustained on December 9, 1944, when she was struck by one of two vehicles owned by the United States Army as a result of the collision of such vehicles at an intersection in Pensacola, Florida: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 181]

AN ACT

For the relief of George F. Powell.

April 20, 1946

[H. R. 3430]

[Private Law 488]

George F. Powell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to George F. Powell, of Success, Missouri, in full settlement of all claims against the United States for personal injuries,

medical, hospital expenses, and loss of earnings as the result of an accident involving a United States Army vehicle, near Fort Leonard Wood, Missouri, on December 16, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 182]

AN ACT

For the relief of F. W. Burton.

April 20, 1946
[H. R. 3431]
[Private Law 489]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. W. Burton, of Decatur, Texas, the sum of \$216.90, in full satisfaction of all claims against the United States for compensation for servicing vehicles of the Three Hundred and Ninety-fifth Infantry, United States Army, while on maneuvers near Decatur, Texas, on June 20, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

F. W. Burton.

Approved April 20, 1946.

[CHAPTER 183]

AN ACT

For the relief of Mr. and Mrs. Cipriano Vasquez.

April 20, 1946
[H. R. 3483]
[Private Law 490]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Cipriano Vasquez, of San Francisco, California, the sum of \$1,900, in full settlement of claims against the United States for damage to their private residence on January 25, 1945, as a result of an accident involving a United States Navy vehicle in San Francisco, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. and Mrs. Cipriano Vasquez.

Approved April 20, 1946.

[CHAPTER 184]

AN ACT

April 20, 1946
[H. R. 3513]

[Private Law 491]

For the relief of Braxton B. Folmar and Mary Inez Folmar, William Ernest Evans and Dora Ethel Evans, Joseph Thomas Avery and Maggie M. Avery, Robert H. Phillips and Hattie P. Phillips, and the legal guardian of James T. Avery, a minor.

Braxton B. Folmar,
and others.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Braxton B. Folmar and Mary Inez Folmar, rural free delivery numbered 1, Dry Branch, Georgia, the sum of \$3,000; to William Ernest Evans and Dora Ethel Evans, rural free delivery numbered 1, Dry Branch, Georgia, the sum of \$3,000; to Joseph Thomas Avery and Maggie M. Avery, rural free delivery numbered 1, Dry Branch, Georgia, the sum of \$3,000; and to Robert H. Phillips and Hattie P. Phillips, Lizella, Georgia, the sum of \$3,000, in full settlement of their claims against the United States on account of the death of their respective sons, Stanley E. Folmar, Ernest C. Evans, James A. Avery, and Robert Gwinn Phillips, and to the legal guardian of James T. Avery, a minor, the sum of \$5,063, in full settlement of all claims against the United States for the personal injuries sustained by the said James T. Avery and the expenses incurred as a result thereof, resulting from the explosion of an antitank grenade at Camp Wheeler, Georgia, on March 16, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 185]

AN ACT

For the relief of Fred C. Liter.

April 20, 1946
[H. R. 3554]

[Private Law 492]

Fred C. Liter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,141.80 to Fred C. Liter, of Harrisonville, Missouri, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained as a result of being struck by a United States Army vehicle, on February 22, 1945, near Harrisonville, Missouri: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 186]

AN ACT

For the relief of Charles Brown, legal guardian of Lula Mae Brown; Charity Hospital of New Orleans, Louisiana; and Dr. Edward H. Maurer.

April 20, 1946
[H. R. 3590]
[Private Law 493]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Brown, Albany, Louisiana, the sum of \$500, and to the legal guardian of Lula Mae Brown, a minor, Albany, Louisiana, the sum of \$500, to Charity Hospital of New Orleans, Louisiana, the sum of \$28; to Dr. Edward H. Maurer, of New Orleans, Louisiana, the sum of \$30; in full settlement of all claims against the United States on account of personal injuries, medical and hospital expenses sustained on December 20, 1944, when a United States Navy truck knocked an iron post from its foundation, causing said post to strike said Charles Brown and Lula Mae Brown, in New Orleans, Louisiana: *Provided,* That no part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Charles Brown and others.

Approved April 20, 1946.

[CHAPTER 187]

AN ACT

For the relief of Addie Pruitt.

April 20, 1946
[H. R. 3591]
[Private Law 494]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Addie Pruitt, Houston, Texas, the sum of \$1,500. The payment of such sum shall be in full settlement of all claims against the United States on account of injuries sustained by her on December 25, 1942, on Dowling Street, Houston, Texas, when she was struck by a vehicle in the service of the Army of the United States. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Addie Pruitt.

Approved April 20, 1946.

[CHAPTER 188]

AN ACT

For the relief of the estate of Venancio Llacuna and others.

April 20, 1946
[H. R. 3670]
[Private Law 495]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Venancio Llacuna, deceased, the sum of \$2,114.50; to the estate of Juan Llacuna, deceased, the sum of \$2,227; to the estate of

Estate of Venancio Llacuna, and others.

Sung Ho Kwon, deceased, the sum of \$2,382.50; to the estate of Fred Kim, deceased, the sum of \$2,375.50; to the estate of Matias Miguel, Junior, deceased, the sum of \$2,341.40; to the estate of Ernest Teanio, deceased, the sum of \$2,554.50; to the legal guardian of Benjamin Ramelb, a minor, the sum of \$330.50; and to the legal guardian of Santiago Sabado, a minor, the sum of \$337, in full settlement of all claims against the United States on account of the deaths of Venancio Llacuna, Juan Llacuna, Sung Ho Kwon, Fred Kim, Matias Miguel, Junior, and Ernest Teanio, deceased, and the medical, hospital, and burial expenses incurred as a result of their injuries and deaths, and on account of the personal injuries sustained by Benjamin Ramelb and Santiago Sabado and the medical and hospital expenses incurred on their behalf, all resulting from an accident involving an Army vehicle which occurred at Waialua, Oahu, Territory of Hawaii, on July 2, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agency or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 189]

AN ACT

For the relief of J. Tom Stephenson.

April 20, 1946

[H. R. 3677]

[Private Law 496]

J. Tom Stephenson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Tom Stephenson, Marianna, Florida, the sum of \$152.40 in full settlement of all claims against the United States for services rendered as United States commissioner, Northern District of Florida, during the quarter ending October 31, 1943, and quarter ending January 31, 1944, but not paid because the account covering such services was not rendered within the time prescribed by law: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 190]

AN ACT

For the relief of Mrs. Lucille Scarlett and Charles Scarlett.

April 20, 1946

[H. R. 3698]

[Private Law 497]

Mrs. Lucille Scarlett and Charles Scarlett.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lucille Scarlett, Cookeville, Tennessee, the sum of \$5,000, and to Charles Scarlett, Cookeville, Tennessee, the sum of \$175. The payment of such sum

of \$5,000 shall be in full settlement of all claims of the said Mrs. Lucille Scarlett against the United States on account of personal injuries sustained by her on October 18, 1943, when the automobile in which she was a passenger was in collision with a United States Army truck at the intersection of United States Highway Numbered 70-N, Scott Street, and Buffalo Valley Road in Cookeville, Tennessee. The payment of such sum of \$175 shall be in full settlement of all claims of the said Charles Scarlett against the United States for damage to his automobile as the result of such collision: *Provided*, That no part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 191]

AN ACT

For the relief of the estate of Eleanor Wilson Lynde, deceased.

April 20, 1946
[H. R. 3846]

[Private Law 498]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Eleanor Wilson Lynde, deceased, late of Winnetka, Illinois, the sum of \$5,000. Payment of such sum shall be in full settlement of all claims against the United States on account of the death of Eleanor Wilson Lynde, and expenses incident thereto, as a result of a collision on May 3, 1945, involving the automobile in which she was a passenger and a United States Navy truck at the intersection of Queen Street and Scimmino Road located within the limits of the United States naval training and distribution center, Camp Peary, Williamsburg, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Eleanor Wilson
Lynde, estate.

Approved April 20, 1946.

[CHAPTER 192]

AN ACT

For the relief of Mrs. Clifford W. Prevatt.

April 20, 1946
[H. R. 3948]

[Private Law 499]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Clifford W. Prevatt, Hampton, Florida, the sum of \$121.19. The payment of such sum shall be in full settlement of all claims of the said Mrs. Clifford W. Prevatt against the United States on account of personal injuries sustained on November 26, 1943, as the result of a collision in vicinity

Mrs. Clifford W.
Prevatt.

of Camp Blanding, Clay-Bradford Counties, Florida, involving the automobile in which she was a passenger and a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 193]

AN ACT

For the relief of Joseph Schell.

April 20, 1946

[H. R. 4297]

[Private Law 500]

Joseph Schell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. Joseph Schell, of Honolulu, Territory of Hawaii, the sum of \$3,580.30. The payment of such sum shall be in full settlement of all claims of the said Joseph Schell against the United States on account of personal injuries, hospital and medical expenses sustained as the result of an accident in which he was struck by a Navy vehicle, driven by personnel of the United States Navy, near the Pearl Harbor Navy Yard, Oahu, Territory of Hawaii, on September 3, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 194]

AN ACT

For the relief of Nicholas T. Stepp.

April 20, 1946

[H. R. 4560]

[Private Law 501]

Nicholas T. Stepp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, to Nicholas T. Stepp, of Hendersonville, North Carolina, in full settlement of all claims against the United States for personal injuries, physical disability, and loss of earnings as the result of an accident involving a United States Army truck on United States Highway Numbered 1, near Hoffman, North Carolina, on December 4, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 195]

AN ACT

To confer jurisdiction upon the United States District Court for the Eastern District of Virginia to determine the claim of Lewis E. Magwood.

April 20, 1946
[H. R. 4797]
[Private Law 502]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of Virginia to hear and determine, and to render judgment, as if the United States were suable in tort, on the claim of Lewis E. Magwood, of Norfolk, Virginia, to recover damages for personal injuries sustained and expenses incurred by the said Lewis E. Magwood on account of a wound received while he was on duty on the tug Mars, which was towing targets during target practice of the Two Hundred and Fifty-second Coast Artillery, North Carolina National Guard, under the guidance and instruction of United States Army personnel, near Fort Moultrie, South Carolina, on August 3, 1932, if such suit is brought within one year after the enactment of this Act.

Lewis E. Magwood.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the judgment, if any, rendered as the result of such suit, upon proper certification from the said United States District Court for the Eastern District of Virginia.

Approved April 20, 1946.

[CHAPTER 196]

AN ACT

For the relief of Herman Gelb.

April 20, 1946
[H. R. 4957]
[Private Law 503]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman Gelb, of New York City, New York, the sum of \$500, in full settlement of all claims against the United States by said Herman Gelb on account of the injuries sustained by him when the automobile in which he was a passenger was struck by a War Department jeep on October 15, 1943, in Jersey City, New Jersey: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Herman Gelb.

Approved April 20, 1946.

[CHAPTER 197]

AN ACT

For the relief of Mrs. May Holland.

April 20, 1946
[H. R. 5010]
[Private Law 504]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. May Holland, Cape May, New Jersey, the sum of \$5,529. The payment of such

Mrs. May Holland.

sum shall be in full settlement of all claims of the said Mrs. May Holland against the United States on account of the death of her husband, Leslie W. Holland, who was fatally injured on September 2, 1942, when the bicycle he was riding on State Highway Route Numbered 4, near Cape May, New Jersey, was struck by a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 198]

AN ACT

For the relief of Oscar R. Steinert.

April 20, 1946
[H. R. 5664]

[Private Law 505]

Oscar R. Steinert.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated to Oscar R. Steinert, of Chicago, Illinois, the sum of \$4,000, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, loss of earnings, and property damage sustained as the result of an accident involving a United States post-office vehicle, on June 25, 1943, in Chicago, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of any services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1946.

[CHAPTER 205]

AN ACT

For the relief of George Stiles.

April 23, 1946
[H. R. 2837]

[Private Law 506]

George Stiles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,107.34, to George Stiles, of San Francisco, California, in full settlement of all claims against the United States as compensation for damages sustained as the result of guests being evacuated from the Soda Springs Hotel, Nevada, California, on January 21, 1943, by an officer of the United States Army: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this

claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 23, 1946.

[CHAPTER 206]

AN ACT

For the relief of Edward Oatneal, John N. Oatneal, Junior, and James R. Oatneal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. Edward Oatneal, John H. Oatneal, Junior, and James R. Oatneal, the sum of \$2,000. The payment of such sum shall be in full settlement of all claims of the said Edward Oatneal, John H. Oatneal, Junior, and James R. Oatneal against the United States for the death of their mother, Mrs. Ora Oatneal, on December 23, 1944, when the car in which she was a passenger was struck by a Coast Guard truck at Henderson Street and Montgomery Avenue, Jersey City, New Jersey. Mrs. Oatneal was thrown from the car and killed instantaneously: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 23, 1946.

April 23, 1946
[H. R. 2931]
[Private Law 507]

Edward Oatneal,
John H. Oatneal, Jr.
and James R. Oatneal.

[CHAPTER 207]

AN ACT

For the relief of H. A. Edd.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. A. Edd, fiscal agent, emergency rubber project, Los Angeles, California, the sum of \$290, to reimburse him for repayment of this amount to the credit of the appropriation "Emergency Rubber Project, Department of Agriculture (F. S.), 1942-1943", covered by certificate of deposit 12-229, dated January 26, 1945, accounts of G. F. Allen, chief disbursing officer, symbol 115-8750, on account of cost of shipment of the household goods of Doctor C. A. Muller on transfer of station from Washington, District of Columbia, to San Antonio, Texas, said shipment having been made after expiration of the six-month period within which shipment was authorized to be made: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 23, 1946.

April 23, 1946
[H. R. 4054]
[Private Law 508]

H. A. Edd.

[CHAPTER 208]

AN ACT

For the relief of Mrs. Jud Hendry and her daughter, Gladys Hendry.

April 23, 1946
[H. R. 4056]

[Private Law 509]

Mrs. Jud Hendry
and Gladys Hendry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Jud Hendry, the sum of \$100, and her daughter, Gladys Hendry, the sum of \$100, in full settlement of all claims against the United States for injury to said Mrs. Jud Hendry and her daughter, Gladys Hendry, on August 22, 1942, as a result of an automobile accident caused by a United States Army truck in the city of Fort Myers, Florida: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 23, 1946.

[CHAPTER 209]

AN ACT

For the relief of the Morgan Creamery Company.

April 23, 1946
[H. R. 4335]

[Private Law 510]

Morgan Creamery
Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to allow the sum of \$395.37 in full and final settlement of the claim of the Morgan Creamery Company, Fargo, North Dakota, under contract numbered VA37r-935 entered into on June 25, 1942, with the Veterans' Administration for furnishing dairy products to the Veterans' Administration facility, Fargo, North Dakota, during the fiscal year ending June 30, 1943, and the said company is hereby relieved of all liability to the United States on account of excessive cost incurred by reason of its default under the said contract. There is hereby appropriated the sum of \$395.37 for payment of the claim.

Approved April 23, 1946.

[CHAPTER 217]

AN ACT

For the relief of Salvatore Carbone.

April 24, 1946
[S. 1638]

[Private Law 511]

Salvatore Carbone.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Salvatore Carbone, out of any money in the Treasury not otherwise appropriated, a sum equivalent to the market value on the date of the approval of this Act of a bond hereinafter described, and such additional sum as would be equivalent to the value of interest coupons 1 to 19, inclusive, as may be due on the date of the approval of this Act, in full settlement of all claims against the United States on account of the loss of the 2 per centum Treasury bond of 1949-51, dated July 15, 1942, numbered 31,199-K, with all coupons attached, which Salvatore Carbone placed in the custody of the Immigration and Naturalization Service of the Department of Justice as security for a delivery bond for the alien Raymond Cyril Cormier and which while in such custody became lost without negligence on the part of Salvatore Carbone, subject to proper assignment by him of his right,

title, and interest in and to the above-described bond and coupons to the United States: *Provided*, That no part of the amount appropriated under this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, any contract to the contrary notwithstanding, and the payment or delivery to or the reception by any agent or attorney of an amount in excess of that herein provided shall be unlawful. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 218]

AN ACT

For the relief of Mrs. Trixie Minnie Twigg.

April 24, 1946
[H. R. 804]
[Private Law 512]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$529.69 to Mrs. Trixie Minnie Twigg, of Cumberland, Maryland, in full settlement of all claims against the United States for services rendered by her husband, Alvin W. Twigg, as a rural carrier assigned to Route Numbered 3, Cumberland, Maryland, from May 1, 1926, to September 30, 1939: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Trixie Minnie
Twigg.

Approved April 24, 1946.

[CHAPTER 219]

AN ACT

For the relief of Albert Cantalupo, Emma Cantalupo and the legal guardian of John Cantalupo, a minor.

April 24, 1946
[H. R. 1089]
[Private Law 513]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert Cantalupo and Emma Cantalupo, of East Weymouth, Massachusetts, the sum of \$1,708, in full settlement of all claims against the United States for compensation for the expenses incurred and losses sustained by them by reason of the injuries sustained by their minor son, John Cantalupo, when struck by a United States Army truck on September 28, 1943, and to pay to the legal guardian of John Cantalupo, a minor, the sum of \$2,791.01 in full settlement of all claims against the United States for compensation for personal injuries sustained by the said John Cantalupo in said accident: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Albert Cantalupo
and Emma Cantalupo.

Guardian of John
Cantalupo.

Approved April 24, 1946.

[CHAPTER 220]

AN ACT

For the relief of Mrs. Ollie Patton.

April 24, 1946
[H. R. 1674]

[Private Law 514]

Mrs. Ollie Patton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, to Mrs. Ollie Patton, of Columbia, Louisiana, in full settlement of all claims against the United States for the death of her son, John Leon Patton, as a result of being struck and killed by a United States Army truck on United States Highway Numbered 165, near Corey, Louisiana, on January 19, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 221]

AN ACT

For the relief of Orvis Welch.

April 24, 1946
[H. R. 2167]

[Private Law 515]

Orvis Welch.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Orvis Welch, of Paris, Texas, the sum of \$3,523.45, in full settlement of all claims against the United States on account of personal injuries, medical and hospital expenses, and loss of earnings sustained as the result of an accident involving a vehicle of the United States Army which occurred near Paris, Texas, on January 29, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 222]

AN ACT

For the relief of owners of land and personal property of the Fort Knox area of Hardin County, Kentucky.

April 24, 1946
[H. R. 2265]

[Private Law 516]

David L. Ditto, and
others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following persons, or their executors or administrators, the respective sums hereinafter set opposite and immediately following their respective names to compensate them for losses sustained by them by reason of, in some instances, being required to sell their property and remove from it, in other cases by being required so to do and purchasing other

property, in others by being required to forego the sowing of cover crops, wheat, barley, and oats, and by being denied the privilege of saving silage and cutting up corn, which resulted from notification to them by the military authorities, representatives of the land acquisition office, and by appraisers sent out for said purpose, representing the United States Government in said capacities, and notifying them that their lands would be taken, that they would be required to move within thirty or sixty days, not to sow cover crops or small grain nor cut up fodder or fill silos, and said property owners in good faith acted on said advice and followed said directions as a direct result of which said damages and loss was sustained by them by reason of a change in plans of said authorities in which they dropped the area, which they had theretofore planned to take, and expanded the military reservation in another direction leaving the said parties with their property, which it had been proposed to take, and in some instances with other properties purchased. Those who sustained such damages and the amounts thereof are as follows:

David L. Ditto, \$612.09; J. W. Allen, \$585.39; O. O. Hinton, \$50; Joseph W. Hinton, \$367.35; O. T. Allen, \$70; Claud Nall, \$76.64; Jess Nall, \$620; Nellie Wells, \$930.05; Ernest D. Payne, \$1,350; James W. Ward, \$834; James S. Blair, \$432; J. H. Atcher, \$174; Charles E. Reesor, \$115; M. E. Blankenbaker, \$578; James Warren, \$234; Say-Dee E. Brindle, \$200; Buford K. Patterson, \$354.42; James H. White, \$95.08; Floyd L. Stackhouse, \$359; Billie B. Davis, \$480; John M. Davis, \$100; Alfred O. Hargan, \$253.88.

The above amounts being the respective sums recommended to the War Department for payment by a board of officers duly appointed by the Fort Knox post commander and who heard evidence thereon in the summer of 1943, which report and evidence were transmitted by them to the War Department.

The payment when so made, shall be in full settlement of all claims against the United States by reason of said losses and damages resulting to said persons by reason of the above-named facts and which occurred in 1941 and the early part of 1942, and which property was located in Hardin County, Kentucky: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these respective claims, or any one of them, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 223]

AN ACT

For relief of land and personal property owners of Fort Knox area of Meade County, Kentucky.

April 24, 1946
[H. R. 2266]
[Private Law 517]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following named persons, or their administrators, executors, or assigns, the sums hereinafter respectively set opposite and following their names, to compensate them and reimburse them for losses sustained by reason of (1) failing to plant crops and sow small grain, grass seeds, and cover crops, and failure to save roughage crops, and

W. M. Ray, and
others.

fill silos in the years 1941 and 1942, and by reason of sale of their livestock, all because they had been notified by the military authorities of the United States Government and appointees and agents of the Federal land acquisition office, then engaged in acquiring land for addition to the Fort Knox Military Reservation, that their lands were within the area to be taken for the expansion of Fort Knox and would be taken by the Government of the United States for the purpose of extending the area of the Fort Knox Military Reservation and that they would be required to remove therefrom within a very short time, and that upon their failure to so remove they would be evicted therefrom by legal proceedings, and that they should not plant any more crops thereon:

W. M. Ray, \$1,025; Roy Norris, \$165; Joe A. Vowels, \$125; J. K. Vowels, \$367; Mrs. W. E. Vowels, \$368; Joe G. Hinton, \$350; E. S. Hines, \$340; J. C. Hunt, \$413; George Satterly, \$375; Smith James, \$1,428.

The payments, when so made, shall be in full settlement of all claims against the United States by reason of said alleged losses and damages resulting to said persons named: *Provided*, That no part of the amounts appropriated by this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these respective claims, or any one of them, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 224]

AN ACT

For the relief of Mrs. Grant Logan.

April 24, 1946
[H. R. 2331]
[Private Law 518]

Mrs. Grant Logan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Grant Logan, resident of Juneau, Alaska, the sum of \$4,185.98, in full settlement of all claims against the Government of the United States for injuries, loss of earnings, medical and hospital expenses sustained on January 14, 1943, at Juneau, Alaska, in a collision of the school bus of the Office of Indian Affairs and the car owned by Mr. and Mrs. Grant Logan: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 225]

AN ACT

For the relief of Mr. and Mrs. James Sherry.

April 24, 1946
[H. R. 2528]
[Private Law 519]

James Sherry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money

in the Treasury not otherwise appropriated, to James Sherry, Sault Sainte Marie, Michigan, the sum of \$9,167.47. The payment of such sum shall be in full settlement of all claims of the said James Sherry against the United States on account of the deaths of his three minor sons, James, John, and Peter Sherry, ages 12, 11, and 7, respectively, which were caused by the explosion on his farm near Brimley, in Chippewa County, Michigan, on August 6, 1944, of a high explosive antitank rocket or bazooka projectile, which had been left on the Rexford rifle range by members of the United States Army on maneuvers: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 226]

AN ACT,

For the relief of James Lynch.

April 24, 1946

[H. R. 2835]

[Private Law 520]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Lynch, Syracuse, New York, the sum of \$4,514.60, in full satisfaction of all claims against the United States for personal injuries, medical and hospital expenses as the result of being struck by a United States mail truck while crossing Erie Boulevard East, at the corner of South Warren Street, in the city of Syracuse, New York, on September 30, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

James Lynch.

Approved April 24, 1946.

[CHAPTER 227]

AN ACT

For the relief of Mrs. Evelyn Merritt.

April 24, 1946

[H. R. 2927]

[Private Law 521]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,000, to Mrs. Evelyn Merritt, of route 1, New Augusta, Mississippi, in full settlement of all claims against the United States for personal injuries, and loss of earning sustained as a result of a collision between the automobile in which she was riding and a United States Army truck in Camp Shelby, Mississippi, on December 15, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in

Mrs. Evelyn Merritt.

connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 228]

AN ACT

For the relief of Ernest Pedro Ferreira.

April 24, 1946
[H. R. 3159]
[Private Law 522]

Ernest Pedro Fer-
reira.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest Pedro Ferreira, Honolulu, Territory of Hawaii, the sum of \$2,000. The payment of such sum shall be in full settlement of all claims of the said Ernest Pedro Ferreira against the United States on account of personal injuries sustained on April 16, 1942, when the truck on which he was employed as a helper was struck in the rear, while standing in a line of traffic on North King Street, Honolulu, Territory of Hawaii, by a United States Army truck which had, in turn, been struck in the rear by a second United States Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 229]

AN ACT

For the relief of Frank E. Wilmot.

April 24, 1946
[H. R. 4240]
[Private Law 523]

Frank E. Wilmot.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank E. Wilmot, Los Angeles, California, the sum of \$340.30 in full settlement of all claims against the United States for reimbursement of the cost of a resurvey by Frank E. Wilmot of section 32, township 11 north, range 7 west, San Bernardino meridian, California, made necessary when original survey data and plats made under his direction proved inaccurate, without fault of his own, because they had been based on certain corner monuments reestablished erroneously through the negligence of an employee of the Glendale, California, office of the United States General Land Office of the Department of the Interior: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1946.

[CHAPTER 230]

AN ACT

For the relief of the estate of Chancie Lee Brisbin, deceased.

April 24, 1946
[H. R. 4253]
[Private Law 524]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Chancie Lee Brisbin, deceased, of Route Numbered 1, Holland, Texas, the sum of \$6,313, in full settlement of all claims against the United States for the personal injury and death of the said Chancie Lee Brisbin as the result of being struck by a block of ice thrown by a soldier from a moving railroad train on the Missouri, Kansas and Texas Railroad Company's right-of-way near Holland, Texas, on January 24, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Chancie Lee Brisbin, estate.

Approved April 24, 1946.

[CHAPTER 231]

AN ACT

For the relief of Esther L. Berg.

April 25, 1946
[H. R. 2826]
[Private Law 525]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Esther L. Berg, of Portland, Oregon, the sum of \$2,472.54, in full settlement of all claims against the United States for personal injuries, hospital, and medical expenses, as a result of a fall at the United States Veterans' Hospital, Markham Hill, Portland, Oregon, on July 29, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Esther L. Berg.

Approved April 25, 1946.

[CHAPTER 234]

AN ACT

For the relief of Hutchinson's Boat Works, Incorporated, and others.

April 26, 1946
[H. R. 1217]
[Private Law 526]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hutchinson's Boat Works, Incorporated, Alexandria Bay, New York, the sum of \$4,468.12; to First National Bank of Merrick, Merrick, New York, assignee of Amity Boat Basin, the sum of \$13,855.58; to Bruns-Kimball and Company, of Patchogue, New York, the sum of \$17,297.85; to

Hutchinson's Boat Works, Inc., and others.

Mount Desert Boat Yard, Incorporated, of Mount Desert, Maine, the sum of \$1,299.84; to Channel Boat Company, of Newport Beach, California, the sum of \$9,822.94; to Fair Haven Yacht Works, of Fair Haven, New Jersey, the sum of \$14,448.95; to Harbor Boat Works, of San Diego, California, the sum of \$17,523.83; to San Pedro Boat Works, of San Pedro, California, the sum of \$117,205.62; to Reed Brothers, of Boothbay Harbor, Maine, the sum of \$12,686.71; to S. B. Norton and Son, of Dark Harbor, Maine, the sum of \$5,120.78. Such sums shall be in full settlement of all claims against the United States for losses sustained as the result of certain contracts made between the said companies and the United States Navy for building small boats, referred to as "Buoy boats": *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 26, 1946.

[CHAPTER 235]

AN ACT

For the relief of Herman Feinberg.

April 26, 1946
[H. R. 1352]

[Private Law 527]

Herman Feinberg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman Feinberg, Los Angeles, California, the sum of \$99.67 in full settlement of all claims against the United States for services rendered the National Youth Administration during the period December 16, 1942, to January 11, 1943, after the expiration of a temporary appointment and prior to the time a permanent appointment was made effective. Services were rendered by the said Herman Feinberg to the National Youth Administration during the whole of such period, and he did not receive compensation therefor because of an error on the part of the appointing officer in not making the permanent appointment effective at the expiration of the temporary appointment: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 26, 1946.

[CHAPTER 236]

AN ACT

For the relief of Rae Glauber.

April 26, 1946
[H. R. 2217]

[Private Law 528]

Rae Glauber.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of the money in the Treasury not otherwise appropriated, the sum of \$3,500 to Rae Glauber, of Brooklyn, New York, in full settlement of all claims against the United States for personal injuries sustained as a result of being struck by a United States post-office truck

in New York City, New York, on November 15, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 26, 1946.

[CHAPTER 237]

AN ACT

For the relief of Mrs. Frank Mitchell and J. L. Price.

April 26, 1946

[H. R. 2886]

[Private Law 529]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Frank Mitchell, Swainsboro, Georgia, the sum of \$500, and to J. L. Price, Swainsboro, Georgia, the sum of \$450. The payment of such sums shall be in full settlement of all claims of the said Mrs. Frank Mitchell and J. L. Price against the United States for losses sustained as the result of the failure of the War Department to carry out its plans to use as a bombing range certain land owned by them in Emanuel County, Georgia, which the War Department had taken possession of on May 15, 1942, under the terms of leases signed by the said Mrs. Frank Mitchell and J. L. Price as lessors, after requiring such lessors to remove all buildings, fences, and other obstructions. On September 11, 1942, the leases for such property were returned to the lessors, unsigned by any representative of the United States, with the information that the War Department had decided to abandon the bombing range: *Provided*, That no part of either amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by payment of such amount, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Frank Mitchell and J. L. Price.

Approved April 26, 1946.

[CHAPTER 238]

AN ACT

For the relief of the legal guardian of James Herbert Keith, a minor.

April 26, 1946

[H. R. 3301]

[Private Law 530]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of James Herbert Keith, a minor, of Cedar Springs, Kentucky, the sum of \$2,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained by the said James Herbert Keith on March 23, 1945, as the result of the explosion of a dynamite cap left in an abandoned shack which had been constructed by the Works Progress Administration at Cedar Springs, Kentucky, in or about the year 1936, in connection with a road-construction project: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney

Guardian of James Herbert Keith.

on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 26, 1946.

[CHAPTER 239]

AN ACT

For the relief of the Calvert Distilling Company.

April 26, 1946
[H. R. 4208]

[Private Law 531]

Calvert Distilling
Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) anything in its capital-stock tax return for the year ending June 30, 1945, to the contrary, the declared value of the capital stock of the Calvert Distilling Company, of 405 Lexington Avenue, New York 17, New York, for the year ended June 30, 1945, shall be deemed to be \$120,000,000 for the purpose of determining its liability under chapter 6 of the Internal Revenue Code for the year ending June 30, 1945; and (2) for the purpose of determining its liability under section 600 of the Internal Revenue Code for its fiscal year ending July 31, 1945, and for all other purposes where the declared value of its capital stock as determined under chapter 6 of the Internal Revenue Code is relevant.

SEC. 2. The provisions of section 1 shall apply only if said the Calvert Distilling Company, within thirty days after the date of the enactment of this Act, files with the collector of internal revenue for its district an amended capital-stock tax return for the year ending June 30, 1945, reflecting a declared value for its capital-stock tax of \$120,000,000 and pays the tax shown thereon.

Approved April 26, 1946.

[CHAPTER 241]

AN ACT

For the relief of Saunders Wholesale, Incorporated.

April 27, 1946
[S. 1310]

[Private Law 532]

Saunders Wholesale,
Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Saunders Wholesale, Incorporated, of Key West, Florida, is hereby relieved of liability for the payment of manufacturers' excise taxes in the amount of \$7,834.56 on two million two hundred and forty-two thousand cigarettes and forty-two pounds of manufactured tobacco which were destroyed by fire on February 26, 1945, while stored in a sea stores warehouse operated by the said Saunders Wholesale, Incorporated, after having been lawfully withdrawn from the place of manufacture, without payment of tax, for delivery to vessels for use as sea stores.

Approved April 27, 1946.

[CHAPTER 250]

AN ACT

For the relief of the estate of Michael J. McDonough, deceased.

May 9, 1946
[H. R. 2483]

[Private Law 533]

Estate of Michael
J. McDonough.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal representative of the estate of Michael J. McDonough, late of Boston, Massachusetts, the sum of \$2,500. The payment of such sum shall be in

full settlement of all claims against the United States on account of the death of the said Michael J. McDonough as a result of his being struck, on November 19, 1944, near the intersection of Eighth and L Streets, South Boston, Massachusetts, by a vehicle in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 9, 1946.

[CHAPTER 254]

AN ACT

For the relief of Aldona Kojas.

May 14, 1946
[S. 997]

[Private Law 534]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Aldona Kojas, of Bridgeport, Connecticut, the sum of \$4,044, in full satisfaction of her claims against the United States for compensation for personal injuries sustained by her, for reimbursement of hospital, medical, and other expenses incurred by her, as a result of an accident which occurred while she was riding as a passenger in a Coast Guard vehicle numbered T-2682 on October 20, 1944, when it was involved in a collision at the intersection of Orange Avenue and Admiral Street, West Haven, Connecticut: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Aldona Kojas.

Approved May 14, 1946.

[CHAPTER 255]

AN ACT

For the relief of Socony-Vacuum Oil Company.

May 14, 1946
[S. 1742]

[Private Law 535]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Socony-Vacuum Oil Company, of Detroit, Michigan, the sum of \$5,231.99, in full satisfaction of its claim against the United States for compensation for property damage sustained by it as a result of an accident which occurred when a United States Navy airplane crashed into a group of its oil tanks and burned, at the Flat Rock works near Trenton, Michigan, on February 12, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and

Socony-Vacuum Oil
Company.

the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 14, 1946.

[CHAPTER 256]

AN ACT

For the relief of John C. Spargo.

May 14, 1946
[S. 1747]

[Private Law 536]

John C. Spargo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John C. Spargo, of Seattle, Washington, the sum of \$2,500, in full satisfaction of his claim against the United States for compensation for medical and hospital expenses incurred and for personal injuries and loss of earnings sustained by him, as a result of an accident which occurred when the automobile which he was driving was struck by a United States Army vehicle, between Shelton, Washington, and Bremerton, Washington, on May 1, 1941: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 14, 1946.

[CHAPTER 259]

AN ACT

For the relief of George O. Weems.

May 15, 1946
[S. 1442]

[Private Law 537]

George O. Weems.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George O. Weems, of Lafayette Plantation, Tallahassee, Florida, (1) the sum of \$825, in full satisfaction of his claim against the United States for reimbursement for the death of his five saddle horses as a result of their drinking water from a pond on his property which was polluted by the presence of fluorine in the waste water discharged into such pond and originating in the laundry of the Federal Correctional Institution, Leon County, Florida; and (2) the sum of \$780, in full satisfaction of his claim for compensation for property damage sustained by him when his pasture adjoining such pond was rendered unfit for use as a result of the above-described condition: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 15, 1946.

[CHAPTER 262]

AN ACT

For the relief of the Elmira Area Soaring Corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Elmira Area Soaring Corporation, a nonprofit organization, of Elmira, New York, the sum of \$53,046.86, in full satisfaction of its claim against the United States for compensation for losses arising from a contract (number W 535 ac-28134 (8147)) made with the Army Air Forces for the training of glider pilot personnel: *Provided*, That the money paid to such corporation under this Act shall be used by it for making a pro rata distribution to its creditors on account of outstanding indebtedness which was incurred by such corporation between April 18, 1942, and January 14, 1943, the period during which such contract was in effect, and payment shall be made to such corporation under this Act only upon condition that it file with the Secretary of the Treasury a written agreement to use such money for such purpose: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 16, 1946.

May 16, 1946

[S. 842]

[Private Law 538]

Elmira Area Soaring Corporation.

[CHAPTER 266]

AN ACT

For the relief of Josephine Benham.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Josephine Benham, of Springfield, Ohio, the sum of \$1,000, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and property damage sustained as a result of being struck by a United States post-office truck in Springfield, Ohio, on December 18, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 21, 1946.

May 21, 1946

[H. R. 1457]

[Private Law 539]

Josephine Benham.

[CHAPTER 272]

AN ACT

For the relief of Margery Anderson Bridges.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provision of the immigration laws the temporary admission to the United States of Margery Anderson Bridges, the wife of Robert E. Bridges, a native-born citizen of the State of Georgia, is hereby

May 28, 1946

[S. 203]

[Private Law 540]

Margery Anderson Bridges.

declared a record of permanent admission as of the date she last temporarily entered continental United States, to wit, January 25, 1940.

Approved May 28, 1946.

[CHAPTER 273]

AN ACT

For the relief of Mercy Duke Boehl.

May 28, 1946
[S. 375]

[Private Law 541]

Mercy Duke Boehl.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the immigration laws, the Attorney General is authorized and directed to permit Mercy Duke Boehl, wife of an American citizen, to remain permanently in the United States.

Approved May 28, 1946.

[CHAPTER 274]

AN ACT

For the relief of Arthur F. Downs.

May 28, 1946
[S. 1201]

[Private Law 542]

Arthur F. Downs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur F. Downs, of Portsmouth, New Hampshire, the sum of \$849.36, in full satisfaction of his claim against the United States for compensation for personal injuries and loss of earnings sustained by him, and for reimbursement of hospital and other expenses incurred by him, as a result of having been shot by a member of the United States Marine Corps, near the Newington crossroad, between Portsmouth, New Hampshire, and Rochester, New Hampshire, on November 24, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 28, 1946.

[CHAPTER 275]

AN ACT

To authorize the Secretary of State to transfer certain silver candelabra to May Morgan Beal.

May 28, 1946
[S. 1916]

[Private Law 543]

May Morgan Beal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State is authorized and directed to transfer to May Morgan Beal, of Newton, Massachusetts, all right, title, and interest of the United States in and to the two silver lanterns or candelabra which were originally given to Ambassador Edwin V. Morgan by citizens of Brazil and subsequently presented as a gift to the United States by the said May Morgan Beal in July 1934, for use in the United States Embassy in Rio de Janeiro, Brazil.

Approved May 28, 1946.

[CHAPTER 276]

AN ACT

For the relief of R. L. Benton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. L. Benton, of Alva, Woods County, Oklahoma, the sum of \$1,856.09 in full settlement of all claims against the United States for property damage sustained as the result of an accident involving a United States Army vehicle near Peabody, Kansas, on April 15, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 28, 1946.

 May 28, 1946
 [H. R. 4763]
 [Private Law 544]

R. L. Benton.

CHAPTER 286]

AN ACT

For the relief of Henry R. Butler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, to Henry R. Butler, of Oakland, California, in full settlement of all claims against the United States for personal injuries sustained and expenses incurred by him when he was struck by a United States Navy truck, at the intersection of San Pablo and MacArthur Boulevard, in the city of Oakland, California, on October 30, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 8, 1946.

 June 8, 1946
 [H. R. 1072]
 [Private Law 546]

Henry R. Butler.

[CHAPTER 287]

AN ACT

For the relief of Sam Dishong.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,169.90, to Sam Dishong, 3007 South Shield Street, Oklahoma City, Oklahoma, in full settlement of all claims against the United States for personal injuries and damages sustained by him when he was struck by a Navy vehicle from the south naval base, Norman, Oklahoma, on September 26, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on

 June 8, 1946
 [H. R. 3228]
 [Private Law 546]

Sam Dishong.

account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 8, 1946.

[CHAPTER 288]

AN ACT

For the relief of Piombo Brothers and Company.

June 8, 1946

[H. R. 4141]

[Private Law 547]

Piombo Brothers
and Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Piombo Brothers and Company, San Francisco, California, the sum of \$12,913.61, in full settlement of all claims against the United States for property damages sustained as the result of damage to certain of its equipment caused by the crash on December 14, 1944, of a United States Navy airplane at the naval air station, North Island, San Diego, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 8, 1946.

[CHAPTER 289]

AN ACT

For the relief of Mayer G. Hansen.

June 8, 1946

[H. R. 4174]

[Private Law 548]

Mayer G. Hansen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mayer G. Hansen, Minneapolis, Minnesota, the sum of \$3,783.88. Such sum represents (1) the actual cost of the said Mayer G. Hansen of household goods and personal effects shipped in June 1941 from Manila, Philippine Islands, to Los Angeles, California, and held in a United States customs bonded warehouse in Los Angeles until December 17, 1942, when they were sold at public auction as unclaimed merchandise by the collector of customs; less (2) the sum of \$461.16, the surplus proceeds of such sale paid to the said Mayer G. Hansen. The said Mayer G. Hansen was unable to claim such personal property or to communicate with persons in the United States because he and his wife were held as prisoners by the Japanese from January 5, 1942, until February 3, 1945. The payment of such sum shall be in full settlement of all claims against the United States arising from the sale of such personal property: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 8, 1946.

[CHAPTER 290]

AN ACT

For the relief of Southern California Edison Company, Limited.

June 8, 1946
[H. R. 4270]
[Private Law 549]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Southern California Edison Company, Limited, a corporation organized under the laws of the State of California, the sum of \$1,628.30, in full settlement of all claims against the United States arising out of or in connection with damage caused to an electric transmission line owned by Southern California Edison Company, Limited, by a United States Navy airplane, model F3A-1, Bureau Numbered 04634, coming in contact with said transmission line at a point along Cajon Highway near Keenbrook, California, on July 21, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Southern California
Edison Company, Ltd.

Approved June 8, 1946.

[CHAPTER 291]

AN ACT

For the relief of Severo Apoluna Dinson and Candilaria Dinson, and the legal guardian of Laura Dinson and the legal guardian of Teresita Dinson.

June 8, 1946
[H. R. 4298]
[Private Law 550]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Severo Apoluna Dinson and Candilaria Dinson, of Honokaa, Hawaii, Territory of Hawaii, parents of Luisa Dinson, a minor, the sum of \$3,000, to the legal guardian of Laura Dinson, a minor, the sum of \$1,000; and to the legal guardian of Teresita Dinson, a minor, the sum of \$500. Such sums are in full settlement of all claims against the United States on account of the death of Luisa Dinson, who was killed, and for personal injuries, hospital and medical expenses for Laura Dinson and Teresita Dinson, who were injured, as the result of an accident in which a United States jeep driven by personnel of the United States Marine Corps struck these children in the vicinity of Honokaa, Hawaii, Territory of Hawaii, on January 2, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Severo Apoluna
Dinson, and others.

Approved June 8, 1946.

[CHAPTER 292]

AN ACT

For the relief of Mrs. Gussie Feldman.

June 8, 1946
[H. R. 4757]
[Private Law 551]

Mrs. Gussie Feld-
man.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$325, to Mrs. Gussie Feldman, of Charleston, South Carolina, in full settlement of all claims against the United States for personal injuries and medical expenses sustained as the result of being struck by a United States Coast Guard truck at the intersection of Lee and Meeting Streets, Charleston, South Carolina, on May 11, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 8, 1946.

[CHAPTER 293]

AN ACT

For the relief of Ernst V. Brender.

June 8, 1946
[H. R. 4885]
[Private Law 552]

Ernst V. Brender.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernst V. Brender, Greensboro, Georgia, the sum of \$176.65, in full settlement of amount paid by him in full satisfaction of a judgment of the Superior Court, Greene County, Georgia, on April 24, 1945, in civil action numbered 2662 against E. V. Brender as damages because of removal of a hazardous telephone line installation from Government property: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 8, 1946.

[CHAPTER 294]

AN ACT

For the relief of Ben V. King

June 8, 1946
[H. R. 5307]
[Private Law 553]

Ben V. King.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ben V. King, United States commissioner at Eagle Pass, Texas, the sum of \$488.57. Such sum represents the amount of fees which the said Ben V. King earned between January 1, 1945, and May 28, 1945, including increased compensation allowed under Public Law Numbered 49, approved May 7, 1943, while acting as United States commissioner for the Western District of Texas, but not paid because his term as United States

commissioner expired on January 1, 1945, and through an oversight, his appointment for another term was not effective until May 28, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 8, 1946.

[CHAPTER 295]

AN ACT

For the relief of the Yakutat Cooperative Market.

June 8, 1946
[H. R. 6010]
[Private Law 554]

Yakutat Coopera-
tive Market.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to certain members of the Yakutat Cooperative Market the following sums: To Nick Milton, the sum of \$148.59; to Harold Gray, the sum of 51 cents; to Sam George, the sum of \$194.17; to James Porter, the sum of \$140.69; to Oscar Frank, the sum of \$113.57; to Norman Lott, the sum of \$282.74; to Mrs. Frank Dick, the sum of \$176.24; to B. A. Jack, the sum of \$58.86; to George Johnson, the sum of \$141.47; to Harry Jackson, the sum of \$287.27; to Kitty Dixon, the sum of \$60.44; to Jerry K. Williams, the sum of \$123.51; to Jimmy Jackson, the sum of \$125.94; to Ned Williams, the sum of \$159.96; to George Valle, the sum of \$213.73; to Olaf Abraham, the sum of \$86.34; to William Benson, the sum of \$134.75; to Emma Shodda, the sum of \$56.01; to Sheldon James, the sum of \$76.40; to Mabel Brown, the sum of \$45.42; to William Thomas, the sum of \$169.20; and to Thomas George, the sum of \$107.67, in full settlement of all of their claims against the United States for loss and damage to their personal property destroyed by fire on November 14, 1942, while stored in a Government building at Yakutat, Alaska: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 8, 1946.

[CHAPTER 296]

AN ACT

For the relief of Doctor Harry Burstein, Madeline Borvick, and Mrs. Clara Kaufman Truly (formerly Miss Clara M. Kaufman).

June 8, 1946
[H. R. 6011]
[Private Law 555]

Dr. Harry Burstein.

Madeline Borvick.
Mrs. Clara Kauf-
man Truly.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor Harry Burstein, the sum of \$164.90; to Madeline Borvick, the sum of \$547.90; and to Mrs. Clara Kaufman Truly, the sum of \$389.96, in full settlement of all claims against the Government of the United States for the loss of their personal effects in the fire which destroyed the physician's and nurses' quarters at Barrow, Alaska, on

October 10, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 8, 1946.

[CHAPTER 300]

AN ACT

For the relief of John Seferian and Laura Seferian.

June 10, 1946
[H. R. 216]

[Private Law 556]

John Seferian and
Laura Seferian.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Seferian, Methuen, Massachusetts, the sum of \$325, and to Laura Seferian, wife of John Seferian, Methuen, Massachusetts, the sum of \$1,401, in full settlement of all claims against the United States for property damage, personal injuries, medical and hospital expenses sustained as the result of a collision between the car in which they were riding and a United States Army truck on Highway Numbered 110, Methuen, Massachusetts, on March 1, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 301]

AN ACT

For the relief of the legal guardian of Douglas Charles McRae, a minor.

June 10, 1946
[H. R. 781]

[Private Law 557]

Guardian of Douglas
Charles McRae.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Douglas Charles McRae, a minor, of Leesville, Louisiana, the sum of \$2,438.05, in full settlement of all claims against the United States on account of personal injuries received by the minor, Douglas Charles McRae, resulting from the explosion of an antitank mine fuze near Leesville, Louisiana, on March 25, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 302]

AN ACT

For the relief of Father Peter B. Duffee.

June 10, 1946
[H. R. 1238]

[Private Law 558]

Father Peter B.
Duffee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized and directed to pay, out of sums appropriated for the Medical Department of the Bureau of Medicine and Surgery, Department of the Navy, to Father Peter B. Duffee such sum as will reimburse him for all hospital and medical expenses incurred prior to the expiration of ten days after the date of enactment of this Act as the result of personal injuries sustained by him in the rescue of persons from the steamship Lafayette (formerly the Normandie) and in the performance of other services during the burning of such vessel, not to exceed the sum of \$1,000.

SEC. 2. Until such time as the said Father Peter B. Duffee is fully recovered from the effects of the injuries sustained by him in the burning of the Lafayette, he shall be entitled, without expense to him, to such care, maintenance, and treatment in any naval or other hospital under the jurisdiction or control of the Department of the Navy as he may require on account of such injuries.

SEC. 3. As used in this Act the term "injuries" includes any disease contracted by the said Father Peter B. Duffee as the result of the heroic services rendered by him during the burning of the Lafayette.

Approved June 10, 1946.

[CHAPTER 303]

AN ACT

For the relief of George W. Bailey.

June 10, 1946
[H. R. 2188]

[Private Law 559]

George W. Bailey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George W. Bailey, Norfolk, Virginia, the sum of \$2,500. The payment of such sum shall be in full settlement of all claims of the said George W. Bailey against the United States and John Charles Statt on account of personal injuries and damage to his automobile sustained on July 18, 1944, when such automobile, which the said George W. Bailey was driving was struck at the intersection of Laskin Road and Great Neck Road, Princess Anne County, Virginia, by a United States Navy ambulance: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 304]

AN ACT

For the relief of Catherine Bode.

June 10, 1946
[H. R. 2223]

[Private Law 560]

Catherine Bode.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Catherine Bode, New Orleans, Louisiana, the sum of \$250. The payment of such sum shall

be in full settlement of all claims of the said Catherine Bode against the United States for personal injuries sustained by her on June 6, 1944, when the car which she was driving was struck by a United States Coast Guard truck on the intersection of Magazine and State Streets, New Orleans, Louisiana: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 305]

AN ACT

For the relief of Mrs. Lessie L. Bryant and Miss Jimmie Alexander.

June 10, 1946

[H. R. 2242]

[Private Law 561]

Mrs. Lessie L. Bryant.

Miss Jimmie Alexander.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lessie L. Bryant, Miami, Florida, the sum of \$500 and to Miss Jimmie Alexander, Miami, Florida, the sum of \$100. The payment of such sum of \$500 shall be in full settlement of all claims of the said Mrs. Lessie L. Bryant against the United States for personal injuries sustained on October 28, 1944, when she was struck by a United States Navy station wagon at the intersection of Northeast Third Street and Northeast Second Avenue in Miami, Florida. The payment of such sum of \$100 shall be in full settlement of all claims of the said Miss Jimmie Alexander against the United States for personal injuries sustained in such accident and for loss of earnings resulting from time lost from work while caring for her mother, the said Mrs. Lessie L. Bryant: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 306]

AN ACT

For the relief of the estate of Michael O. Mello, and Christian O. Mello.

June 10, 1946

[H. R. 2246]

[Private Law 562]

Michael O. Mello, estate.

Christian O. Mello.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the estate of Michael O. Mello, and to pay the sum of \$3,500 to Christian O. Mello, of Bristol, Rhode Island, in full settlement of all claims against the United States for the death of the said Michael O. Mello, and for personal injuries to Christian O. Mello sustained as a result of an accident involving a United States naval vehicle on April 5, 1943, in Seekonk, Massachusetts: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 307]

AN ACT

For the relief of Joseph E. Alarie.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$434.40, to Joseph E. Alarie, of North Kingstown, Rhode Island, in full settlement of all claims against the United States for personal injuries and expenses incident thereto, sustained as the result of an accident on Route Numbered 1, in the town of North Kingstown, Rhode Island, involving a United States Navy vehicle, on February 20, 1943: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

June 10, 1946
[H. R. 2248]
[Private Law 563]

Joseph E. Alarie.

[CHAPTER 308]

AN ACT

For the relief of Mrs. Alice Breon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,403, to Mrs. Alice Breon, of Snow Shoe, Pennsylvania, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained as a result of being struck by a United States Army vehicle, near El Paso, Texas, on September 1, 1944: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

June 10, 1946
[H. R. 2926]
[Private Law 564]

Mrs. Alice Breon.

[CHAPTER 309]

AN ACT

For the relief of Ben Thomas Haynes, a minor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Ben Thomas Haynes, of route 1, Watertown, Tennessee, the sum of \$3,000, in full settlement of all claims against the United States on account of

June 10, 1946
[H. R. 2973]
[Private Law 565]

Guardian of Ben
Thomas Haynes.

personal injuries sustained by the said Ben Thomas Haynes who was seriously injured by the explosion of an unexploded signal flare left in a maneuver area near his father's home by United States Army troops on March 19, 1944, near Watertown, Wilson County, Tennessee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 310]

AN ACT

For the relief of James B. McCarty.

June 10, 1946

[H. R. 3270]

[Private Law 566]

James B. McCarty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James B. McCarty, Alexandria, Louisiana, the sum of \$423.80, in full settlement of all claims against the United States on account of, and growing out of, a collision which occurred between his car and a United States Army truck in the city of Alexandria, Rapides Parish, Louisiana, on or about December 5, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 311]

AN ACT

For the relief of Mrs. Merla Koperski.

June 10, 1946

[H. R. 3340]

[Private Law 567]

Mrs. Merla Koperski.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Merla Koperski, Kapaka, Hauula, Oahu, Territory of Hawaii, the sum of \$2,114. The payment of such sum shall be in full settlement of all claims of the said Mrs. Merla Koperski against the United States on account of personal injuries sustained on October 28, 1944, when she was struck, while standing in the yard of her home, by a bullet fired by a member of the Military Police, United States Army, for the purpose of halting a truck whose driver failed to obey an order to stop. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 312]

AN ACT

For the relief of Ama L. Normand and the estate of Curtis Joseph Gaspard, deceased.

June 10, 1946
[H. R. 3599]
[Private Law 568]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ama L. Normand, of Alexandria, Louisiana, the sum of \$1,870; to the estate of Curtis Joseph Gaspard, deceased, the sum of \$5,000, in full settlement of all claims against the United States for personal injuries, property damage, and loss of earnings, sustained by Ama L. Normand, and for the death of Curtis Joseph Gaspard, sustained as the result of an accident involving a United States Army truck on Highway Numbered 21, about twenty miles east of Leesville, Louisiana, on September 1, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Ama L. Normand.

Curtis Joseph Gaspard, estate.

Approved June 10, 1946.

[CHAPTER 313]

AN ACT

For the relief of Mrs. Vannas H. Hicks.

June 10, 1946
[H. R. 3618]
[Private Law 569]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Vannas H. Hicks, Hastings, Nebraska, the sum of \$3,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Vannas H. Hicks against the United States on account of personal injuries, hospital and medical expenses, and loss of earnings sustained on January 6, 1945, when the automobile in which she was riding to Hastings, Nebraska, from the naval ammunition depot near Hastings (where she was employed) was struck by a United States Navy station wagon: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Vannas H. Hicks.

Approved June 10, 1946.

[CHAPTER 314]

AN ACT

For the relief of Carlton G. Jerry.

June 10, 1946
[H. R. 4172]

[Private Law 570]

Carlton G. Jerry.

39 Stat. 746.
5 U. S. C. §§ 765-
770; Supp. V, § 770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Carlton G. Jerry, who is alleged to have sustained injuries to his right eye in the line of his duties on November 16, 1934, while employed as a case worker for the Emergency Relief Administration in Union County, Arkansas, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act.

Effective date.

SEC. 2. The monthly compensation which the said Carlton G. Jerry may be entitled to receive by reason of the enactment of this Act shall commence on the first day of the month during which this Act is enacted.

Approved June 10, 1946.

[CHAPTER 315]

AN ACT

For the relief of Philip Naope Kaili and Susie Kaili.

June 10, 1946
[H. R. 4301]

[Private Law 571]

Philip Naope Kaili
and Susie Kaili.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Philip Naope Kaili and Susie Kaili, of Hilo, Hawaii, Territory of Hawaii, the sum of \$3,168, in full settlement of all claims against the United States on account of the death of their son, Philip Naope Kaili, Junior, who was killed when he touched a towing cable which had been dropped by a plane of the United States Navy across live wires outside the naval air station at Hilo, Hawaii, on July 4, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 316]

AN ACT

For the relief of C. C. Vest

June 10, 1946
[H. R. 4750]

[Private Law 572]

C. C. Vest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. C. Vest, Travellers Rest, South Carolina, the sum of \$440. The payment of such sum

shall be in full settlement of all claims of the said C. C. Vest against the United States on account of the loss of crops and damage to property sustained as a result of his leaving his truck farm and peach orchard situated in Greenville County, South Carolina, untenanted for approximately six months during the calendar year 1943 at the request of the War Department. The War Department project manager at Greenville, South Carolina, entered into an oral agreement with the said C. C. Vest for the lease of his property for use as a part of a rifle range, and promised that he would be reimbursed for the loss of his growing crops. The War Department subsequently changed its plans and did not enter into possession of such property or execute any written lease with respect thereto: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 317]

AN ACT

For the relief of Harry Fleishman.

June 10, 1946
[H. R. 4800]
[Private Law 573]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitation of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injury while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Harry Fleishman, of Washington, District of Columbia, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said Act his claim on account of alleged injuries to have been incurred while in the performance of his duties as a member of the Capitol Police force, Washington, District of Columbia, on December 1, 1930: *Provided*, That claim hereunder shall be filed within six months from approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

39 Stat. 746.
5 U. S. C. §§ 765-770; Supp. V, § 770.

Harry Fleishman.

Approved June 10, 1946.

[CHAPTER 318]

AN ACT

For the relief of the estate of Robert Lee Blackmon.

June 10, 1946
[H. R. 4833]
[Private Law 574]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Robert Lee Blackmon, deceased, late of Lancaster County, South Carolina, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death, on November 22, 1943, of the said Robert Lee Blackmon from injuries sustained by him when he was struck, on said date, on Highway 906, five miles east of the town of Lancaster, South Carolina, by an armored vehicle in the service of the Army of the United States: *Provided*,

Robert Lee Blackmon, estate.

That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 319]

AN ACT

For the relief of Louis M. Drolet.

June 10, 1946

[H. R. 4836]

[Private Law 575]

Louis M. Drolet.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis M. Drolet, Richland, Michigan, the sum of \$104.79. The payment of such sum shall be in full settlement of all claims against the United States for losses sustained by the said Louis M. Drolet as the result of a United States Army truck crashing on March 23, 1945, into a frame store building owned by him and situated on the northeast corner of the intersection of Main and Park Streets, Richland, Michigan: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 320]

AN ACT

For the relief of Nina E. Schmidt.

June 10, 1946

[H. R. 4905]

[Private Law 576]

Nina E. Schmidt.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nina E. Schmidt, of Indianapolis, Indiana, the sum of \$754.50, in full satisfaction of her claim against the United States for services rendered on December 18 and 19, 1944, at Indianapolis, as official reporter of the subcommittee of the United States Senate Committee to Investigate Presidential, Vice Presidential and Senatorial Campaign Expenditures: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 10, 1946.

[CHAPTER 321]

AN ACT

For the relief of the estate of Obaldino Francis Dias.

June 10, 1946
[H. R. 5049]
[Private Law 577]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the estate of Obaldino Francis Dias, Netherland Steamship Lines, 25 Broadway, New York City, New York, in full settlement of all claims against the United States as compensation for the death of the said Obaldino Francis Dias, sustained as the result of an accident involving a United States post-office vehicle near the intersection of Fourteenth Street and Eighth Avenue in the city of New York, on December 26, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum on account of services rendered in connection with the said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Obaldino Francis
Dias, estate.

Approved June 10, 1946.

[CHAPTER 322]

AN ACT

For the relief of Sylvia Wagner.

June 10, 1946
[H. R. 5525]
[Private Law 578]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sylvia Wagner, of Cleveland, Ohio, the sum of \$1,056.50, in full satisfaction of all claims against the United States on account of personal injuries and expenses incident thereto, as a result of a fall she suffered on November 22, 1943, on the steps of the Old Federal Building in Cleveland, Ohio: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Sylvia Wagner.

Approved June 10, 1946.

[CHAPTER 323]

AN ACT

For the relief of Mary G. Paul.

June 10, 1946
[H. R. 6245]
[Private Law 579]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 767 and 770), are hereby waived in favor of Mary G. Paul, Albuquerque,

Mary G. Paul.

39 Stat. 746.
5 U. S. C. §§ 765-
770; Supp. V. § 770.

New Mexico, and her claim for compensation for disability allegedly resulting from her having contracted tuberculosis while employed as a nurse by the Veterans' Administration, at facilities of such Administration, between April , 1926, and June 13, 1944, is authorized and directed to be considered and acted upon under the remaining provisions of such Act, as amended, as if she had filed notice of injury and claim for compensation for disability within the time prescribed by such sections 15 to 20, inclusive, but only if she files such claim with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act. That no benefits shall accrue prior to the approval of this Act.

Approved June 10, 1946.

[CHAPTER 329]

AN ACT

For the relief of H. H. Ashbrook, and others.

June 11, 1946
[S. 780]

[Private Law 580]

H. H. Ashbrook,
and others.

C. R. Watson.
Charles R. Lau-
comer.

Kilpatrick Brothers
Co.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. H. Ashbrook, the sum of \$2,311.97; to Jens C. Petersen, the sum of \$1,299; to George Laucomer, the sum of \$968.66; to Walker M. Lee, the sum of \$882.27; to E. C. Douglass, the sum of \$700; and to William Ledingham, Junior, the sum of \$104, in full satisfaction of their claims against the United States for compensation for property damage sustained by them as a result of range fires caused by training operations of the United States Army Air Forces near the Sioux County Bomber Range, in Sioux County, Nebraska, for claims arising on account of damages sustained prior to October 1944; to C. R. Watson, the sum of \$692.20, and to Charles R. Laucomer, the sum of \$8,639.25, in full satisfaction of their claims against the United States for compensation for property damage sustained by them as a result of range fires caused by training operations of the United States Army Air Forces near the Sioux County Bomber Range, in Sioux County, Nebraska, for claims arising on account of damages sustained during the years 1943 and 1944; and to Kilpatrick Brothers Company, a Nebraska corporation, having its principal office at Beatrice, Nebraska, owning and operating a grazing range in Sioux County, Nebraska, the sum of \$2,044.09, in full satisfaction of its claims against the United States for compensation for property damage sustained by it as a result of range fires caused in the year 1943, by training operations of the United States Army Air Forces in Sioux County, Nebraska. Acceptance of the benefits hereby provided shall not be regarded as covering damages sustained by said Kilpatrick Brothers Company as a result of range fires caused in the year 1944 and subsequent years by training operations of the United States Army Air Forces, at or in connection with the Sioux County Bomber Range in Sioux County, Nebraska. Such claims now existing and such claims as may hereafter arise in favor of said Kilpatrick Brothers Company shall in nowise be prejudiced by this Act: *Provided,* That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 330]

AN ACT

For the relief of Malcolm K. Burke.

June 11, 1946
[S. 1106]

[Private Law 581]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 1441, Revised Statutes, should Malcolm K. Burke enlist in or be inducted into the United States Navy or United States Naval Reserve, and thereafter, in the judgment of the President, establish his fitness to perform the duties of a naval officer, the President is hereby authorized in his discretion to appoint the said Malcolm K. Burke to the grade of ensign in the United States Naval Reserve and to issue to him a temporary appointment in the grade of lieutenant (junior grade), with the dates of rank, in both his permanent and temporary status, held by him on August 30, 1944: *Provided,* That nothing herein shall be construed to entitle the said Malcolm K. Burke to any back pay, allowances, or other emoluments by reason of the passage of this Act.

Approved June 11, 1946.

Malcolm K. Burke.
34 U. S. C. § 227.

[CHAPTER 331]

AN ACT

To authorize the conveyance of a parcel of land at the naval supply depot, Bayonne, New Jersey, to the American Radiator and Standard Sanitary Corporation.

June 11, 1946
[S. 1871]

[Private Law 582]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to convey to the American Radiator and Standard Sanitary Corporation, for use in expanding its industrial plant facilities at Bayonne, New Jersey, upon such terms and conditions as he may prescribe, all right, title, and interest of the United States of America in and to a parcel of filled-in land at the naval supply depot, Bayonne, New Jersey, containing eight hundred and eighty-five one-thousandths of an acre, more or less, metes and bounds description of which is on file in the Navy Department.

American Radiator
and Standard Sani-
tary Corp.
Conveyance.

SEC. 2. The consideration to be paid for the parcel described in section 1 shall not be less than the cost of the said parcel to the United States of America.

Approved June 11, 1946.

[CHAPTER 332]

AN ACT

For the relief of Henrietta Silk.

June 11, 1946
[H. R. 238]

[Private Law 583]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henrietta Silk, the parent of Mary Catherine Silk, the sum of \$5,000, in full settlement of all claims against the United States for compensation for the death of her daughter, Mary Catherine Silk, as a result of an accident involving a United States Army tank in which she was a passenger, on May 30, 1943, at Camp Campbell, Kentucky: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary

Henrietta Silk.

notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 333]

AN ACT

For the relief of Mrs. Luther S. Sykes.

June 11, 1946
[H. R. 845]
[Private Law 584]

Mrs. Luther S.
Sykes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, to Mrs. Luther S. Sykes, of Dade County, Florida, in full satisfaction of her claim against the United States for compensation for the death of her husband, Luther Sexton Sykes, who died as the result of injuries sustained by him when he was struck by a United States Navy station wagon, operated by an enlisted man of the Navy, at the naval air base, Opa Locka, Florida, on January 30, 1941: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 334]

AN ACT

For the relief of William F. Schmeltz.

June 11, 1946
[H. R. 2576]
[Private Law 585]

William F.
Schmeltz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William F. Schmeltz, Jessup, Maryland, the sum of \$3,374.50. The payment of such sum shall be in full settlement of all claims of the said William F. Schmeltz against the United States for personal injuries, medical and hospital expenses and incidental expenses and property damage sustained when his automobile was struck near Camp Meade, Maryland, on January 9, 1942, by a United States Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 335]

AN ACT

For the relief of Acchille Guillory and Olivia Guillory.

June 11, 1946
[H. R. 2665]
[Private Law 586]

Acchille Guillory
and Olivia Guillory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

Acchille Guillory and Olivia Guillory, Lake Charles, Louisiana, the sum of \$4,000, in full settlement of all claims against the United States for the death of their son, Irven Guillory, who died as the result of a collision involving an Army vehicle which occurred on January 9, 1944, on Louisiana Highway Numbered 42, near Lake Charles, Louisiana: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 336]

AN ACT

For the relief of George A. West.

June 11, 1946
[H. R. 2747]
[Private Law 587]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$482.35, to George A. West, of Rochester, New York, in full settlement of all claims against the United States, representing balance of per diem in lieu of subsistence alleged to be due for the period April 21 to July 31, 1943, as an employee of the Lend-Lease Administration: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

George A. West.

Approved June 11, 1946.

[CHAPTER 337]

AN ACT

For the relief of Crystal R. Stribling.

June 11, 1946
[H. R. 3018]
[Private Law 588]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Crystal R. Stribling, of Columbia, South Carolina, the sum of \$1,300.50, in full settlement of all claims against the United States for personal injuries sustained by her, medical and hospital expenses incurred, and loss of earnings as the result of an accident involving an Army truck at the intersection of Laurel and Harden Streets, Columbia, South Carolina, on January 1, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Crystal R. Stribling.

Approved June 11, 1946.

[CHAPTER 338]

AN ACT

For the relief of Rolland Lee Frank.

June 11, 1946

[H. R. 3100]

[Private Law 589]

Rolland Lee Frank.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rolland Lee Frank, San Gabriel, California, the sum of \$2,691.94, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained and medical and hospital expenses incurred by him as the result of an accident which occurred on United States Highway Numbered 101, near La Jolla, California, on July 13, 1943, involving a United States Army vehicle: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 339]

AN ACT

For the relief of Lovie M. Trotter.

June 11, 1946

[H. R. 3125]

[Private Law 590]

Lovie M. Trotter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lovie M. Trotter, star route 6, Dawson Springs, Kentucky, the sum of \$500, in full settlement of all claims against the United States on account of personal injuries sustained and losses suffered as a result of an accident involving an Army vehicle on State Highway Numbered 109, near Dawson Springs, Kentucky, on May 13, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 340]

AN ACT

For the relief of Sam Damico and Clint Hamm, operating as the D and H Grocery.

June 11, 1946

[H. R. 3523]

[Private Law 591]

Sam Damico and
Clint Hamm.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Damico and Clint Hamm, operating as the D and H Grocery, 1931 Lee Street, Alexandria, Louisiana, the sum of \$175.25. Such sum is in full settlement of all claims against the United States for damages to a model 1937 International panel truck by an Army cargo truck from Camp Claiborne, Louisiana, on October 15, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per

centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 341]

AN ACT

For the relief of M. Martin Turpanjian.

June 11, 1946
[H. R. 3641]
[Private Law 592]

M. Martin Turpan-
jian.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, to M. Martin Turpanjian, of Allendale, New Jersey, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of earnings sustained as a result of an accident involving a United States Army vehicle at the intersection of Liberty Road and Tenafly Road, Englewood, New Jersey, on February 13, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 342]

AN ACT

For the relief of Pershing W. Ridgeway.

June 11, 1946
[H. R. 3676]
[Private Law 593]

Pershing W. Ridge-
way.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pershing W. Ridgeway, of Birmingham, Alabama, the sum of \$5,804.40, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses incurred as the result of being struck by a United States Army vehicle at Birmingham, on December 7, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 343]

AN ACT

For the relief of Maurice C. Ritter.

June 11, 1946
[H. R. 3702]
[Private Law 594]

Maurice C. Ritter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maurice C. Ritter, of Camp Hill, Pennsylvania, the sum of \$3,500. Payment of such sum shall be in full satisfaction of all claims of the said Maurice C. Ritter against the United States on account of pain and suffering, and impairment of his ability to work, resulting from injuries suffered by him on July 12, 1944, when, through no negligence on his part, the Army truck in which he was a passenger overturned at a point between the New Cumberland Ordnance Depot and the Pennsylvania Industrial School. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 344]

AN ACT

For the relief of Lyndon T. Montgomery.

June 11, 1946
[H. R. 3770]
[Private Law 595]

Lyndon T. Mont-
gomery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lyndon T. Montgomery, of Moulton, Alabama, the sum of \$2,571.50, in full settlement of all claims against the United States for injuries, pain, and suffering, physical disability and loss of earnings sustained by the said Lyndon T. Montgomery, as the result of being thrown from a Government owned and operated motor vehicle in or near Moulton, Alabama, on April 29, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 345]

AN ACT

For the relief of Mabel M. Fischer and Nora M. Steinmetz.

June 11, 1946
[H. R. 3781]
[Private Law 596]

Mabel M. Fischer
and Nora M. Stein-
metz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mabel M. Fischer, widow of Frederick E. Fischer, and to Nora M. Steinmetz, widow of Frank L. Steinmetz, each, the sum of \$5,000, in full settlement of all claims against the United States as compensation for the death of their husbands, Frederick E. Fischer and Frank

L. Steinmetz, sustained as the result of an accident involving a United States Army Air Force vehicle on North Street in Springfield, Ohio, on July 26, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 346]

AN ACT

For the relief of the estate of Charles M. Overcash, deceased.

June 11, 1946
[H. R. 3822]

[Private Law 597]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Charles M. Overcash, deceased, of Kansas City, Missouri, the sum of \$5,000, in full settlement of all claims of the said estate against the United States on account of the death on August 10, 1941, of the said Charles M. Overcash, from injuries sustained by him on such date in a collision on Missouri State Highway Numbered 66, near Lebanon, Missouri, involving the truck which he was driving and a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Charles M. Over-
cash, estate.

Approved June 11, 1946.

[CHAPTER 347]

AN ACT

For the relief of Gertrude McGill.

June 11, 1946
[H. R. 3823]

[Private Law 598]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gertrude McGill, of Fayetteville, Cumberland County, North Carolina, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Gertrude McGill against the United States on account of personal injuries sustained as a result of being struck by an Army vehicle at the corner of Robeson and Elm Streets in the city of Fayetteville, North Carolina, on June 24, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim,

Gertrude McGill.

and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 348]

AN ACT

For the relief of Ahto Walter, Lucy Walter, and the legal guardian of Teddy Walter, a minor.

June 11, 1946
[H. R. 3967]
[Private Law 599]

Ahto Walter.

Lucy Walter.

Guardian of Teddy
Walter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ahto Walter, Miami Beach, Florida, the sum of \$2,630.55; to Lucy Walter, of Miami Beach, Florida, the sum of \$4,000; and to the legal guardian of Teddy Walter, a minor, the sum of \$500, in full settlement of all claims of the said Ahto Walter, Lucy Walter, and Teddy Walter against the United States for property damage and personal injuries sustained and medical and hospital expenses incurred as the result of an accident involving an Army truck which occurred at the intersection of Southwest Twenty-fourth Terrace and Southwest Thirty-sixth Avenue in Miami, Florida, on July 7, 1944: *Provided,* That no part of any sum appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 349]

AN ACT

For the relief of Dorothy Morgan.

June 11, 1946
[H. R. 4016]
[Private Law 600]

Dorothy Morgan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dorothy Morgan, of Newport News, Virginia, the sum of \$136.99. The payment of such sum shall be in full settlement of all claims against the United States for loss of time from work and personal injury, pain, suffering, and anguish suffered by said Dorothy Morgan in an accident on December 12, 1942, when a truck owned by the National Advisory Committee on Aeronautics, Langley Field, Virginia, collided with automobile driven by Issac D. Fox in which said Dorothy Morgan was a passenger: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 350]

AN ACT

For the relief of Edward A. Hollis, Senior.

June 11, 1946
[H. R. 4047]
[Private Law 601]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward A. Hollis, Senior, of Reynolds, Georgia, the sum of \$2,000, in full settlement of all claims against the United States for personal injuries and medical expenses sustained on August 11, 1944, when he was struck by a United States Army motorcycle, being at the time operated by an enlisted man on official business, at Camp Wheeler, Georgia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Edward A. Hollis,
Sr.

Approved June 11, 1946.

[CHAPTER 351]

AN ACT

For the relief of Mrs. Jennie Burnison.

June 11, 1946
[H. R. 4074]
[Private Law 602]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Jennie Burnison, Walla Walla, Washington, the sum of \$6,473.45. The payment of such sum shall be in full settlement of all claims of the said Mrs. Jennie Burnison against the United States on account of personal injuries sustained on September 22, 1943, when she was struck at the intersection of Spokane and Main Streets, Walla Walla, Washington, by a United States Army reconnaissance car: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Jennie Burnison.

Approved June 11, 1946.

[CHAPTER 352]

AN ACT

For the relief of the estate of Eleanor Doris Barrett.

June 11, 1946
[H. R. 4115]
[Private Law 603]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legally qualified representative of the estate of Eleanor Doris Barrett, deceased, of Murfreesboro, Tennessee, the sum of \$3,319.25 in full settlement of all claims against the United States on account of the injury and death of said decedent and the medical, hospital, and burial expenses incident thereto, as a result of her having been struck by an Army vehicle

Eleanor Doris Barrett, estate.

near Lascassas, Tennessee, on July 15, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 353]

AN ACT

For the relief of Johnnie V. Nations.

June 11, 1946
[H. R. 4142]

[Private Law 604]

Johnnie V. Nations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Johnnie V. Nations, Kennett, Missouri, the sum of \$5,466.50. The payment of such sum shall be in full settlement of all claims of the said Johnnie V. Nations against the United States on account of personal injuries, medical, and hospital expenses sustained on July 22, 1943, in a collision on Missouri State Highway Numbered 25, in Kennett, Missouri, involving the automobile which he was driving and two United States Army wrecking trucks with trailers attached: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 354]

AN ACT

For the relief of the estate of Earle R. Woodfall, Junior, deceased.

June 11, 1946
[H. R. 4176]

[Private Law 605]

Earle R. Woodfall,
Jr., estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Earle R. Woodfall, Junior, deceased, the sum of \$4,200, in full settlement of all claims against the United States on account of the death of the said Earle R. Woodfall, Junior, from injuries sustained on May 21, 1943, when the Government bus in which he was riding from Gamboa to Balboa, Canal Zone, was involved in an accident with a trailer truck owned and operated by the Municipal Engineering Division of the Panama Canal: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 355]

AN ACT

For the relief of the estate of Bob Clark and the estate of George D. Croft.

June 11, 1946
[H. R. 4210]
[Private Law 606]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Bob Clark, deceased, the sum of \$5,000; to the estate of George D. Croft, deceased, late of Hopkins County, Kentucky, the sum of \$5,000, in full settlement of all claims against the United States for their deaths sustained as a result of a collision on May 8, 1944, on United States Highway Numbered 41, near Nortonville, Kentucky, between the wagon in which they were riding and a United States Army vehicle: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Bob Clark, estate.

George D. Croft,
estate.

Approved June 11, 1946.

[CHAPTER 356]

AN ACT

For the relief of the estate of Vedal B. Brooks, deceased; Mrs. Katherine I. Brooks; and the legal guardian of Sally Brooks, a minor.

June 11, 1946
[H. R. 4237]
[Private Law 607]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Vedal B. Brooks, deceased, of Bangor, Maine, the sum of \$5,800, in full settlement of all claims against the United States on account of the injury and death of Vedal B. Brooks and damage to his automobile; to Mrs. Katherine I. Brooks, of Bangor, Maine, the sum of \$1,000, in full settlement of all claims against the United States for personal injuries sustained by her and for medical and hospital expenses incurred for herself and her minor daughter, Sally Brooks; and to the legal guardian of Sally Brooks, a minor, of Bangor, Maine, the sum of \$1,500, in full settlement of all claims against the United States for personal injuries sustained by said minor, all resulting from an accident involving an Army vehicle which occurred near the intersection of Union and Fourteenth Streets, Bangor, Maine, on May 31, 1945: *Provided,* That no part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Vedal B. Brooks,
estate.

Mrs. Katherine I.
Brooks.

Guardian of Sally
Brooks.

Approved June 11, 1946.

[CHAPTER 357]

AN ACT

For the relief of Fundador Nieves del Valle.

June 11, 1946
[H. R. 4244]
[Private Law 608]

Fundador Nieves
del Valle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 to Fundador Nieves del Valle, of Puerto Rico, in full settlement of all claims against the United States for personal injuries sustained as the result of being struck by a United States Army truck in Manati, Puerto Rico, on March 16, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 358]

AN ACT

For the relief of Ola L. Wright, Mrs. Margaret Wright, and the legal guardian of Betty Bea Wright, a minor.

June 11, 1946
[H. R. 4352]
[Private Law 609]

Ola L. Wright.

Mrs. Margaret
Wright.

Guardian of Betty
Bea Wright.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ola L. Wright, of Saint Louis, Missouri, the sum of \$250; to Mrs. Margaret Wright, of Saint Louis, Missouri, the sum of \$3,000; to the legal guardian of Betty Bea Wright, a minor, the sum of \$250, in full settlement of all claims of the said Ola L. Wright, Mrs. Margaret Wright, and Betty Bea Wright against the United States for personal injuries sustained by them as a result of an accident involving an Army truck which occurred in Lebanon, Missouri, on August 9, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 5 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 359]

AN ACT

For the relief of the legal guardian of Hershel Dean Curry, a minor.

June 11, 1946
[H. R. 4400]
[Private Law 610]

Guardian of Hershel
Dean Curry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Hershel Dean Curry, a minor, the sum of \$1,000 for the personal injuries sustained by said Hershel Dean Curry as the result of an accident which occurred on January 21, 1945, on Hemp-hill Street in Fort Worth, Texas, involving an Army vehicle: *Pro-vided,* That no part of the amounts appropriated in this Act in excess

of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 360]

AN ACT

For the relief of John Bakelaar.

June 11, 1946
[H. R. 4405]
[Private Law 611]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Bakelaar, of Greenport, New York, the sum of \$5,000, in full satisfaction of all claims against the United States as compensation for the death of his wife, the late Adeline Bakelaar, as the result of being struck by a bullet fired from aircraft machine guns on an airplane in the service of the United States, on December 17, 1944, while riding in an automobile on the Moriches Road, adjacent to the Suffolk County Army Air Field: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

John Bakelaar.

Approved June 11, 1946.

[CHAPTER 361]

AN ACT

For the relief of Eva D. Champlin, Robert H. Howell, Emily Howell, and Stella Ward.

June 11, 1946
[H. R. 4414]
[Private Law 612]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eva D. Champlin, the sum of \$3,500; to Robert H. Howell, the sum of \$2,000; to Emily Howell, the sum of \$100; and to Stella Ward, the sum of \$3,500, in full satisfaction of all claims against the United States for personal injuries sustained by them while riding in an automobile which was struck by a United States Army vehicle on route Numbered 15 between the cities of Elmira, New York, and Rochester, New York, on March 15, 1944: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amounts appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Eva D. Champlin.

Robert H. Howell.
Emily Howell.
Stella Ward.

Approved June 11, 1946.

[CHAPTER 362]

AN ACT

For the relief of Vertie Bea Loggins.

June 11, 1946

[H. R. 4491]

[Private Law 613]

Vertie Bea Loggins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Miss Vertie Bea Loggins, Los Angeles, California, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for personal injuries sustained by Vertie Bea Loggins as the result of the explosion of a shell which was fired from an artillery range on the Camp Cooke Military Reservation, California, on May 12, 1944, causing the loss of her right arm: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 363]

AN ACT

For the relief of O. T. Nelson, and wife, Clara Nelson.

June 11, 1946

[H. R. 4527]

[Private Law 614]

O. T. Nelson and
Clara Nelson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to O. T. Nelson, and his wife, Clara Nelson, both of route 1, Hempstead, Texas, the sum of \$6,821.89 in full settlement of all claims against the United States on account of personal injuries sustained by each of them, resulting from an accident involving an Army vehicle on Highway 290 between Waller and Hempstead, Texas, on February 11, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 364]

AN ACT

For the relief of Lillian Jacobs.

June 11, 1946

[H. R. 4537]

[Private Law 615]

Lillian Jacobs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,005 to Lillian Jacobs, of Elberon, New Jersey. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries and loss of earnings sustained when the

car driven by Mrs. Jacobs was involved in a collision with an Army carry-all in Elberon, Monmouth County, New Jersey, on April 1, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 365]

AN ACT

For the relief of George Leslie Dobson.

June 11, 1946
[H. R. 4545]
[Private Law 616]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Leslie Dobson, 2745 Lowrey Avenue, Honolulu, Territory of Hawaii, the sum of \$1,650, in full settlement of all claims against the United States on account of property damages caused by gunfire from artillery of the United States Army located in a lot adjoining his property, in August 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

George Leslie Dobson.

Approved June 11, 1946.

[CHAPTER 366]

AN ACT

For the relief of Margaret Lee and Mike Sopko.

June 11, 1946
[H. R. 4607]
[Private Law 617]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret Lee, of Hempstead, Long Island, New York, the sum of \$180, and to pay the sum of \$62 to Mike Sopko, of Hempstead, New York, in full settlement of all claims against the United States for property damages in an accident involving an Army vehicle, occurring in Hempstead, New York, on August 26, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Margaret Lee.

Mike Sopko.

Approved June 11, 1946.

[CHAPTER 367]

AN ACT

For the relief of Jerome Dove.

June 11, 1946
[H. R. 4609]
[Private Law 618]

Jerome Dove.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jerome Dove, Florence County, South Carolina, the sum of \$1,200, in full settlement of all claims against the United States for personal injuries, loss of earnings, pain and suffering and physical disability sustained by him as the result of being accidentally shot with a forty-five-caliber pistol while on his premises, by Private Williard P. Norman, Squadron D, Florence Army Air Field, Florence, South Carolina, on or about April 3, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 368]

AN ACT

For the relief of C. LeRoy Phillips.

June 11, 1946
[H. R. 4639]
[Private Law 619]

C. LeRoy Phillips.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. LeRoy Phillips, Boston, Massachusetts, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said C. LeRoy Phillips against the United States on account of the death of his wife, on January 20, 1945, at Montauk, New York, as a result of her being struck by a vehicle in the service of the Army of the United States: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 369]

AN ACT

For the relief of Gladys Hastings.

June 11, 1946
[H. R. 4640]
[Private Law 620]

Gladys Hastings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gladys Hastings, Boston, Massachusetts, the sum of \$500. The payment of such sum shall be in full settlement of all claims of the said Gladys Hastings against the United States for injuries sustained and expenses incurred as a result

of her being struck, on April 11, 1945, on Columbus Avenue, Boston, Massachusetts, by a vehicle in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 370]

AN ACT

For the relief of John M. Shipp.

June 11, 1946
[H. R. 4723]
[Private Law 621]

John M. Shipp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John M. Shipp, of Talbotton, Georgia, the sum of \$4,000. The payment of such sum shall be in full settlement of all claims of the said John M. Shipp against the United States for personal injuries sustained as the result of a collision on November 27, 1944, on United States Highway Numbered 80, near Columbus, Georgia, involving the truck on which he was riding and a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 371]

AN ACT

For the relief of the Sawtooth Company.

June 11, 1946
[H. R. 4777]
[Private Law 622]

Sawtooth Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Sawtooth Company, of Boise, Idaho, the sum of \$488.29, in full settlement of all claims against the United States for damages other than property damage sustained as the result of an accident involving an airplane crashing into a truck owned by the said Sawtooth Company, at the Pocatello Air Base, Pocatello, Idaho, on August 10, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 372]

AN ACT

For the relief of Mrs. Pearl Smith.

June 11, 1946
[H. R. 4854]

[Private Law 623]

Mrs. Pearl Smith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Pearl Smith, 1591 Sylvan Road Southwest, Atlanta, Georgia, the sum of \$5,000, in full settlement of all claims of the said Mrs. Pearl Smith against the United States as a result of the death of her husband, A. B. Smith, which was caused by a collision with a trailer truck belonging to the United States Army engineers at Monroe, Walton County, Georgia, on December 29, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 373]

AN ACT

For the relief of Irving W. Learned.

June 11, 1946
[H. R. 4915]

[Private Law 624]

Irving W. Learned.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Irving W. Learned, of Portland, Oregon, the sum of \$1,617.40, in full settlement of all claims against the United States for property damage, personal injuries, and loss of earnings sustained and medical and hospital expenses incurred as the result of an accident involving a United States Army vehicle at the intersection of Southwest Stark Street and Southwest Third Avenue, Portland, Oregon, on July 30, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 374]

AN ACT

For the relief of Mrs. Catherine Fortunato.

June 11, 1946
[H. R. 4976]

[Private Law 625]

Mrs. Catherine Fortunato.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$346 to Mrs. Catherine Fortunato, of Medford, Massachusetts, in full settlement of all claims against the United States for personal

injuries sustained as a result of an accident involving a United States motorcycle at Gore Field, Great Falls, Montana, on March 21, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 375]

AN ACT

For the relief of Mrs. Theresa Ebrecht.

June 11, 1946
[H. R. 4977]
[Private Law 626]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$300 to Mrs. Theresa Ebrecht, of Medford, Massachusetts, in full settlement of all claims against the United States for personal injuries sustained as a result of being struck by a falling wooden platform outside of Service Club Numbered 2, Fort Leonard Wood, Missouri, on May 13, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Theresa Ebrecht.

Approved June 11, 1946.

[CHAPTER 376]

AN ACT

For the relief of the estate of Carmen Aurora de la Flor, deceased.

June 11, 1946
[H. R. 6334]
[Private Law 627]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Carmen Aurora de la Flor, deceased, of Panama City, Republic of Panama, the sum of \$2,000, in full settlement of all claims against the United States arising out of the death of the said Carmen Aurora de la Flor as a result of a collision between the bus in which she was riding and an Army truck on September 25, 1944, on Madden Highway, Canal Zone, about one mile south of Madden Dam: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Carmen Aurora de la Flor, estate.

Approved June 11, 1946.

[CHAPTER 380]

AN ACT

For the relief of Sam Bechtold.

June 11, 1946

[S. 1286]

[Private Law 628]

Sam Bechtold.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Bechtold, of Saint Ignatius, Montana, the sum of \$6,239.40, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him, on November 27, 1944, when escaped prisoners from the northwestern branch, United States disciplinary barracks, Fort Missoula, Montana, assaulted him and stole his automobile, and for reimbursement of medical, hospital, and other expenses incurred by him as a result of such injuries and theft: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 381]

AN ACT

For the relief of Mrs. C. A. Lee, administratrix of the estate of Ross Lee, deceased.

June 11, 1946

[H. R. 941]

[Private Law 629]

Ross Lee, estate.
Payment to adminis-
tratrix.

Condition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. C. A. Lee, of Ivy, Tennessee, administratrix of the estate of her deceased son, Ross Lee, the sum of \$3,500, in full settlement of all claims against the United States for, and expenses incident to, the death of the said Ross Lee, who was killed by a United States Civilian Conservation Corps truck, driven by Archie Carroll, an enrollee, between Reliance and Ivy, Tennessee, on October 9, 1937.

SEC. 2. Payment shall not be made under this Act until the claimant has released all claims and judgment against the said Archie Carroll, in a manner satisfactory to the Secretary of the Treasury: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 382]

AN ACT
For the relief of Morris Fine.

June 11, 1946
[H. R. 1299]
[Private Law 630]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Morris Fine, of Philadelphia, Pennsylvania, in full settlement of all claims against the United States for personal injuries, property damage, medical and hospital expenses, and loss of earnings, sustained as the result of an accident involving a United States Army truck on the Fort Dix-Pemberton Road, New Hanover Township, Burlington County, New Jersey, on February 18, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$1,000.

Morris Fine.

Approved June 11, 1946.

[CHAPTER 383]

AN ACT
For the relief of Kay Beth Bednar.

June 11, 1946
[H. R. 3365]
[Private Law 631]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$12,123.68, to the legal guardian of Kay Beth Bednar, of Oklahoma City, Oklahoma, in full settlement of all claims against the United States for the deaths of her father, Louis J. Bednar, and mother, Mrs. Frances J. Bednar, sustained as a result of an accident involving a United States Army truck on United States Highway Numbered 80, near Tornillo Cotton Oil Mill Building, Tornillo, Texas, on April 14, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Guardian of Kay
Beth Bednar.

Approved June 11, 1946.

[CHAPTER 384]

AN ACT
For the relief of Mrs. Theodora O. Anzures and the legal guardian of
Bernice Anzures and Andrew Anzures.

June 11, 1946
[H. R. 3751]
[Private Law 632]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Theodora O. Anzures, Los Angeles, California, the sum of \$2,500, and to the legal guardian of the minors, Bernice Anzures and Andrew Anzures, the sum of \$2,500. The payment of such sums shall be in full settlement of all claims against the United States for the death of Crysostomo Anzures, son of Mrs. Theodora O. Anzures, and father of Bernice

Mrs. Theodora O.
Anzures.

Guardian of Bernice
Anzures and Andrew
Anzures.

Anzures and Andrew Anzures, Los Angeles, California, who died on March 3, 1944, as a result of injuries sustained on such date when the automobile in which he was a passenger was struck at the intersection of Manchester and Avalon Streets, Los Angeles, California, by a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 385]

AN ACT

For the relief of James R. Vaughan.

June 11, 1946

[H. R. 3828]

[Private Law 633]

James R. Vaughan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, to James R. Vaughan, of Henderson, Tennessee, in full settlement of all claims against the United States for personal injuries sustained as the result of a collision involving a United States Army truck at the intersection of United States Highway Numbered 45 and West Main Street, Henderson, Tennessee, on December 2, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 386]

AN ACT

For the relief of the estate of Charles W. Stewart.

June 11, 1946

[H. R. 3968]

[Private Law 634]

Charles W. Stewart,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Charles W. Stewart, deceased, late of Dade County, Florida, the sum of \$5,728.75. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of the said Charles W. Stewart as a result of a collision, on April 30, 1945, at or near the intersection of One Hundred and Twenty-third Street and Biscayne Boulevard, North Miami, Florida, between the vehicle in which he was riding and a vehicle in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 387]

AN ACT

For the relief of Anna Blanchard and others.

June 11, 1946

[H. R. 4338]

[Private Law 635]

Anna Blanchard,
and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Anna Blanchard, of Jacksonville, Florida, the sum of \$8; to Mrs. Reta H. Hardin, of Jacksonville, Florida, the sum of \$714.71; to E. W. Merritt, of Jacksonville, Florida, the sum of \$140; to Herbert Brown and Dorothea L. Brown, of Jacksonville, Florida, the sum of \$2,378.40; to Robert Wehmeyer and Eva Mae Wehmeyer, of Mathis, Texas, the sum of \$194.95; to Victor A. Parnell and Elizabeth T. Parnell, of Jacksonville, Florida, the sum of \$876; to Samuel J. Fishler and Esther Fishler, of Jacksonville, Florida, the sum of \$707.59; to Grace Evangelical Lutheran Church, of Jacksonville, Florida, the sum of \$3,047.70; to the Reverend Frederick W. Lorberg and Lena Lorberg, of Jacksonville, Florida, the sum of \$1,130.68; to Flamingo Grove Company, Incorporated, of Jacksonville, Florida, the sum of \$475.41; to John E. Graves, of Jacksonville, Florida, the sum of \$10; to Gerald T. Harper and Betty Harper, of Key West, Florida, the sum of \$841.39; to Frederick C. Sullivan, of Buffalo, New York, the sum of \$54; to Earl G. Thomas and Pauline C. Thomas, of Fort Myers, Florida, the sum of \$2,583.90; to James A. Barrineau and Frances W. Barrineau, of Atmore, Alabama, the sum of \$160.50; to Mr. and Mrs. F. E. Wilkinson, of Atlanta, Georgia, the sum of \$1,077.93; to James R. Rutland and Lucy W. Rutland, of Auburn, Alabama, the sum of \$517.84; to Joseph R. Cade and Rosalee R. Cade, of Jacksonville, Florida, the sum of \$2,627.83; to Matt A. Kelly, of Jacksonville, Florida, the sum of \$477; to Walter Leo Shave, of Jacksonville, Florida, the sum of \$373; to Guy R. Champlain and Ellen M. Champlain, of Jacksonville, Florida, the sum of \$1,443.49; to Mrs. Luannie C. Watson, of Jacksonville, Florida, the sum of \$531; to Isser Price and Rae Price, of Jacksonville, Florida, the sum of \$81.50; to Miss Mary Agatha Collins, of Jacksonville, Florida, the sum of \$40; to Mrs. Sara Mitchell, of Jacksonville, Florida, the sum of \$17; to Southern Bell Telephone and Telegraph Company, of Jacksonville, Florida, the sum of \$394.07; to the city of Jacksonville, Florida, the sum of \$165.21; to Mrs. Beulah Cantey, of Jacksonville, Florida, the sum of \$3; to Gertrude Knabb, of Jacksonville, Florida, the sum of \$916.02; and to Wayne R. Cheal and Doris Driggers Cheal, of Jacksonville, Florida, the sum of \$780.35, in full satisfaction of their respective claims for compensation for property damage sustained by them as a result of an accident which occurred when two United States Army airplanes crashed at Jacksonville, Florida, on July 20, 1944; and (2) to the Reverend Frederick W. Lorberg, of Jacksonville, Florida, as the father and natural guardian of Richard C. Lorberg, a minor, the sum of \$250, in full settlement of all claims against the United States for personal injuries sustained by said Richard C. Lorberg and for medical and hospital expenses incurred for his treatment as a result of such accident; to Mrs. Grace Williams Coppock, of Jacksonville, Florida, the sum of \$1,500, in full satisfaction of her claims against the United States for personal injuries, loss of earnings, and for medical and other expenses incurred by her as a result of such accident; and to Mrs. Elsie E. Polhill, of Jacksonville, Florida, the sum of \$15, in full satisfaction of her claims against the United States for expenses incurred by her for medical treatment of herself and her two daughters for injuries received as a result of such accident: *Provided*, That no

part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 388]

AN ACT

For the relief of Albert R. Perkins.

June 11, 1946

[H. R. 4647]

[Private Law 636]

Albert R. Perkins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert R. Perkins, Houston, Texas, the sum of \$156.75. Such sum represents the amount which was collected by the Office of Price Administration from the landlord of the said Albert R. Perkins as excessive rent charged the said Albert R. Perkins for the period December 23, 1943, to August 28, 1944, and which, instead of being paid to the said Albert R. Perkins, was deposited in the Treasury of the United States: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 389]

AN ACT

For the relief of Mrs. Mildred L. Bupp.

June 11, 1946

[H. R. 5111]

[Private Law 637]

Mrs. Mildred L.
Bupp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mildred L. Bupp, Santa Ana, California, the sum of \$6,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Mildred L. Bupp against the United States for personal injuries sustained as the result of an accident involving an Army truck on National Boulevard, Los Angeles, California, on February 10, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1946.

[CHAPTER 391]

AN ACT

For the relief of Daphne Webb.

June 12, 1946
[H. R. 2569]
[Private Law 638]

Daphne Webb.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$150, to Daphne Webb, 2460 Sixteenth Street Northwest, Washington, District of Columbia. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries, medical, and other expenses sustained when she was struck by a United States Post Office mail truck as she was crossing the intersection at Eighteenth and C Streets Northwest, Washington, District of Columbia, on May 17, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1946.

[CHAPTER 392]

AN ACT

For the relief of Owen Young.

June 12, 1946
[H. R. 3525]
[Private Law 639]

Owen Young.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Owen Young, of 8 Westervelt Avenue, Tenafly, New Jersey, the sum of \$350, in full settlement of all claims against the United States for personal injuries sustained on July 11, 1941, when he was struck by a vehicle of the United States Engineer Department, of the New York district in New York City, New York: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1946.

[CHAPTER 393]

AN ACT

For the relief of Stanley B. Reeves and Mrs. Stanley B. Reeves.

June 12, 1946
[H. R. 4832]
[Private Law 640]

Stanley B. Reeves
and Mrs. Stanley B.
Reeves.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stanley B. Reeves the sum of \$1,759.25, and his wife, Mrs. Stanley B. Reeves, the sum of \$2,662.92, in full settlement of all claims against the United States, for personal injuries, hospital bills, and property damage, to the said Stanley B. Reeves and Mrs. Stanley B. Reeves, on October 27, 1944, when they were struck, on Main Street, of the town of Heath Springs, Lancaster County, South Carolina, by an Army

truck, driven by Private Benjamin Daniels, of the Columbia, South Carolina, Army Air Base: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1946.

[CHAPTER 394]

AN ACT

For the relief of Jack Williams; Mrs. Lora Sally Williams, the legal guardian of Garry E. Williams, a minor; and the legal guardian of James Williams, a minor.

June 12, 1946
[H. R. 210]
[Private Law 641]

Jack Williams, and
others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jack Williams, Pasadena, California, the sum of \$2,934.23 for property damage, personal injuries to himself, loss of earnings, and medical and hospital expenses for himself, his wife, and two minor children, Garry E. Williams and James Williams; the sum of \$100 to Mrs. Lora Sally Williams for personal injuries; the sum of \$300 to the legal guardian of Garry E. Williams, a minor, for personal injuries; and the sum of \$300 to the legal guardian of James Williams, a minor, for personal injuries, as a result of an accident involving an Army truck which occurred on January 31, 1942, at the intersection of Colorado Boulevard with Kinneloa Street in Pasadena, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1946.

[CHAPTER 395]

AN ACT

For the relief of L. Wilmoth Hodges.

June 12, 1946
[H. R. 874]
[Private Law 642]

L. Wilmoth Hodges.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to L. Wilmoth Hodges, Dresden, Tennessee, the sum of \$7,141.75, in full settlement of all claims against the United States for personal injuries, medical, hospital expenses, property damage, and loss of earnings as the result of an accident involving an Army plane crashing near Halls, Tennessee, on May 31, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1946.

[CHAPTER 396]

AN ACT

For the relief of George H. Buxton, Junior.

June 12, 1946
[H. R. 4416]
[Private Law 643]

George H. Buxton,
Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$213.90, to George H. Buxton, Junior, in full settlement of all his claims against the United States for damages to his automobile sustained on June 5, 1944, while he was driving his said automobile west on Highway Numbered 80, a six-lane highway near Dallas, Texas: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1946.

[CHAPTER 397]

AN ACT

For the relief of Mrs. Edna B. LeBlanc.

June 12, 1946
[H. R. 4670]
[Private Law 644]

Mrs. Edna B. Le-
Blanc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,584, to Mrs. Edna B. LeBlanc, of Iberia Parish, Louisiana, in full settlement of all claims against the United States for the death of her husband, Ulysse LeBlanc, as a result of a collision between the car in which he was a passenger and a United States Army vehicle, on United States Highway Numbered 90, near Cade, Louisiana, on January 17, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1946.

[CHAPTER 398]

AN ACT

For the relief of Cleo D. Johnson and Mr. and Mrs. Jack B. Cherry.

June 12, 1946
[H. R. 4904]
[Private Law 645]

Cleo D. Johnson.

Mr. and Mrs. Jack
B. Cherry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cleo D. Johnson, Handley, Texas, the sum of \$420, in full settlement of all claims against the United States for damage caused to his automobile when it was struck by an Army vehicle in Temple, Texas, on July 4, 1945, and to Mr. and Mrs. Jack B. Cherry, of Arlington, Texas, the sum of \$201, in full settlement of all claims against the United States for personal injuries sustained by Mrs. Jack B. Cherry and their minor child, Richard K. Cherry, and the medical and hospital expenses incurred for their treatment as the result of the same accident:

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1946.

[CHAPTER 399]

AN ACT

To authorize the restoration of Philip Niekum, Junior, to the active list of the United States Navy with appropriate rank and restoration of pay and allowances.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to appoint Philip Niekum, Junior, now an officer on the retired list of the United States Navy, an officer on the active list of the line of the United States Navy in the permanent grade of lieutenant commander and in the grade of captain for temporary service pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended. Upon such appointments Philip Niekum, Junior, shall have the same precedence on the active list in his permanent and temporary status that he would have had if he had been promoted on said active list to the permanent grade of lieutenant commander with date of rank from July 1, 1940, and had been appointed on December 15, 1942, and August 30, 1944, to the grades of commander and captain, respectively, for temporary service pursuant to the Act of July 24, 1941, as amended.

SEC. 2. The Secretary of the Navy is hereby authorized and directed to pay to Philip Niekum, Junior, upon his appointments pursuant to section 1 hereof, out of the appropriation "Pay and subsistence of naval personnel", the full amount of active-duty pay and allowances which would have been paid to him if he had been promoted and appointed with the precedence described in section 1 hereof less the amount of pay and allowances actually paid to him for service since July 1, 1940.

Approved June 13, 1946.

[CHAPTER 400]

AN ACT

For the relief of Marion Contracting Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$29,485.52, to Marion Contracting Company, Ocala, Florida, in full satisfaction of their claim against the United States under contract numbered C2ca 2098, dated September 27, 1943, entered into by Marion Contracting Company with the United States Government through the Civil Aeronautics Administration and providing for certain construction work on the Cocoa-Titusville Airport in the vicinity of Titusville, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall

June 13, 1946

[S. 1978]

[Private Law 646]

Philip Niekum, Jr.
Restoration to active list of Navy.

34 U. S. C., Supp.
v. §§ 350-350j.

Pay and allowances.

June 13, 1946

[H. R. 208]

[Private Law 647]

Marion Contracting Company.

be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 13, 1946.

[CHAPTER 401]

AN ACT

For the relief of Mr. and Mrs. Glen Rothenberger.

June 13, 1946
[H. R. 3556]
[Private Law 648]

Mr. and Mrs. Glen
Rothenberger.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,042.76 to Mr. and Mrs. Glen Rothenberger, of Osborne, Kansas, in full settlement of all claims against the United States for the loss of personal property as the result of a robbery by three escaped prisoners from the United States Disciplinary Barracks, Fort Leavenworth, Kansas, on April 12, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 13, 1946.

[CHAPTER 402]

AN ACT

For the relief of the estate of William N. Therriault and Millicent Therriault.

June 13, 1946
[H. R. 3808]
[Private Law 649]

William N. Therriault
and Millicent
Therriault, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of William N. Therriault and Millicent Therriault, of Fall River, Massachusetts, the sum of \$7,500, in full settlement of all claims against the United States for the death of the said William N. Therriault and Millicent Therriault, as the result of being struck by a United States Post Office vehicle on Union Street near Columbia Street in Fall River, Massachusetts, on October 1, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 13, 1946.

[CHAPTER 403]

AN ACT

For the relief of Mrs. Mary M. Wolf.

June 13, 1946
[H. R. 1229]
[Private Law 650]

Mrs. Mary M.
Wolf.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Mary M. Wolf, Detroit, Michigan, is relieved of all liability to refund to the

United States amounts paid to her for services as an employee of the Home Owners' Loan Corporation during the period when she was not eligible, because of citizenship requirements, to receive compensation from funds appropriated for the Home Owners' Loan Corporation. In the audit and settlement of the accounts of any disbursing officer of the United States such citizenship requirements of Mrs. Mary M. Wolf shall be considered to have been waived.

Approved June 13, 1946.

[CHAPTER 405]

AN ACT

For the relief of William H. W. Komp.

June 14, 1946
[H. R. 1394]

[Private Law 651]

William H. W.
Komp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William H. W. Komp, of the United States Public Health Service, is hereby relieved of all liability, both as to principal and interest, under the claim of the United States arising by reason of alleged overpayments to him of rental allowances in the amount of \$3,543.33, while he was serving at Panama City, Panama, during the period from April 21, 1931, to June 30, 1934; and the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said William H. W. Komp, an amount equal to the aggregate of amounts which have been paid by him, or which have been withheld from amounts otherwise due him, in partial satisfaction of such claim. In the settlement of accounts of any disbursing officer of the United States, full credit shall be given for all such alleged overpayments of rental allowances made to the said William H. W. Komp.

Approved June 14, 1946.

[CHAPTER 406]

AN ACT

For the relief of Robert J. Cramer.

June 14, 1946
[H. R. 1538]

[Private Law 652]

Robert J. Cramer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert J. Cramer, Lander, Wyoming, the sum of \$3,051.61. The payment of such sum shall be in full settlement of all claims of the said Robert J. Cramer against the United States for personal injuries and property damage sustained on June 10, 1942, when the automobile owned and driven by him was struck by a United States Army ambulance at the intersection of Twentieth Street and Washington Boulevard in Ogden, Utah: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 14, 1946.

[CHAPTER 407]

AN ACT

For the relief of James J. Barrett, Junior.

June 14, 1946
[H. R. 3177]
[Private Law 653]

James J. Barrett,
Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James J. Barrett, Junior, aviation radioman first class, United States Naval Reserve, the sum of \$110.55. Such sum shall be in full settlement of all claims against the United States as reimbursement of transportation cost of his wife, Dorothy M. Barrett, from San Diego, California, to Philadelphia, Pennsylvania, incident to his change of station from San Diego, California, to Carrier Aircraft Service Unit 47: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 14, 1946.

[CHAPTER 408]

AN ACT

For the relief of Elisabeth Jones Hansel.

June 14, 1946
[H. R. 3356]
[Private Law 654]

Elisabeth Jones
Hansel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elisabeth Jones Hansel the sum of \$5,000, in full satisfaction of all claims against the United States for compensation for the death and burial expenses of her husband, Reverend Mathew Ernest Hansel, as a result of his being struck by a motortruck owned by the General Accounting Office and driven by one Clarence L. Hodge, an employee of the said General Accounting Office, the said accident having occurred at the intersection of Eighteenth Street and Massachusetts Avenue Northwest, in the city of Washington, District of Columbia, on the evening of October 3, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 14, 1946.

[CHAPTER 409]

AN ACT

For the relief of Doctor John A. Logan.

June 14, 1946
[H. R. 3378]
[Private Law 656]

Dr. John A. Logan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor John A. Logan, of Washington, District of Columbia, the sum of \$285. The payment of such sum shall be in full settlement of all claims of the said Doctor

Logan against the United States on account of property damage sustained during the winter of 1942 and 1943 by the unlawful entry of United States troops into the residence owned by Doctor Logan at Ship Bottom, Ocean County, New Jersey: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 14, 1946.

[CHAPTER 410]

AN ACT

For the relief of the dependents of Cecil M. Foxworth, deceased.

June 14, 1946
[H. R. 5212]
[Private Law 656]

Cecil M. Foxworth,
deceased.
Relief of widow and
children.

39 Stat. 742.
5 U. S. C., Supp. V,
§ 757 *et seq.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is authorized and directed to receive under the Employees' Compensation Act, approved September 7, 1916 (5 U. S. C. 751, and the following), any claim filed by the widow and children of Cecil M. Foxworth who died on or about April 10, 1944, allegedly as the result of injuries sustained on September 11, 1936, as the result of gunshot wounds inflicted by a law violator resisting arrest, while said Foxworth was in the performance of his duty as investigator, Alcohol Tax Unit, Bureau of Internal Revenue, notwithstanding any limitation of time of such Act barring consideration of claim for death benefits in his case, and such Commission shall consider and adjudicate such claim under the remaining provisions of such Act: *Provided*, That claim for such benefits shall be filed within six months after the date of approval of this Act: *Provided further*, That no death benefits shall accrue prior to the date of approval of this Act.

Approved June 14, 1946.

[CHAPTER 411]

AN ACT

For the relief of Mary A. Wallis.

June 14, 1946
[H. R. 3506]
[Private Law 657]

Mary A. Wallis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,999.06, to Mary A. Wallis, of Providence, Rhode Island, in full settlement of all claims against the United States for personal injuries and expenses incident thereto, and loss of earnings sustained as the result of an accident involving a United States post-office vehicle in Providence, Rhode Island, on June 18, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 14, 1946.

[CHAPTER 414]

AN ACT

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim or claims of W. P. Richardson, as successor and assignee of W. P. Richardson and Company, of Tampa, Florida.

June 15, 1946
[S. 470]
[Private Law 658]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim, or claims, of W. P. Richardson, as successor and assignee of W. P. Richardson and Company, of Tampa, Florida, a partnership composed of W. P. Richardson, George W. Hessler, and L. C. Park, for any losses and damages sustained under the terms of a contract entered into with the United States Shipping Board Emergency Fleet Corporation involving a housing development at or near South Jacksonville, Florida, on or about July 8, 1918, by reason of certain housing needs during World War I.

W. P. Richardson.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the date of enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, and appeals from any payment of any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

36 Stat. 1136.
28 U. S. C. § 250.

Approved June 15, 1946.

[CHAPTER 415]

AN ACT

To confer jurisdiction upon the United States District Court, Southern District of Florida.

June 15, 1946
[H. R. 1037]
[Private Law 659]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court, Southern District of Florida, to hear, determine, and render judgment upon the claims of Mrs. Hortense Arnow, J. M. Rogers, and Mrs. Willie L. Rogers, all of Jacksonville, Florida, for such damages sustained as the result of a collision between the car in which they were riding and a United States Army truck on the highway connecting Jacksonville with Jacksonville Beach, Florida.

Mrs. Hortense Arnow, and others.

SEC. 2. Such suit shall be brought in the United States District Court, Southern District of Florida, within one year of the date of approval of this Act.

Approved June 15, 1946.

[CHAPTER 416]

AN ACT

Conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Zephyr Aircraft Corporation against the United States.

June 15, 1946
[H. R. 3094]
[Private Law 660]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment on the claim of the Zephyr Aircraft Corporation, as successor to the Lenert Aircraft Corporation, against the United States for compensation for damage, injury,

Zephyr Aircraft Corporation.

and losses suffered by the said Lenert Aircraft Corporation, because of the refusal by officials of the War Department to make a contract with the said Lenert Aircraft Corporation in compliance with section 10 of the Act of July 2, 1926 (44 Stat. 784), pursuant to a design competition for the procurement of primary training planes, which was projected by circular proposal 39-635, dated March 11, 1939.

SEC. 2. In the determination of such claim, the United States shall be held liable for damages, and for any acts committed by any of its officers or employees, to the same extent as if the United States were a private person.

SEC. 3. Suit upon this claim may be instituted at any time within one year after the passage of this Act, notwithstanding the lapse of time, laches, the form and content of protest, and supporting papers thereof. Proceedings upon the determination of such claim and appeals from the payment of any judgment thereon, shall be in the same manner as in the case of claims over which the court has jurisdiction under section 145 of the Judicial Code as amended.

Approved June 15, 1946.

[CHAPTER 417]

AN ACT

For the relief of Earl D. Massey, Marvin Marshall, and Fred C. Mitchell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Earl D. Massey, postmaster at Killeen, Texas, and to relieve Marvin Marshall and Fred C. Mitchell, post-office clerks in the Killeen (Texas) post office from any liability to refund or pay to the United States the sums of \$840 and \$560, respectively, such sums lost by reason of a burglary on or about August 15, 1943, at Camp Hood, Texas.

That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Marvin Marshall and Fred C. Mitchell, of Killeen, Texas, all moneys that have been paid into the Treasury on these accounts prior to the enactment of this Act: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 15, 1946.

[CHAPTER 418]

AN ACT

For the relief of John B. Clausen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$750 to John B. Clausen, of the veterans' facility, Boise, Idaho, in full settlement of all claims against the United States for checks for

10 U. S. C. § 310;
Supp. V, § 310 note.

36 Stat. 1136.
28 U. S. C. § 250.

June 15, 1946
[H. R. 3726]
[Private Law 661]

Earl D. Massey,
and others.

June 15, 1946
[H. R. 4633]
[Private Law 662]

John B. Clausen.

compensation due him for the period July 31, 1943, to September 30, 1944, which were returned to the Treasury under Public Law Numbered 828, Seventy-sixth Congress, approved October 9, 1940: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 15, 1946.

54 Stat. 1086.
31 U. S. C. §§ 123-128; Supp. V, § 123.

[CHAPTER 420]

AN ACT

For the relief of R. H. White Transfer and Storage Company, of Nashville, Tennessee.

June 18, 1946
[H. R. 1852]
[Private Law 663]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. H. White Transfer and Storage Company, of Nashville, Tennessee, the sum of \$2,000, in full settlement of all claims against the United States for compensation for loss on the storage of calcium carbide for the Defense Supplies Corporation: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

R. H. White Transfer and Storage Co.

Approved June 18, 1946.

[CHAPTER 421]

AN ACT

For the relief of H. H. Hood.

June 18, 1946
[H. R. 2337]
[Private Law 664]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. H. Hood, Vicksburg, Mississippi, the sum of \$1,500 in full settlement of all claims against the United States for damages sustained on account of the National Park Service constructing and changing the roads adjacent to certain property owned by him located in the national military park, Vicksburg, Mississippi; the construction and relocation of said roads being done within the past few years: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

H. H. Hood.

Approved June 18, 1946.

[CHAPTER 423]

AN ACT

June 19, 1946
[H. R. 1782]
[Private Law 665]

For the relief of Ida F. Braun, Alice Braun Menges, and Carl J. Braun, individually and as executors of the estate of Hedwig W. Braun, deceased, and as legatees and beneficiaries of the will of Hedwig W. Braun, deceased, and as the sole parties in interest by succession under the last will and testament of Hedwig W. Braun, deceased, and under the last will and testament of Herman W. Braun, deceased.

Ida F. Braun, and
others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida F. Braun, Alice Braun Menges, and Carl J. Braun, individually and as executors of the estate of Hedwig W. Braun, deceased, and as legatees and beneficiaries of the will of Hedwig W. Braun, deceased, and as the sole parties in interest by succession under the last will and testament of Hedwig W. Braun, deceased, and under the last will and testament of Herman W. Braun, deceased, the sum of \$25,094.20. Such sum represents the amount of overpayment of estate tax made on November 18, 1920, with respect to the value of certain insurance policies on the life of Herman W. Braun who died testate on May 24, 1919. A claim was filed with the Commissioner of Internal Revenue on November 10, 1925, for refund of such tax, and rejected because of the lapse of the statutory period of limitations governing the institution of such claims: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 19, 1946.

[CHAPTER 426]

AN ACT

June 21, 1946
[H. R. 797]
[Private Law 666]

For the relief of William W. Willett, Junior.

William W. Willett,
Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William W. Willett, Junior, 4303 Kathland Avenue, Baltimore, Maryland, the sum of \$3,060, in full settlement of all claims against the United States for property damage sustained by reason of the loss by fire of certain property located at Old Cedar Point, Morgantown, Maryland, which was caused by the dropping of a parachute flare, dropped from a plane owned by the United States Government and operating from the naval proving ground at Dahlgren, Virginia, on November 5, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 427]

AN ACT

For the relief of D. C. Todd.

June 21, 1946
[H. R. 1460]
[Private Law 667]

D. C. Todd.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to D. C. Todd, of Buffalo, New York, the sum of \$7,850.45, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, cost of artificial leg, property damage, and loss of earnings sustained as the result of an accident involving a United States Army vehicle in Tonawanda, New York, on January 31, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 428]

AN ACT

For the relief of Juan Calcaño.

June 21, 1946
[H. R. 2772]
[Private Law 668]

Juan Calcaño.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Juan Calcaño, Loíza, Puerto Rico, the sum of \$3,000. The payment of such sum will be in full settlement of all claims of the said Juan Calcaño against the United States on account of personal injuries sustained by him as the result of an accident on October 1, 1941, when the United States Army truck in which he was riding in line of duty as a member of the insular police slipped from Road Numbered 44 connecting Canóvanas and Loíza Aldea, Puerto Rico, and struck a tree: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 429]

AN ACT

For the relief of Walter A. Moffatt.

June 21, 1946
[H. R. 3031]
[Private Law 669]

Walter A. Moffatt.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter A. Moffatt, San Fernando, California, the sum of \$142.90. The payment of such sum shall be in full settlement of all claims of the said Walter A. Moffatt against the United States for witness fees, per diem allowances, and mileage due him in connection with a round trip taken

from his home to Denver, Colorado, during the period from November 26 to December 2, 1940, pursuant to a subpoena served on him by a deputy United States marshal to testify in a case before the District Court of the United States for the District of Colorado: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 430]

AN ACT

For the relief of Mrs. Mary Belk.

June 21, 1946
[H. R. 3359]
[Private Law 670]

Mrs. Mary Belk.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary Belk, Lake-dale, Cumberland, County, North Carolina, the sum of \$3,500. The payment of such sum shall be in full settlement of all claims of the said Mrs. Mary Belk against the United States on account of the death of her minor son, Ralph Ceburn Belk, who died as a result of being struck by a United States Army plane attempting to make an emergency landing on a highway on November 28, 1943, said Ralph Ceburn Belk being there lawfully engaged in delivering newspapers: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 431]

AN ACT

For the relief of Mrs. Hattie Main Babcock, Chester N. Main, and Mr. and Mrs. Earl Norman.

June 21, 1946
[H. R. 3401]
[Private Law 671]

Mrs. Hattie Main
Babcock, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Hattie Main Babcock and Chester N. Main, of Westerly, Rhode Island, the sum of \$5,532, and to pay the sum of \$4,224.95 to Mr. and Mrs. Earl Norman, of Stonington, Connecticut, in full settlement of all claims against the United States for property damage and loss of rents of Mrs. Hattie Babcock and Chester N. Main, and for personal injuries, medical and hospital expenses, and property damage of Mr. and Mrs. Earl Norman sustained as the result of a crash of a United States Navy airplane to property located on Flanders Road, Stonington, Connecticut, on June 28, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection

with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 432]

AN ACT

For the relief of José Villafañe Muñoz.

June 21, 1946
[H. R. 4245]
[Private Law 672]

José Villafañe
Muñoz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,040 to José Villafañe Muñoz, of Santurce, Puerto Rico, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained by him as the result of an accident involving an Army truck which occurred on April 3, 1943, in San Juan, Puerto Rico: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 433]

AN ACT

For the relief of the estate of the late Francisca Sánchez Figueroa.

June 21, 1946
[H. R. 4251]
[Private Law 673]

Francisca Sánchez
Figueroa, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the administrator of the estate of the late Francisca Sánchez Figueroa, who was fatally injured on June 11, 1944, when a United States Army truck overturned on Insular Highway Numbered 25 between Cantaño and Santurce, Puerto Rico. The payment of such sum shall be in full settlement of all claims against the United States on account of such accident: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 434]

AN ACT

For the relief of Carl and Naomi Fitzwater.

June 21, 1946
[H. R. 4373]
[Private Law 674]

Carl and Naomi
Fitzwater.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum

of \$3,500, to Carl and Naomi Fitzwater, of Cincinnati, Ohio, in full settlement of all claims against the United States for the death of their son, David Fitzwater, as a result of being struck and killed by a United States mail truck on the Brighton approach near McMicken Avenue, Cincinnati, Ohio, on June 17, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 435]

AN ACT

For the relief of William E. Robertson and Estelle Robertson.

June 21, 1946
[H. R. 4479]
[Private Law 675]

William E. Robert-
son.

Estelle Robertson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William E. Robertson, of Minneapolis, Minnesota, the sum of \$500, in full satisfaction of his claim against the United States for property losses, and personal injuries and expenses; and to Estelle Robertson, the sum of \$200, in full satisfaction of her claim against the United States for personal injuries and expenses incurred as the result of an accident involving an Army truck operated by the United States Army, which Army truck collided with an automobile owned and operated by William E. Robertson in which Estelle Robertson was riding, at the intersection of East Twenty-sixth Street and First Avenue South in the city of Minneapolis, Minnesota, on Saturday, May 20, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 436]

AN ACT

For the relief of William H. Roman.

June 21, 1946
[H. R. 4495]
[Private Law 676]

William H. Roman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, to William H. Roman, of Oakland, California, in full settlement of all claims against the United States for personal injuries, property damages, medical and hospital expenses, and loss of earnings sustained as a result of a collision by the car which he was driving and a United States Army jeep, at the intersection of Larkin and Post Streets, San Francisco, on July 21, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof

shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 437]

AN ACT

For the relief of Oran Edmund Randall Rumrill.

June 21, 1946
[H. R. 4525]
[Private Law 677]

Oran Edmund Randall Rumrill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers or sailors, Oran Edmund Randall Rumrill, who enlisted in the United States Navy February 15, 1916, as an apprentice seaman (numbered 1166762) shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on October 26, 1918: *Provided,* That no compensation, pay, pension, or other benefit shall be held to have accrued prior to the passage of this Act.

Approved June 21, 1946.

[CHAPTER 438]

AN ACT

For the relief of the estate of Patsy Ann Maheux, deceased.

June 21, 1946
[H. R. 4600]
[Private Law 678]

Patsy Ann Maheux, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the estate of Patsy Ann Maheux, late of Jackman, in the county of Somerset, and State of Maine, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500, in full settlement of all claims against the United States for damages occasioned by the death of Patsy Ann Maheux suffered as a result of being struck by an automobile owned by the United States Government, on October 23, 1944, while the driver of said automobile was in the performance of his duty in connection with the Immigration and Naturalization Service: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 439]

AN ACT

For the relief of Richard C. Ward.

June 21, 1946
[H. R. 4693]
[Private Law 679]

Richard C. Ward.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Richard C. Ward, of Corpus Christi, Texas, the sum of \$3,000, in full

settlement of all claims against the United States for injuries sustained by him when struck by a Navy truck on February 12, 1945, at the naval air technical training center, Ward Island, Corpus Christi, Texas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 440]

AN ACT

For the relief of Marion Powell, a minor.

June 21, 1946

[H. R. 5000]

[Private Law 680]

Guardian of Marion
Powell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Marion Powell, a minor, of Scranton, Pennsylvania, the sum of \$2,500, in full satisfaction of all claims against the United States for compensation for personal injuries sustained by her when the car in which she was riding was struck by a United States Army vehicle at the intersection of Harrison Avenue and Linden Street, Scranton, Pennsylvania, on December 5, 1941, and for reimbursement of medical, hospital, loss of earnings, and other expenses incurred by her as a result of the injuries: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 441]

AN ACT

For the relief of Mrs. Mary A. Honnell.

June 21, 1946

[H. R. 5091]

[Private Law 681]

Mrs. Mary A. Hon-
nell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary A. Honnell, Kansas City, Kansas, the sum of \$379.85, in full settlement of all claims against the United States on account of personal injuries and loss of earnings sustained by her as a result of an accident which occurred on February 22, 1945, in Kansas City, Missouri, involving an Army truck: *Provided*, That no part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

[CHAPTER 442]

AN ACT

For the relief of the legal guardian of David Owens, Junior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of David Owens, Junior, the sum of \$2,000 in full settlement of all claims against the United States for injuries sustained on account of a thirty-seven-millimeter shell being negligently left by the Army personnel on the reservation of Camp Van Dorn, Centreville, Mississippi, and the said David Owens, Junior, picking up same and playing with it and it exploded in his hands, June 17, 1945, thereby injuring him: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid of delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 21, 1946.

June 21, 1946
[H. R. 5811]
[Private Law 682]

Guardian of David
Owens, Jr.

[CHAPTER 449]

AN ACT

For the relief of Hamsah Omar.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proceedings and orders requiring the deportation of Hamsah Omar, of Detroit, Michigan, who entered the United States of America from Mexico at El Paso, Texas, on March 10, 1940, be canceled and set aside, and that said entry be considered a legal entry.

Approved June 22, 1946.

June 22, 1946
[H. R. 233]
[Private Law 683]

Hamsah Omar.

[CHAPTER 450]

AN ACT

For the relief of Cecil Atkinson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cecil Atkinson, Imperial County, California, the sum of \$3,547.69, in full settlement of all claims against the United States for personal injuries sustained by him and by his minor son, Dwight Atkinson, age six years, for medical and hospital expenses incurred by the said Cecil Atkinson for himself and his said minor son, and for loss of earnings incurred by the said Cecil Atkinson, as a result of an accident involving an Army truck which occurred on November 14, 1943, on State Highway Numbered 187 near Holtville, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 22, 1946.

June 22, 1946
[H. R. 1258]
[Private Law 684]

Cecil Atkinson.

[CHAPTER 451]

AN ACT

For the relief of Will O'Brien, Mrs. Bessie O'Brien, and the legal guardian of Jane O'Brien.

June 22, 1946
[H. R. 2785]
[Private Law 685]

Will O'Brien, and
others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$6,645.89 to Will O'Brien; to pay the sum of \$838.28 to Mrs. Bessie O'Brien; to pay the sum of \$2,590.55 to the legal guardian of Jane O'Brien; all of Berkeley, California, in full settlement of all claims against the United States for personal injuries, property damage, medical and hospital expenses, and loss of earnings sustained as a result of a collision by the car in which they were riding and a United States Army reconnaissance car, on Highway Numbered 40, near Sacramento, California, on September 9, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 22, 1946.

[CHAPTER 452]

AN ACT

For the relief of Philibert L. Bergeron, Alfred Quist and Astrid Quist.

June 22, 1946
[H. R. 3399]
[Private Law 686]

Philibert L. Ber-
geron, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Philibert L. Bergeron, of Groton, Connecticut, the sum of \$385.75; to pay the sum of \$1,346.47 to Alfred Quist and his wife, Astrid Quist, of Springfield, Massachusetts, in full settlement of all claims against the United States for real property and personal property damage sustained as the result of a crash of a United States Navy airplane at 60 Chicago Avenue, Groton, Connecticut, on October 19, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 22, 1946.

[CHAPTER 453]

AN ACT

For the relief of Willie Lam and Edgar Lam.

June 22, 1946
[H. R. 3512]
[Private Law 687]

Willie Lam and
Edgar Lam.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Willie Lam and Edgar

Lam (also known as Willie Lamb and Edgar Lamb), of Greene County, Virginia, the sum of \$650, in full settlement of all claims of any nature or description whatsoever against the United States, C. V. Bert, John W. Adams, or any other person or persons, for losses or damages arising from the destruction of certain buildings and improvements on land owned by said Willie Lam and Edgar Lam near Shenandoah National Park by members of the Civilian Conservation Corps, while acting in the course of their employment, on or about November 4, 1937: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 22, 1946.

[CHAPTER 454]

AN ACT

For the relief of the legal guardian of William Needom Rashal, a minor.

June 22, 1946
[H. R. 3665]
[Private Law 688]

Guardian of Wil-
Ham Needom Rashal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of William Needom Rashal, a minor, of Newllano, Vernon Parish, Louisiana, the sum of \$3,000, in full settlement of all claims against the United States on account of personal injuries received by the minor, William Needom Rashal, and medical and transportation expenses actually incurred, as a result of an explosion of an antitank mine fuze on March 9, 1944, the fuze having been tossed on Highway Numbered 504 by soldiers in an Army convoy on March 8, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 22, 1946.

[CHAPTER 455]

AN ACT

For the relief of Fannie C. Fugate.

June 22, 1946
[H. R. 4339]
[Private Law 689]

Fannie C. Fugate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fannie C. Fugate, of Blacksburg, Virginia, the sum of \$125, in full settlement of all claims against the United States for the loss of rental income on eighty acres of farm land in Levy County, Florida, for the

calendar year of 1943, resulting from the unauthorized action of agents of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 22, 1946.

[CHAPTER 456]

AN ACT

For the relief of Amy Mary Richter.

June 22, 1946
[H. R. 4353]
[Private Law 690]

Amy Mary Richter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Amy Mary Richter, formerly of New York City, now residing at Miami, Florida, the sum of \$5,000, in full settlement of all claims against the United States for personal injuries sustained by the said Amy Mary Richter on or about April 2, 1942, as a result of an accident caused by the condition of the ladies' room at 210 West Eighteenth Street, New York, New York, while said Amy Mary Richter was on duty as a voluntary worker for the Regional Signal Office, New York Region, First Interceptor Command: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 22, 1946.

[CHAPTER 457]

AN ACT

To quiet title and possession with respect to certain real estate in Converse County, Wyoming.

June 22, 1946
[H. R. 5676]
[Private Law 691]

Harry A. Gillespie
and Lena J. Gillespie.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States of America by this Act releases, remises, and forever quitclaims to Harry A. Gillespie and Lena J. Gillespie all its right, title and interest in and to the following-described real estate situate in the county of Converse and State of Wyoming: The east half of the west half; west half of the east half of section 20, township 33 north, range 69 west, of the sixth principal meridian, Wyoming, being the land described in a deed erroneously issued which purported to convey and warrant such real estate to the United States of America, such deed being executed on May 11, 1945, by the said Harry A. Gillespie and Lena J. Gillespie, and recorded in the office of the County Clerk of Converse County, Wyoming, in book 205 of deeds, page 91.

Approved June 22, 1946.

[CHAPTER 470]

AN ACT

To extend the term of design patent numbered 21,053, dated September 22, 1891, for a badge, granted to George Brown Goode, and assigned to the National Society, Daughters of the American Revolution.

June 24, 1946
[H. R. 5896]
[Private Law 692]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain design patent issued by the United States Patent Office of date September 22, 1891, being patent numbered 21,053, is hereby renewed and extended for a period of fourteen years from and after the date of approval of this Act, with all the rights and privileges pertaining to the same, being generally known as the badge of the Daughters of the American Revolution.

D. A. R. badge.
Renewal of patent.

Approved June 24, 1946.

[CHAPTER 471]

AN ACT

Authorizing the issuance of a patent in fee to Richard S. Fisher.

June 25, 1946
[H. R. 4046]
[Private Law 693]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Richard S. Fisher, of Lodge Grass, Montana, a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation: The south half of the northwest quarter, the north half of the southwest quarter, the north half of the southeast quarter, and the north half of the north half of the south half of the south half, of section 23, and the west half of the southwest quarter of section 24, township 7 south, range 36 east; the east half of section 21, and the southwest quarter of the northwest quarter, the north half of the northwest quarter, and the north half of the northeast quarter of section 26, township 7 south, range 37 east, and lot 4 and the southwest quarter of the southeast quarter of section 30, township 8 south, range 37 east; Montana principal meridian.

Richard S. Fisher.

Approved June 25, 1946.

[CHAPTER 476]

AN ACT

For the relief of Adele Nahas.

June 25, 1946
[H. R. 2315]
[Private Law 694]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$10,434.14 due Adele Nahas, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of wages as a result of being struck by a United States Army truck while crossing Chester Pike at the intersection with Gardner Avenue in the city of Philadelphia on June 16, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Adele Nahas.

Approved June 25, 1946.

[CHAPTER 477]

AN ACT

To provide for the naturalization of Master Sergeant Gerhard Neumann.

June 25, 1946
[H. R. 3441]
[Private Law 695]

Master Sgt. Ger-
hard Neumann.
8 U. S. C., Supp. V,
§§ 1001-1002.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon compliance with all other provisions of section 701 or section 702 of the Nationality Act of 1940, as amended (56 Stat. 182-183; 8 U. S. C. 1001-1002), Master Sergeant Gerhard Neumann, Army of the United States, Army serial number 10500000, may be naturalized pursuant to either of said sections as may be applicable, notwithstanding the fact that at the time of his enlistment or induction into the armed forces of the United States, he had not been lawfully admitted to the United States and was not a resident thereof.

Approved June 25, 1946.

[CHAPTER 478]

AN ACT

For the relief of William Clyde McKinney.

June 25, 1946
[H. R. 3454]
[Private Law 696]

William Clyde Mc-
Kinney.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,709.64 to William Clyde McKinney, of San Antonio, Texas, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained as the result of a collision with a United States Army truck on Frio City Road, San Antonio, Texas, on February 20, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 25, 1946.

[CHAPTER 479]

AN ACT

To authorize and direct the Secretary of the Interior to issue a patent for certain land to Mrs. Estelle M. Wilbourn.

June 25, 1946
[H. R. 4113]
[Private Law 697]

Mrs. Estelle M.
Wilbourn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to issue to Mrs. Estelle M. Wilbourn a patent for the following described tract of land upon the payment of \$1.25 per acre therefor: Southwest quarter of the northwest quarter, section 22, township 21 south, range 61 east, Mount Diablo meridian. The patent shall contain a reservation to the United States of all minerals in the tract described together with the right to mine, prospect for, and remove the same.

Approved June 25, 1946.

[CHAPTER 480]

AN ACT

For the relief of Axel H. Peterson.

June 25, 1946
[H. R. 4118]
[Private Law 698]

Axel H. Peterson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Axel H. Peterson, New Rochelle, New York, the sum of \$4,000. The payment of such sum shall be in full settlement of all claims of the said Axel H. Peterson against the United States on account of injuries and property damage sustained by him as a result of a collision, on July 31, 1943, at the intersection of Main Street and Weyman Avenue, New Rochelle, New York, between the vehicle in which he was riding and a vehicle in the service of the Army of the United States: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 25, 1946.

[CHAPTER 481]

AN ACT

For the relief of Esequiel (Frank) Padilla, and others.

June 25, 1946
[H. R. 4331]
[Private Law 699]

Esequiel (Frank) Padilla, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,357.05 to Esequiel (Frank) Padilla; the sum of \$4,657.35 to Mrs. Vivian P. Montoya; the sum of \$1,000 to the legal guardian of Tillie Montoya; the sum of \$6,243.80 to the legal guardian of Irene Montoya; and the sum of \$1,500 to the legal guardian of Salomon Padilla, in full settlement of all claims against the United States for property damage, medical and hospital expenses, and for personal injuries sustained by said Esequiel (Frank) Padilla, Vivian P. Montoya, Tillie Montoya, Irene Montoya, and Salomon Padilla, on August 12, 1945, as the result of the explosion of a bomb dropped and left unprotected in the field by the United States Army, approximately twelve miles west of Belen, New Mexico: *Provided,* That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 25, 1946.

[CHAPTER 482]

AN ACT

For the relief of Mrs. James Plumb.

June 25, 1946
[H. R. 4419]
[Private Law 700]

Mrs. James Plumb.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. James Plumb, of Coeur d'Alene, Idaho, the sum of \$4,252.40. The payment of such

sum shall be in full settlement of all claims of the said Mrs. James Plumb against the United States for personal injuries, medical and hospital expenses actually incurred sustained as result of an explosion at the "Here's Your Infantry" show of the United States Army during the Seventh War Loan drive of the United States Treasury Department on June 2, 1945, at Coeur d'Alene, Idaho: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 25, 1946.

[CHAPTER 483]

AN ACT

To establish the date of acceptance of a commission as lieutenant (junior grade), United States Naval Reserve, by William Leon de Carbonel to be June 1, 1941, and the date of reporting for active duty to be December 9, 1941, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William Leon de Carbonel shall for all purposes be considered to have accepted appointment as a lieutenant (junior grade), United States Naval Reserve, on June 1, 1941, to have entered upon active duty as a lieutenant (junior grade), United States Naval Reserve, on December 9, 1941, and to have continued to serve on active duty until released therefrom by competent orders.

SEC. 2. The President of the United States is hereby authorized to appoint William Leon de Carbonel a lieutenant in the United States Naval Reserve, as of September 30, 1944, for temporary service, in accordance with the provisions of the Act of July 24, 1941 (55 Stat. 603), as amended, such appointment to be effective for all purposes from September 30, 1944.

Approved June 25, 1946.

[CHAPTER 484]

AN ACT

For the relief of Gustav F. Doscher.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gustav F. Doscher, of Charleston, South Carolina, the sum of \$172.94, in full settlement of all claims against the United States for property damage sustained as the result of an accident involving a United States Army truck crashing into his fence and building at 140 Fishburne Street, Charleston, South Carolina, on December 31, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 25, 1946.

June 25, 1946

[H. R. 4863]

[Private Law 701]

Lt. (jg) William
Leon de Carbonel.

34 U. S. C., Supp.
V, §§ 350-350j.

June 25, 1946

[H. R. 4888]

[Private Law 702]

Gustav F. Doscher.

[CHAPTER 485]

AN ACT

For the relief of Ernest I. Wade and Alma Wade.

June 25, 1946
[H. R. 4997]
[Private Law 703]

Ernest I. Wade and
Alma Wade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest I. Wade and Alma Wade, of Murfreesboro, Tennessee, the sum of \$3,000, in full settlement of all claims against the United States on account of the death of their daughter, said Novella Wade, who was instantly killed on June 14, 1943, when struck by a United States Army truck on Halls Hill Pike, about three miles northeastward from Murfreesboro, Tennessee: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 25, 1946.

[CHAPTER 486]

AN ACT

For the relief of Mrs. Dora Foster.

June 25, 1946
[H. R. 5071]
[Private Law 704]

Mrs. Dora Foster.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Dora Foster, of Lake Charles, Louisiana, the sum of \$5,719. The payment of such sum shall be in full settlement of all claims of the said Mrs. Dora Foster against the United States as compensation for the death of her husband, Fred L. Foster, and burial and other expenses incidental thereto, as the result of an accident involving an Army truck which occurred in Lake Charles on March 25, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 25, 1946.

[CHAPTER 492]

AN ACT

For the relief of George Lassila, administrator of the estate of Senia Lassila.

June 26, 1946
[H. R. 3185]
[Private Law 705]

Senia Lassila, es-
tate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to George Lassila, administrator of the estate of Senia Lassila, deceased, of Ironwood, Michigan, in full settlement of all claims against the United States for her death sustained as the result of blasting by the Work Projects Administration near her home on Vander-Hagen Road, Ironwood, Michigan, on June 18, 1941: *Provided,* That no part

of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 26, 1946.

[CHAPTER 504]

AN ACT

For the relief of Mrs. Hazel M. Skaggs.

June 26, 1946
[H. R. 3622]
[Private Law 706]

Mrs. Hazel M.
Skaggs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Hazel M. Skaggs, Riverside, California, the sum of \$5,125.85. The payment of such sum shall be in full settlement of all claims of the said Mrs. Hazel M. Skaggs against the United States for property damage, medical and hospital expenses for herself and minor daughter, and personal injuries sustained when a B-24 bomber crashed into her car at March Field, California, December 8, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 26, 1946.

[CHAPTER 511]

AN ACT

For the relief of Mrs. Marie Edens Nast, Mrs. Bessie Amann, and George R. Townsend.

June 28, 1946
[H. R. 3010]
[Private Law 707]

Mrs. Marie Edens
Nast, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000, to Mrs. Marie Edens Nast, of Los Angeles, California; to pay the sum of \$3,000, to Mrs. Bessie Amann, of North Hollywood, California; to pay the sum of \$7,500, to George R. Townsend, of Los Angeles, California, in full settlement of all claims against the United States for the death of Donald R. Edens and the death of William D. Amann, and for personal injuries, medical, and hospital expenses for George R. Townsend, sustained as a result of a crash of a United States Army plane at Lake and Magnolia Streets, Burbank, California, on November 16, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 28, 1946.

[CHAPTER 518]

AN ACT

For the relief of John Hamlet.

June 28, 1946
[H. R. 2954]
[Private Law 708]

John Hamlet.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Hamlet, of New York, New York, the sum of \$1,250, in full settlement of all claims against the United States for property damage, personal injuries, and loss of earnings sustained and medical expenses incurred as the result of an accident which occurred at the intersection of Park Avenue and One Hundred and Twenty-fifth Street, in New York, New York, on July 18, 1944, when the truck which he was driving was struck by an Army vehicle: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 28, 1946.

[CHAPTER 524]

AN ACT

For the relief of Willie Hines.

June 29, 1946
[H. R. 2544]
[Private Law 709]

Willie Hines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Willie Hines, of Palatka, Putnam County, Florida, the sum of \$909.08 in full satisfaction of all claims against the United States for personal injuries, hospital and medical expenses, loss of earnings, and other expenses, sustained by Willie Hines when he was struck by a United States Navy International tractor numbered 62758 with trailer numbered 76967 on November 11, 1944, while driving his car on United States Highway Numbered 17, north of Bostwich, Putnam County, Florida, in an orderly and lawful manner: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 29, 1946.

[CHAPTER 525]

AN ACT

For the relief of Michael J. Keaveney and Mary C. Keaveney.

June 29, 1946
[H. R. 5208]
[Private Law 710]

Michael J. Keaveney and Mary C. Keaveney.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Michael J. Keaveney and Mary C. Keaveney, of Albany, New York, the sum of \$3,000. The payment of such sum shall be in full settlement of all claims of

the said Michael J. Keaveney and Mary C. Keaveney against the United States on account of the death of their son, Michael P. Keaveney, who was struck and killed by a United States mail truck on December 11, 1944, on Garden Street, Albany, New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 29, 1946.

[CHAPTER 550]

AN ACT

For the relief of Violet Ludokiewich.

July 10, 1946
[S. 1061]

[Private Law 711]

Violet Ludokiewich.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Violet Ludokiewich, of Fairfield, Connecticut, the sum of \$3,697, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her, and for reimbursement of hospital, medical, and other expenses incurred by her, as a result of an accident which occurred when a Coast Guard truck in which she was riding collided with a trolley car at Orange Avenue and Admiral Street, West Haven, Connecticut, on October 20, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 10, 1946.

[CHAPTER 551]

AN ACT

For the relief of the estate of Mrs. Sufronia Andrus.

July 10, 1946
[S. 1063]

[Private Law 712]

Mrs. Sufronia Andrus, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Mrs. Sufronia Andrus, deceased, of New Orleans, Louisiana, the sum of \$5,000, in full settlement of all claims against the United States on account of the death of the said Mrs. Sufronia Andrus, who was killed on July 10, 1945, when struck by a United States Navy vehicle on Tulane Avenue and South Lopez Street, New Orleans, Louisiana: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 10, 1946.

[CHAPTER 552]

AN ACT

For the relief of the Miami Herald, the Key West Citizen, and the Miami Daily News.

July 10, 1946
[S. 2292]
[Private Law 713]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$139.23 to the Miami Herald; the sum of \$66.14 to the Key West Citizen; and the sum of \$293.55 to the Miami Daily News, all of the State of Florida, in full settlement of all claims against the United States for newspaper advertising contracted by the Navy Department during the period of September 13, 1942, and May 1, 1943: *Provided,* That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Miami Herald, and
others.

Approved July 10, 1946.

[CHAPTER 553]

AN ACT

For the relief of William H. Morris.

July 10, 1946
[S. 2015]
[Private Law 714]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William H. Morris formerly employed by the Federal Public Housing Authority as the housing manager of the Safe Haven housing project (Alaska-50076) at Anchorage, Alaska, is hereby relieved of pecuniary responsibility for the loss of \$258, with interest thereon, public funds for which he was accountable and which were stolen, without his fault, from the Safe Haven housing project office some time between the close of business on December 2, 1944, and the opening of business on December 4, 1944. The Comptroller General is hereby authorized and directed to remove from the records of his office any indebtedness which may have been raised against Mr. Morris by the aforementioned theft.

William H. Morris.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William H. Morris the sum of \$186.67 in reimbursement for the amount deducted from Mr. Morris' salary as a result of the aforementioned theft: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 10, 1946.

[CHAPTER 554]

AN ACT

For the relief of certain postal employees.

July 10, 1946
[S. 2107]

[Private Law 715]

Postal employees.
Payment of certain
travel vouchers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to approve payment of vouchers submitted by postal employees for travel performed during the fiscal years 1944, 1945, and 1946 as a result of their transfer from one post office to another by direction of the Postmaster General in those instances where the Postmaster General determined that the transfer was in the interest of the Government, notwithstanding that the expenses of travel were not authorized in the order directing the transfer and the travel order authorizing the expenses of travel was issued retroactively after the travel had been performed: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 10, 1946.

[CHAPTER 558]

AN ACT

For the relief of William J. Simpson and John R. Rogers, Senior.

July 11, 1946
[S. 1051]

[Private Law 716]

William J. Simpson
and John R.
Rogers, Sr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William J. Simpson, of Milford, Delaware, the sum of \$5,424, and to John R. Rogers, Senior, of Frederica, Delaware, the sum of \$8,285.47, in full satisfaction of their claims against the United States for compensation for personal injuries sustained by them, and for reimbursement of medical, hospital, and other expenses incurred by them, as a result of an accident which occurred when the automobile in which they were riding collided with a United States Army vehicle, on the Ocean Highway between Rehoboth Beach and Indian River Inlet, Delaware, on November 11, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 11, 1946.

[CHAPTER 559]

AN ACT

For the relief of Frederick Uhrmann.

July 11, 1946
[S. 1773]

[Private Law 717]

Frederick Uhrmann.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frederick Uhrmann,

of Norwood, Massachusetts, the sum of \$1,000, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him, as a result of an accident which occurred when the automobile which he was driving was struck by a United States Army vehicle, on Dollar Lane, in Milton, Massachusetts, on August 14, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 11, 1946.

[CHAPTER 560]

AN ACT

For the relief of the legal guardian of Arlis Earl Teekell.

July 11, 1946
[S. 1862]
[Private Law 718]

Guardian of Arlis
Earl Teekell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Arlis Earl Teekell, a minor, of Hineston, Louisiana, the sum of \$3,000, in full satisfaction of all claims against the United States for compensation for personal injuries sustained on February 19, 1944, by the said Arlis Earl Teekell, and the subsequent aggravation of such injuries which led to the loss of his left eye, as a result of the explosion of a .30-caliber blank cartridge which had come into his possession through the negligence of United States military personnel who, while engaged in training maneuvers, left a quantity of such cartridges on a public road in the vicinity of the home of the said Arlis Earl Teekell: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 11, 1946.

[CHAPTER 561]

AN ACT

For the relief of Brigadier General Carl H. Seals.

July 11, 1946
[S. 1912]
[Private Law 719]

Brig. Gen. Carl H
Seals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Brigadier General Carl H. Seals, of Laurel, Maryland, the sum of \$1,550.47, in full satisfaction of his claim against the United States for the difference between (1) the amount he was actually allowed as compensation for the value of the personal property which he lost as a result of the invasion of the Philippine Islands by the Japanese in December 1941, and (2) the amount which the War Department has now determined should have been allowed to the said Brigadier General Carl H. Seals as compensation for the value of such property: *Provided*, That no

part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 11, 1946.

[CHAPTER 562]

AN ACT

For the relief of the estate of C. Benjamin Stapleton.

July 11, 1946
[S. 1965]
[Private Law 720]

C. Benjamin Stapleton, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of C. Benjamin Stapleton, the sum of \$5,000, in full satisfaction of the claim of such estate against the United States for compensation for the death of the said C. Benjamin Stapleton as a result of personal injuries sustained by him when he was struck by a United States Army vehicle, on Cass Avenue, in Detroit, Michigan, on February 8, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 11, 1946.

[CHAPTER 565]

AN ACT

Authorizing the Secretary of the Interior to partition certain lands in Cleveland County, Oklahoma, and for other purposes.

July 11, 1946
[S. 438]
[Private Law 721]

B. H. Goodin, his heirs or assigns.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That B. H. Goodin, his heirs or assigns, may maintain a suit to partition the northeast quarter of section 33, township 9 north, range 1 east, Indian meridian, in Cleveland County, Oklahoma, against any restricted Indian who is a part owner of said lands in the United States District Court for the Western District of Oklahoma in accordance with the law governing partitions in the State of Oklahoma. The United States shall be made a party to such action, and jurisdiction is hereby conferred upon such court to hear and determine such cause, and service may be had on the United States by serving one copy of the petition or bill in equity on the United States attorney for the Western District of Oklahoma not less than forty-one days before said cause is set for trial, and any conveyance ordered made by said court, in such proceedings, shall operate to remove all restrictions on the lands conveyed to the grantee therein, except where such grantee is a restricted Indian.

Approved July 11, 1946.

[CHAPTER 566]

AN ACT

For the relief of the estate of Sybel Spence.

July 11, 1946
[S. 933]

[Private Law 722]

Sybel Spence, es-
tate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Sybel Spence, the sum of \$5,000, in full satisfaction of the claim of such estate for compensation for the death of the said Sybel Spence as a result of personal injuries sustained by her when she was struck by a United States mail truck in Seattle, Washington, on October 7, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 11, 1946.

[CHAPTER 567]

AN ACT

To authorize the Secretary of the Interior to quitclaim to the heirs of Jesus Gonzales all right, title, and interest of the United States in a certain described tract of land within the Carson National Forest, New Mexico.

July 11, 1946
[S. 1988]

[Private Law 723]

Jesus Gonzales,
heirs.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the following facts: (1) That Jesus Gonzales, of Rodarte, New Mexico (now deceased), and his predecessors in interest had by occupancy and use for agricultural purposes during a period of approximately forty years established an equitable interest in certain lands comprising a portion of the Santa Barbara Grant prior to the acquisition of said grant by the United States through an exchange consummated under the provisions of the Act of January 12, 1925 (43 Stat. 739), whereby said grant became a part of the Carson National Forest, said Jesus Gonzales subsequently continuing such occupancy and use until the time of his demise; (2) that the said area thus occupied and cultivated by the said Jesus Gonzales has been specifically delineated by a survey executed on July 12, 1945, by H. C. Langston, truck trail locator, of the Forest Service, United States Department of Agriculture, whose field notes and plat of said survey have been accepted and filed by said Department and show the area occupied and cultivated by said Jesus Gonzales to be eight and two-tenths acres; and (3) that the said Forest Service has found and stated that the equities of the said Jesus Gonzales are such as to warrant recognition of his lawful heirs as the true and full owners of the said described eight and two-tenths acres of land, the Secretary of the Interior be, and he hereby is, authorized and directed on behalf of the United States to execute a quitclaim deed conveying to the lawful heirs of the said Jesus Gonzales, their successors or assigns, all right, title, and interest which the United States now holds in the said described lands.

Approved July 11, 1946.

[CHAPTER 568]

AN ACT

Granting a renewal of Patent Numbered 113,244 dated February 7, 1939, relating to the flag of the Church of God.

July 11, 1946
[H. R. 5258]
[Private Law 724]

Flag of the Church
of God.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain design patent issued by the United States Patent Office of date of February 7, 1939, being Patent Numbered 113,244, relating to the flag of the Church of God, is hereby renewed and extended for a period of fourteen years from and after the date of enactment of this Act with all the rights and privileges pertaining to the same.

Approved July 11, 1946.

[CHAPTER 571]

AN ACT

For the relief of Gwynn C. Triplett, and for other purposes.

July 12, 1946
[S. 1569]
[Private Law 725]

Gwynn C. Triplett.
42 Stat. 1438.
5 U. S. C. §§661-674;
Supp. V, § 661 *et seq.*

Commander T. J.
Bright.

Lt. (jg) B. S. Wells.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Classification Act of 1923, as amended, the sum of \$1,253.70 shall be credited to the disbursing officers holding the account of Gwynn C. Triplett, for compensation received by the said Triplett, as quarters allowances while serving as fire chief in the Puget Sound Navy Yard from May 1, 1942, to February 15, 1944, as follows: \$549.78 to be credited to the pay account of Commander T. J. Bright, Supply Corps, United States Navy (retired), symbol 56608, for the period of May 1, 1942, through January 31, 1943; \$259.28 to be credited to the pay account of Lieutenant (junior grade) B. S. Wells, Supply Corps, United States Naval Reserve, symbol 51514, for the period of February 1, 1943, through June 15, 1943; and \$444.64 to be credited to the pay account of Lieutenant (junior grade) B. S. Wells, Supply Corps, United States Naval Reserve, symbol 553, for the period of June 16, 1943, through February 15, 1944, and that the said Triplett shall be relieved of any liability to the United States Government for the sum of \$1,253.70 for quarters allowance paid to him from May 1, 1942, to February 15, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 12, 1946.

[CHAPTER 572]

AN ACT

For the relief of Warrant Officer Wayne C. Proper.

July 12, 1946
[S. 593]
[Private Law 726]

Warrant Officer (jg)
Wayne C. Proper.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Warrant Officer (Junior Grade) Wayne C. Proper, personnel adjutant, Eighteen Hundred and Eighty-first Engineer Aviation Battalion, United States Army, is relieved of all liability to pay to the United States the sum of \$4,998.33. Such sum represents personal funds of Army personnel

deposited with him at Port Moresby, New Guinea, for transmission to payees in the United States, and stolen while in his custody on the night of November 15–16, 1943. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, an amount equal to the aggregate of any amounts which have been paid by the said Wayne C. Proper, or which have been withheld from amounts otherwise due him, in partial satisfaction of the claim of the United States arising by reason of such theft.

Approved July 12, 1946.

[CHAPTER 573]

AN ACT

For the relief of Frederic P. L. Mills.

July 12, 1946
[S. 1314]

[Private Law 727]

Frederic P. L. Mills.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frederic P. L. Mills, of Deerfield, Massachusetts, the sum of \$49.92, in full satisfaction of his claim against the United States for compensation for property damage caused by unidentified soldiers of the First Army breaking into his house in Pepperell, Massachusetts, during the evening of September 2, 1941: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 12, 1946.

[CHAPTER 584]

AN ACT

For the relief of John Leberman.

July 16, 1946
[S. 1180]

[Private Law 728]

John Leberman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Leberman, of Lawton, Oklahoma, the sum of \$7,500, in full satisfaction of his claim against the United States for compensation for a certain building built by him and used as a meat market on the Fort Sill Military Reservation, Oklahoma, which was acquired by the United States Army on April 1, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 16, 1946.

[CHAPTER 585]

AN ACT

For the relief of Lofts and Son.

July 16, 1946
[S. 1517]

[Private Law 729]

Lofts and Son.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lofts and Son, a partnership consisting of A. C. Lofts, Clara Lofts, and Arthur C. Lofts, Junior, of Hood River, Oregon, the sum of \$1,000, in full satisfaction of its claim against the United States for compensation for damages resulting from the relocation and reconstruction, in connection with the construction of the Bonneville Dam, of a portion of the Hood River-White Salmon Highway over and across certain premises near Hood River, Oregon, then in the legal possession of Lofts and Son, such relocation and reconstruction having made necessary the removal of certain structures, materials, and equipment of Lofts and Son from such premises, having caused delays and shut-downs in the operation of the business of Lofts and Son, and having prevented the use by Lofts and Son of a direct and convenient means of entering and leaving such premises: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 16, 1946.

[CHAPTER 598]

AN ACT

For the relief of Harold H. Rhodes.

July 24, 1946
[S. 661]

[Private Law 730]

Harold H. Rhodes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Harold H. Rhodes is hereby relieved of all liability for the payment of transportation expenses incurred by him in traveling from Lisbon, Portugal, to Washington, District of Columbia, in January 1944 while in the employ of the Foreign Economic Administration; and the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harold H. Rhodes (1) a sum equal to the aggregate of the amounts deducted or withheld from his subsequent pay or allowances by reason of the disallowance by the Comptroller General of such transportation expenses, and (2) the sum of \$219.62, in full satisfaction of his claim against the United States for payment of per diem allowance for subsistence expenses incurred for the period from December 10, 1943, to January 9, 1944, while traveling on official business as an employee of the Foreign Economic Administration: *Provided,* That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 24, 1946.

[CHAPTER 599]

AN ACT

For the relief of the Western Union Telegraph Company.

July 24, 1946

[H. R. 4917]

[Private Law 731]

Western Union Tel-
graph Co.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Western Union Telegraph Company, a corporation organized under the laws of the State of New York and having its office at 60 Hudson Street, New York, New York, the sum of \$2,463.43, in full satisfaction of all claims against the United States for telegraphic services rendered to the Federal Public Housing Authority during the month of December 1942, payment for such services having been refused by the Comptroller General because the original bill and the original messages attached thereto substantiating said bill having been lost the bill cannot be substantiated in the manner required by the General Accounting Office: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim and it shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated by this Act in excess of 10 per centum thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding \$1,000.

Approved July 24, 1946.

[CHAPTER 618]

AN ACT

To authorize the Secretary of War to sell and convey to the Southern Pacific Railroad Company a right-of-way and easement for railroad purposes across a portion of Camp Cooke Military Reservation, California.

July 24, 1946

[H. R. 3993]

[Private Law 732]

Southern Pacific
Railroad Co.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to sell and convey to the Southern Pacific Railroad Company, a corporation, its successors and assigns, on terms and conditions to be fixed and prescribed by the Secretary of War, a right-of-way and easement for railroad purposes across that portion of the Camp Cooke Military Reservation in the State of California presently occupied by said company.

Approved July 24, 1946.

[CHAPTER 619]

AN ACT

For the relief of Eleanor McCloskey, also known as Evelyn Mary Mikalauskas.

July 25, 1946

[H. R. 271]

[Private Law 733]

Eleanor McCloskey,
also known as Evelyn
Mary Mikalauskas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the immigration and naturalization laws the Attorney General is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Eleanor McCloskey, also known as Evelyn Mary Mikalauskas, heretofore issued on the ground that admission to the United States had been fraudulently gained, and that she shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence as of the date of entry.

Approved July 25, 1946.

[CHAPTER 620]

AN ACT

For the relief of the Hatheway Patterson Corporation.

July 25, 1946
[H. R. 1331]

[Private Law 734]

Hatheway Patter-
son Corp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Hatheway Patterson Corporation, Jersey City, New Jersey, the sum of \$7,500. The payment of such sum shall be in full settlement of all claims of the said Hatheway Patterson Corporation against the United States for property damage resulting from the taking on November 15, 1942, by the United States of a temporary building owned by such corporation within the area of Port Newark Army Air Base, New Jersey: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 621]

AN ACT

For the relief of David M. Matteson.

July 25, 1946
[H. R. 1345]

[Private Law 735]

David M. Matteson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to David M. Matteson, Cambridge, Massachusetts, the sum of \$3,375. The payment of such sum shall be in full settlement of all claims of the said David M. Matteson against the United States and against the United States George Washington Bicentennial Commission for amounts payable to him, pursuant to an agreement between him and said Commission, for work performed in indexing the "Definitive Writings of George Washington": *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 622]

AN ACT

For the relief of Arcadio Saldaña Agosto.

July 25, 1946
[H. R. 1797]

[Private Law 736]

Arcadio Saldaña
Agosto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arcadio Saldaña Agosto, Santurce, Puerto Rico, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Arcadio Saldaña Agosto against the United States on account of personal injuries sustained by him as the result of an accident on July 27,

1942, when the United States military truck numbered 321002 collided with bus numbered P-304, of the Caguas Bus Line, in which he was riding: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 623]

AN ACT

For the relief of the Ohio Valley General Hospital, Wheeling Clinic, Rosetta Snyder, Virginia Barron, Doctor Paul H. Cope, and Doctor J. E. Ricketts.

July 25, 1946
[H. R. 1937]
[Private Law 737]

Ohio Valley General
Hospital.

Wheeling Clinic.
Rosetta Snyder,
and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to the Ohio Valley General Hospital, of Wheeling, West Virginia, the sum of \$202.15; to the Wheeling Clinic, of Wheeling, West Virginia, the sum of \$100; to Rosetta Snyder, of Wheeling, West Virginia, the sum of \$5; to Virginia Barron, of Wheeling, West Virginia, the sum of \$5; to Dr. Paul H. Cope, of Mount Pleasant, Ohio, the sum of \$6; and to Dr. J. E. Ricketts, of Dillonvale, Ohio, the sum of \$2.50. The payment of such sums shall be in full settlement of all claims of said institutions and persons for professional services rendered to Corporal Frank Sable, Junior, now deceased, during the period from May 6, 1941, to May 24, 1941, inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 624]

AN ACT

For the relief of Doctor William A. Schumacher and Magdalen M. Schumacher.

July 25, 1946
[H. R. 2259]
[Private Law 738]

Dr. William A.
Schumacher and Mag-
dalen M. Schumacher.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor William A. Schumacher and Magdalen M. Schumacher, both of Hettinger, North Dakota, the sum of \$5,418.96, in full settlement of all claims against the United States for property damage sustained and for the deaths of their minor children, Nicholas William Schumacher and Margaret Irene Schumacher, and the expenses incurred in connection with their burial, as the result of the crash of an Army airplane in San Diego, California, on August 18, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any

person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 625]

AN ACT

For the relief of Susan S. Wiseman.

July 25, 1946
[H. R. 2287]
[Private Law 739]

Susan S. Wiseman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Susan S. Wiseman, the sum of \$1,525.50, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses, and losses sustained by her as a result of a Navy ambulance striking the automobile in which she was riding at the intersection of Thirtieth Street and Figueroa Street in the City of Los Angeles, California, on December 23, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed \$1,000.

Approved July 25, 1946.

[CHAPTER 626]

AN ACT

For the relief of J. B. Shropshire.

July 25, 1946
[H. R. 2319]
[Private Law 740]

J. B. Shropshire.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. B. Shropshire, of Lindsay, California, the sum of \$2,941.63, in full settlement of all claims against the United States for property damage and personal injuries sustained and for medical and hospital expenses and loss of earnings incurred, as a result of a collision between a tractor and trailer owned by him and an Army truck on United States Highway Numbered 99, near Fresno, California, on January 23, 1943.

Approved July 25, 1946.

[CHAPTER 627]

AN ACT

For the relief of Gaylon Dhu.

July 25, 1946
[H. R. 2489]
[Private Law 741]

Gaylon Dhu.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gaylon Dhu, of Chester, Pennsylvania, the sum of \$2,000, in full settlement of all claims against the United States for injuries and property damage sustained by said Gaylon Dhu, whose car was struck by a United States Army truck in Chester, Pennsylvania, operated by Private Floyd Bradford, Headquarters Battery, Seventy-seventh Regiment Coast Artillery: *Provided,* That no part of the amount

appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 628]

AN ACT

For the relief of Mrs. W. H. (Agnes) Holmes.

July 25, 1946
[H. R. 3360]
[Private Law 742]
Mrs. W. H. (Agnes)
Holmes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. W. H. (Agnes) Holmes, Wilmington, New Hanover County, North Carolina, the sum of \$1,750. The payment of such sum shall be in full settlement of all claims of the said Mrs. W. H. (Agnes) Holmes against the United States on account of personal injuries sustained as a result of a collision with an Army vehicle near Myrtle Beach, South Carolina, on June 25, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 629]

AN ACT

For the relief of Fred W. Grant.

July 25, 1946
[H. R. 3827]
[Private Law 743]
Fred W. Grant.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred W. Grant, San Leandro, California, the sum of \$7,432.12. The payment of such sum shall be in full settlement of all claims of the said Fred W. Grant against the United States on account of personal injuries, medical and hospital expenses actually incurred, and loss of earnings sustained by him on April 13, 1944, when he was struck at the intersection of Spear and Mission Streets, San Francisco, California, by a United States Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 630]

AN ACT

For the relief of the legal guardian of Johnnie Pollock, a minor.

July 25, 1946
[H. R. 3848]

[Private Law 744]

Guardian of John-
nie Pollock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,062.80, to the legal guardian of Johnnie Pollock, a minor, of Killeen, Texas, in full settlement of all claims against the United States for personal injuries, hospital and medical expenses and other expenses incident thereto, sustained as the result of an explosion of a shell near Camp Hood, Texas, on June 11, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 631]

AN ACT

For the relief of Warren H. Thompson and Madeline Parent.

July 25, 1946
[H. R. 3857]

[Private Law 745]

Warren H. Thomp-
son and Madeline
Parent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Warren H. Thompson, San Diego, California, the sum of \$1,000, and to Madeline Parent, San Diego, California, the sum of \$800. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries sustained by the said Warren H. Thompson and Madeline Parent on November 17, 1944, when the automobile which the said Warren H. Thompson was driving and in which the said Madeline Parent was a passenger was involved in a collision with a United States Army truck on the highway from Carlsbad, California, to San Diego, California: *Provided,* That no part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 632]

AN ACT

For the relief of Roy Hesselmeyer.

July 25, 1946
[H. R. 4090]

[Private Law 746]

Roy Hesselmeyer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roy Hesselmeyer, of Union, Missouri, the sum of \$2,000. Such sum represents reimbursement by the United States to the said Roy Hesselmeyer of an amount paid by him to the United States in satisfaction of a judgment had and taken against him in the sum of \$2,000 and costs as surety on a

bond for the appearance on a day certain of Jack Houston to answer criminal charges in the United States District Court for the Eastern District of Missouri (said judgment having been entered as of record October 26, 1932), the said Jack Houston having failed to appear on such day, but having been apprehended thereafter and, after conviction, a sentence of imprisonment was imposed upon him, which sentence was served: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 633]

AN ACT

For the relief of Jesús Lassalle and Mrs. America Bonet Medina.

July 25, 1946
[H. R. 4247]

[Private Law 747]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,035 to Jesús Lassalle and his wife, Mrs. America Bonet Medina, in full settlement of all claims against the United States on account of the death of their minor daughter, Edith M. Lassalle, who died as a result of personal injuries sustained when she was struck by a United States Army automobile on June 20, 1944, in Aguadilla, Puerto Rico: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Jesús Lassalle and
Mrs. America Bonet
Medina.

Approved July 25, 1946.

[CHAPTER 634]

AN ACT

For the relief of the estate of the late Alberto López Ramos.

July 25, 1946
[H. R. 4357]

[Private Law 748]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to the estate of the late Alberto López Ramos, of Puerto Rico, in full settlement of all claims against the United States for the death of the said Alberto López Ramos, sustained as the result of an accident involving a United States Army vehicle on Highway Numbered 2, between Camuy and Quebradilla, Puerto Rico, on November 17, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Alberto López Ra-
mos, estate.

Approved July 25, 1946.

[CHAPTER 635]

AN ACT

For the relief of Charles Marvin Smith.

July 25, 1946
[H. R. 4492]

[Private Law 749]

Charles Marvin
Smith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Marvin Smith, Greenwood, South Carolina, the sum of \$2,500. The payment of such sum shall be in full settlement of all claims of the said Charles Marvin Smith against the United States for personal injuries sustained on December 15, 1941, while engaged in filling an excavation for a tunnel at the United States Penitentiary, Atlanta, Georgia. The said Charles Marvin Smith is permanently disabled as the result of such accident: *Provided,* That upon the death of Charles Marvin Smith the unpaid sum, if any, shall be paid to his estate: *Provided further,* That no part of the amount appropriated in this Act in excess of 5 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 636]

AN ACT

For the relief of Dolores Joyce.

July 25, 1946
[H. R. 4577]

[Private Law 750]

Dolores Joyce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dolores Joyce, Peekskill, New York, the sum of \$1,350. The payment of such sum shall be in full settlement of all claims of the said Dolores Joyce against the United States on account of personal injuries and loss of earnings sustained by her while riding as a passenger in an Army carry-all truck, on United States Route 6, proceeding toward Peekskill, New York, caused by a sideswiping and collision with another vehicle, a privately owned car: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 637]

AN ACT

For relief of the estate of Katherine Delores Booth and Agnes Jane True.

July 25, 1946
[H. R. 4834]

[Private Law 751]

Katherine Delores
Booth and Agnes Jane
True, estates.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Katherine Delores Booth, the sum of \$3,000 and to pay the estate of Agnes Jane True the sum of \$3,000, in full settlement of all claims against the United States for the deaths of the said Katherine

Delores Booth and Agnes Jane True, sustained as the result of being struck by a United States Army truck in Salt Lake City, Utah, on September 8, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 638]

AN ACT

For the relief of the legal guardian of Joan Esther Hedin, a minor:

July 25, 1946
[H. R. 4996]
[Private Law 752]

Guardian of Joan
Esther Hedin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Joan Esther Hedin, of Renton, Washington, the sum of \$1,000 in full satisfaction of all claims against the United States for personal injuries, disfigurement, medical expenses, and dental expenses incurred resulting from a collision on October 26, 1943, in which the Issaquah School District bus, in which Joan Esther Hedin was riding, collided with a United States Army truck on United States Highway Numbered 10, near Issaquah, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 639]

AN ACT

For the relief of Newton William Lowery.

July 25, 1946
[H. R. 5510]
[Private Law 753]

Newton William
Lowery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Newton William Lowery, High Point, North Carolina, the sum of \$630. The payment of such sum shall be in full settlement of the claim of the said Newton William Lowery against the United States for loss of earnings resulting from personal injuries received by the said Newton William Lowery in a collision between a vehicle operated by him and a United States Army vehicle on July 8, 1945, on the Water Works Road leading to Virginia Beach, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 640]

AN ACT

For the relief of Andrew M. Halvorsen:

July 25, 1946
[H. R. 5539]
[Private Law 754]

Andrew M. Halvor-
sen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Andrew M. Halvorsen, the sum of \$905.84, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained by him as a result of an accident which occurred on April 16, 1945, when he was struck by two metal barrels which fell from an Army operated fork lift truck while he was walking along the sidewalk in front of pier 17, San Francisco, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 641]

AN ACT

For the relief of Mr. and Mrs. Walter Keaton.

July 25, 1946
[H. R. 5872]
[Private Law 755]

Mr. and Mrs. Wal-
ter Keaton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000, to Mr. and Mrs. Walter Keaton, of Dixon, Missouri, in full settlement of all claims against the United States on account of property damage, the death and burial expenses of one minor child, personal injuries, medical and hospital expenses, and loss of earnings, resulting from an accident between the car in which Mr. and Mrs. Keaton and their five minor children were riding and an Army truck, which occurred on Highway Numbered 28, about two miles north of Dixon, Missouri, on September 22, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 644]

AN ACT

For the relief of Aeronautical Training Center, Incorporated.

July 25, 1946
[S. 1132]
[Private Law 756]

Aeronautical Train-
ing Center, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Aeronautical Training Center, Incorporated, of Hollywood, California, the sum of \$1,978, in full satisfaction of its claims against the United States for compensation or damages which it sustained and for reimbursement

for expenses which it incurred as a result of being forced by the Army Air Forces to move its facilities from Kern County Airport, California, to Imperial County Airport, California, on January 3, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 645]

AN ACT

For the relief of Ivor E. Nicholas.

July 25, 1946
[S. 1748]

[Private Law 757]

Ivor E. Nicholas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ivor E. Nicholas, of Tukwila, Washington, the sum of \$4,000, in full settlement of all claims of said Ivor E. Nicholas against the United States for personal injuries and loss of earnings sustained by him as a result of an accident involving a United States Army vehicle which occurred at the intersection of Primary Highway Numbered 5 and Secondary Highway Numbered 1-L, near Renton, Washington, on March 5, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 646]

AN ACT

For the relief of E. D. Williams.

July 25, 1946
[H. R. 247]

[Private Law 758]

E. D. Williams.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. D. Williams, of Glendora, California, the sum of \$614.57, in full satisfaction of all claims against the United States for personal injuries sustained as the result of an accident involving an Army truck and a De Soto airflow sedan in which he was the driver, at the corner of Barranca and Cortez Streets near Glendora, California, on November 1, 1943: *Provided*, That no amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of service rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 647]

AN ACT

For the relief of John P. Hayes, postmaster, and the estate of Edward P. McCormack, former postmaster, at Albany, New York.

July 25, 1946

[H. R. 844]

[Private Law 759]

John P. Hayes.

Edward P. McCormack, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John P. Hayes, postmaster at Albany, New York, is relieved of all liability to refund to the United States the sum of \$5,685.53; that the estate of Edward P. McCormack, former postmaster at Albany, New York, is relieved of all liability to refund to the United States the sum of \$5,189.87. Such sums represent a shortage in the accounts of said postmasters, caused by theft of post-office funds by a former clerk who has been convicted and sentenced to imprisonment for such thefts. The Comptroller General is authorized and directed to credit the account of John P. Hayes in the sum of \$5,685.53 and to credit the account of the estate of Edward P. McCormack in the sum of \$5,189.87. The surety on the bond of said postmasters is released from any liability on account of such shortage.

Approved July 25, 1946.

[CHAPTER 648]

AN ACT

For the relief of Justin P. Hopkins.

July 25, 1946

[H. R. 2962]

[Private Law 760]

Justin P. Hopkins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Justin P. Hopkins, Arlington, Virginia, the sum of \$1,999.75. The payment of such sum shall be in full settlement of all claims of the said Justin P. Hopkins against the United States for personal injuries, medical and hospital expenses, and loss of earnings as a result of his being struck, on January 16, 1945, near the intersection of Hudson Street and Washington Boulevard, Arlington, Virginia, by a vehicle in the service of the Post Office Department: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 649]

AN ACT

For the relief of A. C. McMeans.

July 25, 1946

[H. R. 3145]

[Private Law 761]

A. C. McMeans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in the sum of \$1,075, to A. C. McMeans, of Bastrop, Louisiana, in full settlement of all claims against the United States for personal injuries, hospital and medical expenses, and property damage, sustained as the result of a collision between the automobile in which he was riding and a United States Army vehicle in Monroe, Louisiana, on April 23, 1944: *Provided,* That no part of the amount appropriated in this Act

in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 650]

AN ACT

For the relief of J. E. and Minerva Mitchell, and Rosie Monroe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. E. and Minerva Mitchell, Modesto, California, the sum of \$3,000, and to Rosie Monroe, Modesto, California, the sum of \$5,000. The payment of such sums shall be in full settlement of all claims against the United States for the deaths of Claude Lewis Mitchell and Elmer Oscar Monroe sustained as the result of a collision between the motorcycle in which they were riding and a United States Army vehicle on Golden State Highway near Manteca, California, on November 16, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

July 25, 1946
[H. R. 3341]
[Private Law 762]

J. E. and Minerva
Mitchell, and Rosie
Monroe.

[CHAPTER 651]

AN ACT

For the relief of Claude S. Crouse.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,000, to Claude S. Crouse, of Eldridge Hill, Woodstown, New Jersey, in full settlement of all claims against the United States for personal injuries sustained as a result of a collision between the automobile in which he was driving and a United States Government truck on United States highway in Alleghany County, North Carolina, on September 22, 1939, and upon condition that the said Claude S. Crouse executes a good and sufficient release of the judgment obtained by him against Clifford Rector, the driver of such truck, in the Superior Court of Alleghany County, North Carolina, in September 26, 1940: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

July 25, 1946
[H. R. 3397]
[Private Law 763]

Claude S. Crouse.

[CHAPTER 652]

AN ACT

For the relief of Jane O'Malley.

July 25, 1946

[H. R. 4215]

[Private Law 764]

Jane O'Malley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jane O'Malley, of 525 West Roscoe Street, Chicago, Illinois, the sum of \$6,013.63, in full settlement of all claims against the United States on account of injuries sustained when the said Jane O'Malley was struck by an automobile driven by an employee of the United States Public Health Service. The accident occurred on March 22, 1945, at Kenmore and Ainslie Streets, in Chicago, Illinois: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 653]

AN ACT

For the relief of Mrs. Minnie Jenkins Ward.

July 25, 1946

[H. R. 4673]

[Private Law 765]

Minnie Jenkins
Ward.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Minnie Jenkins Ward, of Birmingham, Alabama, the sum of \$2,500, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses incurred as the result of being tripped by a venetian blind cord and caused to fall at the Five Pointe substation of the Birmingham post office in Birmingham, on May 2, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 654]

AN ACT

For the relief of Walter R. Newcomb, Senior, Corbin A. Newcomb, and Walter R. Newcomb, Junior.

July 25, 1946

[H. R. 4862]

[Private Law 766]

Walter R. New-
comb, Sr., and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter R. Newcomb, Senior, of Woodward, Oklahoma, the sum of \$791.30; to the legal guardian of Corbin A. Newcomb, a minor, the sum of \$500; to the legal guardian of Walter R. Newcomb, Junior, a minor, the sum of \$999.70, in full settlement of all claims against the United States for personal injuries sustained by the two minor boys, and hospital and medical expenses incurred for the treatment and hospitalization of

the boys by Walter R. Newcomb, Senior, sustained as a result of the explosion of a spotting charge assembly on October 30, 1943, which spotting charge assembly was found on the said day beside a public highway near the Woodward Army Air Field, Woodward, Oklahoma: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 655]

AN ACT

For the relief of Archibald J. Alcorn.

July 25, 1946
[H. R. 4919]
[Private Law 767]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Archibald J. Alcorn, of Chicago, Illinois, the sum of \$6,360.51. Payment of such sum shall be in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, loss of earnings, and property damage, sustained as the result of an accident involving a United States Army truck at Clark Street and Touhy Avenue, in Chicago, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Archibald J. Alcorn.

Approved July 25, 1946.

[CHAPTER 656]

AN ACT

For the relief of the estate of Drury Lee Jordan.

July 25, 1946
[H. R. 5026]
[Private Law 768]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legally qualified representative of the estate of Drury Lee Jordan, deceased, of Lascassas, Tennessee, the sum of \$2,597.50, in full settlement of all claims against the United States on account of the death of the said Drury Lee Jordan, who was instantly killed on October 11, 1943, when struck by a United States scout car on Valley View Road, Lascassas, Tennessee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Drury Lee Jordan, estate.

Approved July 25, 1946.

[CHAPTER 657]

AN ACT

For the relief of Mrs. Lim Shee Chang:

July 25, 1946

[H. R. 5030]

[Private Law 769]

Mrs. Lim Shee
Chang.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lim Shee Chang, a citizen of the Republic of China and a resident of the Territory of Hawaii, the sum of \$1,000, in full settlement of all claims against the United States on account of personal injuries suffered when she was struck by an Army truck driven by a servant of the United States on January 6, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection herewith, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 658]

AN ACT

For the relief of Marian Antoinette McCloud.

July 25, 1946

[H. R. 5178]

[Private Law 770]

Mrs. Marian An-
toinette McCloud.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of law excluding persons of races ineligible to citizenship from admission to the United States, Mrs. Marian Antoinette McCloud who is the wife of Gordon McCloud, a United States citizen soldier who served honorably in the armed forces of the United States, may be admitted to the United States for permanent residence upon meeting the requirements of Public Law Numbered 271, approved December 28, 1945, the so-called Soldier Brides' Act.

Approved July 25, 1946.

[CHAPTER 659]

AN ACT

For the relief of Stephen Lisay:

July 25, 1946

[H. R. 5228]

[Private Law 771]

Stephen Lisay.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stephen Lisay, of New London, Connecticut, the sum of \$2,000, in full settlement of all claims against the United States for personal injuries, hospital and medical expenses and loss of earnings sustained as the result of an accident involving a United States Maritime Service vehicle on August 16, 1945, in New London, Connecticut: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

59 Stat. 659,
8 U. S. C., Supp. V,
§§ 232-236.

[CHAPTER 660]

AN ACT

For the relief of Charles Booker.

July 25, 1946
[H. R. 5351]
[Private Law 772]

Charles Booker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to Charles Booker, of Victoria, Texas, in full settlement of all claims against the United States for personal injuries and loss of earnings as the result of an accident involving a United States Army Air Forces truck near Cuero, Texas, on or about August 4, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 661]

AN ACT

For the relief of Joseph Ippolito.

July 25, 1946
[H. R. 5352]
[Private Law 773]

Joseph Ippolito.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,399 to Joseph Ippolito, 277 Troutman Street, Brooklyn, New York, in full settlement of all claims against the United States Government for injuries sustained and expenses incident thereto when the taxi in which he was riding was struck by a United States Army vehicle at the intersection of DeKalb and Bedford Avenues, Brooklyn, on February 20, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 662]

AN ACT

For the relief of Mae Maxine Stone.

July 25, 1946
[H. R. 5338]
[Private Law 774]

Mae Maxine Stone.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Mae Maxine Stone, the sum of \$1,870 in full settlement of all claims against the United States on account of loss in wages arising from collision of claimant's automobile with an Army truck in Camp Claiborne, Rapides Parish, State of Louisiana, on January 6, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any

agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 663]

AN ACT

For the relief of F. B. Sweat.

July 25, 1946
[H. R. 5541]
[Private Law 775]

F. B. Sweat.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$310.25, to F. B. Sweat, Jacksonville, Florida, in full settlement of all claims against the United States for property damage sustained as the result of an accident involving a Civilian Conservation Corps vehicle of the War Department on Highway Numbered 68, Jacksonville, Florida, on September 20, 1941: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 664]

AN ACT

For the relief of Charles L. Cannon.

July 25, 1946
[H. R. 5722]
[Private Law 776]

Charles L. Cannon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles L. Cannon, of Custer, South Dakota, the sum of \$2,510.33. The payment of such sum shall be in full settlement of the claim of said Charles L. Cannon against the United States for personal injuries and loss of earning power as a result of a collision on June 30, 1945, in Custer County, South Dakota, between his vehicle and a vehicle of the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 665]

AN ACT

For the relief of Frances Fitzgerald:

July 25, 1946
[H. R. 5739]
[Private Law 777]

Frances Fitzgerald.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frances Fitzgerald, of San Francisco, California, \$438.35, in full settlement of all claims against the United States for personal injuries, medical, and other expenses, sustained when an Army vehicle collided with an automobile she was riding in at the intersection of Army and Church Streets, at 9:30 antemeridian, on December 7, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 666]

AN ACT

For the relief of Etta Yoakam.

July 25, 1946
[H. R. 5806]
[Private Law 778]

Etta Yoakam.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Etta Yoakam, Long Beach, California, the sum of \$2,827.06. The payment of such sum shall be in full settlement of all claims of the said Etta Yoakam against the United States on account of personal injuries and loss of earnings sustained by her, March 14, 1942, when she was struck by an Army vehicle at the intersection of Cedar Avenue and West Fourth Street, Long Beach, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 667]

AN ACT

For the relief of Elsie Elmhurst.

July 25, 1946
[H. R. 5878]
[Private Law 779]

Mrs. Elsie Elmhurst.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Elsie Elmhurst, of Honolulu, Territory of Hawaii, the sum of \$569.58. The payment of such sum shall be in full settlement of all claims of the said Elsie Elmhurst against the United States on account of property damage and medical expenses sustained as the result of an accident in which

her automobile in which she was riding was struck by an Army vehicle driven by personnel of the United States Army on the Pali Road near Honolulu on June 10, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 668]

AN ACT

For the relief of Frances Krzys:

July 25, 1946
[H. R. 5884]

[Private Law 780]

Frances Krzys.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$556.35, to Frances Krzys, of Thompsonville, Connecticut, in full settlement of all claims against the United States for damages sustained to an automobile owned by her as a result of an accident involving an Army vehicle, which accident occurred on State Street in the city of Springfield, Massachusetts, on January 26, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

[CHAPTER 669]

AN ACT

For the relief of Brevet First Lieutenant Margaret Utinsky.

July 25, 1946
[H. R. 6213]

[Private Law 781]

Brevet First Lt.
Margaret Utinsky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Brevet First Lieutenant Margaret Utinsky, of Washington, District of Columbia, the sum of \$9,820, in full settlement of all claims against the United States for moneys, goods, and supplies furnished and delivered by said Brevet First Lieutenant Margaret Utinsky to the armed forces of the United States in the Philippine Islands between December 7, 1941, and August 14, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 25, 1946.

CHAPTER 670]

AN ACT

For the relief of John E. Peterson, James M. Hiler, Vivian Langemo, Floy Sibrie, and Ross Lee Brown.

July 25, 1946
[H. R. 6472]
[Private Law 782]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to remove from the records of his office the debt which has been raised therein against employees of the Federal Public Housing Authority in the amounts and with respect to housing projects as follows: John E. Peterson, \$2,153.52; Los Cerritos Trailer Courts, project CAL-4811, Long Beach, California; James M. Hiler, \$341.90; Marine View Terrace, project CAL-4745, Eureka, California; John E. Peterson, Vivian Langemo, and Floy Sibrie, \$476; Los Cerritos Trailer Courts, project CAL-4905, Long Beach, California; Ross Lee Brown, \$227.50; Sahara Trailer Park, project UTAH-42151, Layton, Utah, together with the interest due on said amounts from the date of the loss of public funds for which they are accountable and which were stolen without their fault from the premises of the aforesaid housing projects: *Provided*, That the aforesaid employees are hereby relieved of pecuniary responsibility for the loss of said public funds.

John E. Peterson
and others.

SEC. 2. The Comptroller General is authorized and directed to allow credit in the settlement of the accounts of Guy F. Allen, former chief disbursing officer, Treasury Department, in such amounts, not exceeding the sums stated in section 1 hereof, as may be necessary to relieve such former disbursing officer of financial liability on account of the loss of such sums.

Guy F. Allen.
Credit in accounts.

Approved July 25, 1946.

[CHAPTER 678]

AN ACT

For the relief of the Marine Engine Works and Shipbuilding Corporation, of Tarpon Springs, Florida.

July 26, 1946
[H. R. 1322]
[Private Law 783]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Marine Engine Works and Shipbuilding Corporation, of Tarpon Springs, Florida, the sum of \$5,102.35, in full settlement of all claims against the United States on account of losses sustained by such corporation in fulfilling a United States Navy contract awarded to such corporation on October 26, 1940, for the construction of six standard thirty-foot motor launches: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Marine Engine
Works and Shipbuild-
ing Corp.

Approved July 26, 1946.

[CHAPTER 679]

AN ACT

For the relief of the Superior Coach Corporation.

July 26, 1946
[H. R. 1673]
[Private Law 784]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money

Superior Coach
Corp.

in the Treasury not otherwise appropriated, to the Superior Coach Corporation, Lima, Ohio, the sum of \$66,143.86. Such sum represents damages sustained by the said Superior Coach Corporation in the performance of a contract with the War Department (contract numbered W1077 sc-1331) for the construction of seven hundred and ninety van bodies for truck K-56 because of the failure of the War Department to furnish chassis in sufficient quantities to enable such corporation to mount bodies thereon in time to meet the delivery schedule of the contract. The payment of such sum shall be in full settlement of all claims against the United States arising from the performance of such contract: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 26, 1946.

[CHAPTER 680]

AN ACT

For the relief of Walter J. Barnes Electric Company and Maritime Electric Company, Incorporated.

July 26, 1946
[H. R. 5398]
[Private Law 785]

Walter J. Barnes
Electric Company and
Maritime Electric
Company, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter J. Barnes Electric Company and Maritime Electric Company, Incorporated, joint adventurers, the sum of \$4,179.65. The payment of such sum shall be in full settlement of all claims of the said companies against the United States for the installation of electric wiring in three booster stations at Camp Livingston, Louisiana, and one sewer lift station at Camp Beauregard, Louisiana, as subcontractors under contracts numbered W-6942-qm-21 and numbered W-6942-qm-27, both dated July 5, 1941, between the United States Army and Pittman Brothers Construction Company, and which stations were not shown on drawings forming a part of the respective contracts, but which were shown and required by revised drawings dated December 23, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 26, 1946.

[CHAPTER 681]

AN ACT

For the relief of certain postmasters.

July 26, 1946
[H. R. 5792]
[Private Law 786]

Postmaster, Cincinnati, Ohio.

Postmaster, Staten Island, N. Y.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to pay from the appropriation for "Clerks, first- and second-class post offices" for the fiscal year 1946, to the postmaster at Cincinnati, Ohio, the sum of \$35.33, and the postmaster at Staten Island, New York, the sum of \$15.07, the respective amounts representing disallowances by the Comptroller

General of overpayments of compensation, subsequently balanced from personal funds of the postmasters, to certain temporary substitute postal employees by reason of instructions given the postmasters by the Post Office Department to the effect that the 10 per centum differential for night work authorized by the Act of May 24, 1928, as amended (39 U. S. C. 828), should be computed upon the regular rate plus the 10 per centum increase in compensation authorized to be paid substitutes by the Act of December 22, 1942 (56 Stat. 1068), the provisions of which were retroactive to December 1, 1942, and the Comptroller General having ruled subsequent to the issuance of such instructions that the 10 per centum increase authorized by the Act of December 22, 1942, was applicable only to the base rate and not to the night-work differential.

45 Stat. 725.
39 U. S. C., Supp.
V, § 828.

5 U. S. C., Supp. V,
§§ 29, 26a notes.

SEC. 2. That the Postmaster General and the General Accounting Office are authorized and directed to credit the account of the postmaster at Minneapolis, Minnesota, in the sum of \$167.38, and the account of the postmaster at Pittsburgh, Pennsylvania, in the sum of \$63.51, the respective amounts representing overpayments of compensation to certain temporary substitute postal employees by reason of instructions given the postmasters by the Post Office Department to the effect that the 10 per centum differential for night work authorized by the Act of May 24, 1928, as amended (39 U. S. C. 828), should be computed upon the regular rate plus the 10 per centum increase in compensation authorized to be paid substitutes by the Act of December 22, 1942 (56 Stat. 1068), the provisions of which were retroactive to December 1, 1942, and the Comptroller General having ruled subsequent to the issuance of such instructions that the 10 per centum increase authorized by the Act of December 22, 1942, was applicable only to the base rate and not to the night-work differential.

Postmaster, Minne-
apolis, Minn.

Postmaster, Pitts-
burgh, Pa.

Approved July 26, 1946.

[CHAPTER 687]

AN ACT

For the relief of Edwin Doyle Parrish.

July 27, 1946
[H. R. 1754]
[Private Law 787]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin Doyle Parrish, of Lake Charles, Louisiana, the sum of \$5,000, in full settlement of all claims against the United States for compensation for personal injuries sustained, and reimbursement of expenses incurred, as the result of a riot at Lake Charles, Louisiana, on May 12, 1943, in which military personnel were involved: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Edwin Doyle Par-
rish.

Approved July 27, 1946.

[CHAPTER 688]

AN ACT

For the relief of Daniel S. Bagley, Junior, and Daniel S. Bagley, Senior.

July 27, 1946
[H. R. 2130]
[Private Law 788]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money

Daniel S. Bagley,
Jr., and Daniel S. Bag-
ley, Sr.

in the Treasury not otherwise appropriated, to Daniel S. Bagley, Junior, the sum of \$545.10, and to Daniel S. Bagley, Senior, the sum of \$150.05, both of Tampa, Florida, in full settlement of all claims against the United States for personal injuries sustained by Daniel S. Bagley, Junior, and for property damage to the automobile of Daniel S. Bagley, Senior, sustained as the result of an accident involving a United States Army vehicle in Tampa, Florida, on April 12, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 27, 1946.

[CHAPTER 689]

AN ACT

For the relief of Chatham M. Towers.

July 27, 1946

[H. R. 3455]

[Private Law 789]

Chatham M. Towers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, to Chatham M. Towers, former Collector of Taxes of the District of Columbia, out of any money in the Treasury not otherwise appropriated, the sum of \$4,237.65; to reimburse the said Chatham M. Towers for salary withheld and applied, amounting to \$249.28; retirement annuities withheld and applied, amounting to \$1,488.37; and the sum of \$2,500 paid by the said Chatham M. Towers, on account of a shortage arising in the accounts of the said Chatham M. Towers during his service as Collector of Taxes for the District of Columbia, and which, upon investigation, have been shown to have resulted from peculations of agent officers who were not exclusively responsible to the said Chatham M. Towers, during his tenure as Collector of Taxes: *Provided*, That the total sum directed to be paid pursuant to this Act shall be paid from the revenues of the District of Columbia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 27, 1946.

[CHAPTER 690]

AN ACT

For the relief of William A. Pixley.

July 27, 1946

[H. R. 3623]

[Private Law 790]

William A. Pixley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$154.35 to William A. Pixley, of Los Angeles, California, in full settlement of all claims against the United States for the cost of a camera which was checked with the Capitol Police at the door of the House of Representatives, on October 10, 1941, and which was lost or stolen while in their custody: *Provided*, That no part of the

amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 27, 1946.

[CHAPTER 691]

AN ACT

For the relief of Mrs. Opal Riley and Robert R. Riley.

July 27, 1946
[H. R. 5025]
[Private Law 791]

Mrs. Opal Riley and
Robert R. Riley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Opal Riley, Kansas City, Missouri, the sum of \$5,813.27, and to Robert R. Riley, Kansas City, Missouri, the sum of \$299. The payment of such sum of \$5,813.27 shall be in full settlement of all claims of the said Mrs. Opal Riley against the United States on account of personal injuries, hospital, medical, and other expenses, and property damage sustained by her as the result of an accident on March 25, 1945, when her automobile which she was driving was in collision with a United States Navy station wagon at the intersection of Kansas State Highways Numbered 7 and 10, in Johnson County, Kansas. The payment of such sum of \$299 shall be in full settlement of all claims of the said Robert R. Riley against the United States for property damage and personal injuries as the result of such collision: *Provided*, That no part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 27, 1946.

[CHAPTER 695]

AN ACT

For the relief of the Poultry Producers of Central California.

July 29, 1946
[H. R. 3484]
[Private Law 792]

Poultry Producers
of Central California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,860 net, to the Poultry Producers of Central California, in full satisfaction of their claim against the United States for the net unpaid balance due them under contract numbered N 220 s-66500, dated January 2, 1942, entered into by the Poultry Producers of Central California with the United States Government through the Navy Department for furnishing and delivering six hundred thousand dozen of eggs to the naval supply depot, Oakland, California. Said claim arising from an oral change of orders regarding dates for the delivery of eggs when war requirements demanded immediate shipment of eggs contracted for storage purposes and delivery on dates covered in contract conflicted with available shipping facilities requiring emergency oral adjustment of delivery dates in the interest of the Government

requirements: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 29, 1946.

[CHAPTER 696]

AN ACT

For the relief of the Maryland Sanitary Manufacturing Corporation of Baltimore, Maryland.

July 29, 1946
[H. R. 4616]

[Private Law 793]

Maryland Sanitary
Manufacturing Corp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Maryland Sanitary Manufacturing Corporation of Baltimore, Maryland, the sum of \$374,755, in full settlement of all claims against the United States for losses sustained in the manufacture of magnesium sand castings for Government contractors engaged in the manufacture of fighting, training, and transport airplanes for use by the Army Air Forces in the prosecution of the war, the said losses having been occasioned primarily by reason of the corporation's reliance upon representations and assurances made in good faith by agents of the Government but which were not fulfilled: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 29, 1946.

[CHAPTER 697]

AN ACT

For the relief of the estate of Jasper A. Mealer.

July 29, 1946
[H. R. 5053]

[Private Law 794]

Jasper A. Mealer,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of money in the Treasury not otherwise appropriated, to the estate of Jasper A. Mealer, deceased, the sum of \$7,500, in full settlement of all claims against the United States on account of the death of Jasper A. Mealer on December 14, 1944, when he was struck by a P-38 Army airplane of the United States Army, near College Park, Georgia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 29, 1946.

[CHAPTER 702]

AN ACT

For the relief of the legal guardian of James Lemuel Muzzall, a minor.

July 30, 1946
[H. R. 1151]

[Private Law 795]

Guardian of James
Lemuel Muzzall.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, to the legal guardian of James Lemuel Muzzall, a minor, in full settlement of all claims against the United States for personal injuries inflicted on him on July 24, 1943, by reason of his being struck and injured by an Army staff car operated by an enlisted man on official business, while said Army staff car was proceeding south on Highway Numbered 76, in Henry County, Tennessee: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 30, 1946.

[CHAPTER 703]

AN ACT

For the relief of Andre Dacharry.

July 30, 1946
[H. R. 2192]

[Private Law 796]

Andre Dacharry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Andre Dacharry, Los Angeles, California, the sum of \$9,923.44. The payment of such sum shall be in full settlement of all claims of the said Andre Dacharry against the United States on account of personal injuries, medical and hospital expenses and property damage sustained on January 19, 1944, when he, and the bicycle which he was riding, was struck on the Coast Highway near Malibu Beach, California, by a United States Coast Guard truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 30, 1946.

[CHAPTER 715]

AN ACT

For the relief of Standard Dredging Corporation.

July 31, 1946
[H. R. 3065]

[Private Law 797]

Standard Dredging
Corp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Standard Dredging Corporation, of New York, New York, the sum of \$622,217.84. Such sum represents the actual loss incurred by the said Standard Dredging Corporation in the performance of a subcontract approved by the Navy Department and dated October 22, 1941, by and between the

said Standard Dredging Corporation and the Arundel Corporation, Consolidated Engineering Company, Incorporated, and Hardaway Contracting Company, all of Baltimore, Maryland, joint venturers and prime contractors under a cost-plus-a-fixed-fee contract with the Navy Department (contract NOy-3680 and subsequent changes and supplemental agreements thereto) for the construction of certain public works in Puerto Rico and other locations in the West Indies, under which subcontract the said Standard Dredging Corporation agreed, at a unit price of 35 cents per cubic yard, to do certain hydraulic dredging, filling, and dike construction in connection with the construction of the United States Naval Base, Roosevelt Roads, Puerto Rico. The payment of such sums shall be in full settlement of all claims against the prime contractors or the United States arising from the performance of such subcontract: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1946.

[CHAPTER 716]

AN ACT

For the relief of Mrs. Mary Francoline and Mrs. Rose Wallace.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary Francoline, Hartford, Connecticut, the sum of \$7,500, and to Mrs. Rose Wallace, Hartford, Connecticut, the sum of \$447.60. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries and damage to property sustained by the said Mrs. Mary Francoline and Mrs. Rose Wallace when they were struck on December 17, 1944, while walking on the sidewalk of Franklin Avenue, Hartford, Connecticut, by a United States mail truck: *Provided*, That no part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1946.

[CHAPTER 730]

AN ACT

For the relief of the legal guardian of Duane N. Thompson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Duane N. Thompson, a minor, of Berkeley, California, the sum of \$3,753.70 in full satisfaction of all claims against the United States for compensation for personal injuries sustained by the said Duane N.

July 31, 1946
[H. R. 5324]

[Private Law 798]

Mrs. Mary Francoline and Mrs. Rose Wallace.

August 1, 1946
[S. 1549]

[Private Law 799]

Guardian of Duane N. Thompson.

Thompson, and for medical expenses incurred as a result of an accident which occurred when he was struck by a United States Government vehicle, at the intersection of Ninth Street and University Avenue, in Berkeley, California, on December 28, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 1, 1946.

[CHAPTER 731]

AN ACT

For the relief of Michael Joseph Bennett, a minor.

August 1, 1946
[S. 1674]

[Private Law 800]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Michael Joseph Bennett, a minor, of Dover, New Hampshire, the sum of \$149, in full satisfaction of all claims against the United States for compensation for personal injuries sustained by the said Michael Joseph Bennett when he was accidentally shot by a member of the United States Marine Corps who was searching for escaped naval prisoners, in Dover, New Hampshire on November 24, 1943, and for reimbursement of medical expenses incurred as a result of such injuries: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Guardian of Michael
Joseph Bennett.

Approved August 1, 1946.

[CHAPTER 732]

AN ACT

For the relief of Wayne Parker.

August 1, 1946
[S. 1751]

[Private Law 801]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wayne Parker, of Portland, Oregon, the sum of \$1,500, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him as a result of having been accidentally shot by a member of the United States naval forces who was acting as an armed guard on a naval vessel, at the Willamette Iron and Steel Corporation, in Portland, Oregon, on May 7, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Wayne Parker.

Approved August 1, 1946.

[CHAPTER 733]

AN ACT

For the relief of Louise Zerweck.

August 1, 1946
[H. R. 1350]

[Private Law 802]

Louise Zerweck.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louise Zerweck, East Saint Louis, Illinois, the sum of \$10,000. The payment of such sum shall be in full settlement of all claims of the said Louise Zerweck against the United States for personal injuries, hospital, and medical expenses sustained on November 11, 1935, when she was thrown from a United States Army horse in the armory at Iowa State College, Ames, Iowa, while receiving riding instructions in a class conducted by Army personnel: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 1, 1946.

[CHAPTER 734]

AN ACT

For the relief of Arthur A. Guarino.

August 1, 1946
[H. R. 2243]

[Private Law 803]

Arthur A. Guarino.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500, to Arthur A. Guarino, in full settlement of all claims against the United States for personal injuries sustained and damages suffered by him as a result of an accident, involving the operation of a motor vehicle by a person in the employ of the National Youth Administration, on October 10, 1940: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 1, 1946.

[CHAPTER 745]

AN ACT

For the relief of the estate of William Edward Oates.

August 2, 1946
[S. 78]

[Private Law 804]

William Edward
Oates, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,953 to the estate of William Edward Oates, in full satisfaction of all claims against the United States for compensation for the death of the said William Edward Oates, late of Birmingham, Alabama, who was killed when the motorcycle which he was riding was struck by a United States Army truck on United States Highway Numbered 31 near Montgomery, Alabama, on December 2, 1943: *Provided*, That no part of the

amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 2, 1946.

[CHAPTER 746]

AN ACT

For the relief of Walter S. Faulkner.

August 2, 1946
[S. 162]

[Private Law 806]

Walter S. Faulkner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter S. Faulkner, of Lebanon, Tennessee, the sum of \$1,576, in full satisfaction of his claims against the United States for (1) compensation for personal injuries and property damage sustained by him when his personally owned automobile which he was driving was struck by a United States Army truck near Martha, Tennessee, on September 13, 1943, and (2) for reimbursement of medical and other expenses incurred by him as a result of such injuries: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 2, 1946.

[CHAPTER 747]

AN ACT

To record the lawful admission to the United States for permanent residence of Edith Frances de Becker Sebald.

August 2, 1946
[S. 1478]

[Private Law 806]

Edith Frances de
Becker Sebald.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General be, and is hereby, authorized and directed to record the lawful admission for permanent residence of Edith Frances de Becker Sebald, who entered the United States at San Francisco, California, on June 23, 1939, and that she shall, for all purposes under the immigration laws, be deemed to have been lawfully admitted as an immigrant for permanent residence.

Approved August 2, 1946.

[CHAPTER 748]

AN ACT

For the relief of James H. Wilkinson.

August 2, 1946
[S. 1573]

[Private Law 807]

James H. Wilkin-
son.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James H. Wilkinson, of Weymouth, Massachusetts, the sum of \$8,000, in full satisfaction of his claim against the United States for compensation for personal injuries and loss of earnings sustained by him, and for reimbursement

of hospital, medical, and other expenses incurred by him and for any and all property damage sustained by him, as a result of an accident which occurred when the automobile which he was driving was struck by a United States Navy vehicle, at the intersection of Quincy Avenue and Mount Pleasant Avenue, in Braintree, Massachusetts, on February 5, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 2, 1946.

[CHAPTER 749]

AN ACT

To provide for the naturalization of Peter Kim.

August 2, 1946
[S. 1607]

[Private Law 808]

Peter Kim.
8 U. S. C., Supp. V,
§§ 1001-1002.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon compliance with all other provisions of section 701 or 702 of the Nationality Act of 1940, as amended (56 Stat. 182-183; 8 U. S. C. 1001-1002), Peter Kim, Army of the United States, Army serial number 10500015, may be naturalized pursuant to either of said sections as may be applicable, notwithstanding the fact that at the time of his enlistment or induction into the armed forces of the United States, he had not been lawfully admitted to the United States and was not a resident thereof.

Approved August 2, 1946.

[CHAPTER 750]

AN ACT

For the relief of the Crosby Yacht Building and Storage Company, Incorporated.

August 2, 1946
[S. 1880]

[Private Law 809]

Crosby Yacht
Building and Storage
Company, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Crosby Yacht Building and Storage Company, Incorporated, of Osterville, Massachusetts, the sum of \$2,238.27, in full satisfaction of its claim against the United States for compensation for work performed by it in the removal of certain boats from temporary shelters and in the removal of such shelters, pursuant to an agreement entered into by such company with the Engineer Amphibian Command, Camp Edwards, Massachusetts, on or about July 2, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 2, 1946.

[CHAPTER 751]

AN ACT

For the relief of George D. King.

August 2, 1946
[S. 1910]

[Private Law 810]

George D. King.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George D. King, of Phoenix, Arizona, the sum of \$500, in full satisfaction of his claim against the United States for compensation for personal injuries and loss of earnings sustained and medical expenses incurred by him as a result of an accident which occurred when the automobile in which he was riding was struck by a United States Army airplane, near Phoenix, Arizona, on June 22, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 2, 1946.

[CHAPTER 752]

AN ACT

For the relief of Elmer D. Thompson and the legal guardian of James Thompson.

August 2, 1946
[H. R. 3543]

[Private Law 811]

Elmer D. Thompson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elmer D. Thompson, of Gurley, Alabama, the sum of \$118.75, in full settlement of all claims against the United States for compensation for the expenses incurred by him by reason of the injuries sustained by his minor son, James Thompson, when struck by a United States Army truck on February 2, 1944, on United States Highway Numbered 17, in Windermere, Charleston, South Carolina, and to pay to the legal guardian of James Thompson, a minor, the sum of \$1,000 in full settlement of all claims against the United States for compensation for personal injuries sustained by the said James Thompson in the said accident: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Guardian of James Thompson.

Approved August 2, 1946.

[CHAPTER 762]

AN ACT

For the relief of Desmark Wright; the estates of Alberta Wright, Desmark Wright, Junior, and Harold Evans; and the legal guardians of Bobby Dennis Wright and Irvin Lee Wright, minors.

August 2, 1946
[S. 1733]

[Private Law 812]

Desmark Wright,
and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Desmark Wright,

of Little Rock, Arkansas, the sum of \$2,325.09; to the estate of Alberta Wright, deceased, the sum of \$5,000; to the estate of Desmark Wright, Junior, deceased, the sum of \$1,000; to the estate of Harold Evans, deceased, the sum of \$1,500; to the legal guardian of Bobby Dennis Wright, a minor, the sum of \$500; and to the legal guardian of Irvin Lee Wright, a minor, the sum of \$750, in full settlement of all claims of each of the said named persons and estates against the United States on account of damages sustained by them as the result of the crash of an Army airplane near Adams Field, Little Rock, Arkansas, on September 12, 1945: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 2, 1946.

[CHAPTER 765]

AN ACT

For the relief of Roy M. Davidson.

August 7, 1946
[S. 2260]
[Private Law 813]

Roy M. Davidson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roy M. Davidson, of Atlanta, Georgia, who was suspended from active duty as an investigator for the Office of Price Administration, Atlanta Regional Office, during the period beginning on August 24, 1944, and ending on October 16, 1944, in contravention of the provisions of section 14 of the Veterans' Preference Act of 1944, a sum equal to the amount of compensation he would have received had he not been suspended, less the amount of any compensation which he may have received from the United States for any part of such period: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

58 Stat. 390.
5 U. S. C., Supp. V,
§863.

SEC. 2. The Price Administrator of the Office of Price Administration is authorized and directed to restore to the credit of the said Roy M. Davidson the total amount of annual leave with which he was charged during the period of the above-described suspension.

Approved August 7, 1946.

[CHAPTER 766]

AN ACT

For the relief of Joseph E. Bennett.

August 7, 1946
[H. R. 2091]
[Private Law 814]

Joseph E. Bennett.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph E. Bennett, doing business as Joseph E. Bennett Company, Boston, Massachusetts, the sum of \$30,000, in full settlement of all claims against the United States for losses sustained under contract (DAW 175-eng-22, dated

September 5, 1941), in the construction of certain temporary buildings at the airport at Presque Isle, Maine, beginning in September 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 812]

AN ACT

For the relief of Andreas Andersen.

August 7, 1946
[H. R. 935]
[Private Law 815]

Andreas Andersen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$649.15 to Andreas Andersen in full settlement of all claims against the United States for personal property lost in a fire on November 22, 1942, which destroyed Government quarters occupied by him at the Fort Howard Detention Station, Baltimore, Maryland: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 813]

AN ACT

For the relief of Elmer C. Hadlen.

August 7, 1946
[H. R. 1070]
[Private Law 816]

Elmer C. Hadlen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$730.92, to Elmer C. Hadlen, of Oakland, California, in full settlement of all claims against the United States for personal injuries sustained and expenses incurred by him when he was struck by a United States Marine Corps vehicle at the intersection of MacArthur Boulevard and West Street, in the city of Oakland, California, on July 18, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 814]

AN ACT

For the relief of the estate of Estelle Daniel Boyle, deceased, and E. B. Rosegarten.

August 7, 1946
[H. R. 1351]

[Private Law 817]

Estelle Daniel
Boyle, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated—

(1) To the estate of Estelle Daniel Boyle, deceased, the sum of \$5,851.55, in full settlement of all claims of the estate of Estelle Daniel Boyle, deceased, against the United States, arising out of her death, as a result of a collision on November 13, 1943, near Madera, California, between the vehicle in which she was riding and a vehicle in the service of the United States Navy;

E. B. Rosegarten.

(2) To E. B. Rosegarten, Los Angeles, California, husband of Frances May Rosegarten, deceased, the sum of \$5,822.95, in full settlement of all claims of the said E. B. Rosegarten arising out of the death of his wife, and for the destruction of his automobile, as a result of such collision: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 815]

AN ACT

For the relief of certain Basque aliens.

August 7, 1946
[H. R. 1402]

[Private Law 818]

Basque aliens.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General of the United States be, and is hereby, authorized and directed to cancel deportation proceedings in the cases of Cirilo Olavarri, Theodoro Asla, Antonio Urteaga, and Joe Buera, all of Salt Lake City, Utah, and Vidal Mezo, Marcial Aguirregoitia, Geromino Bilbao, Juan Tomas Mendiola, Juan Pedro Eguibegui (alias Raymond Etchevers), Miguel Iriarte, and Alejo Yraguen, all of eastern Nevada, legally admitted as seamen but who have remained in the United States longer than permitted by law and regulations, and that these aliens shall be considered as having been admitted for permanent entry as of the date of their actual entry on the payment of the visa fees of \$10 and head taxes of \$8 per person.

Quota deduction.

Upon the enactment of this Act the Secretary of State shall instruct the proper quota-control officer to deduct nine numbers from the Spanish quota for the first year that the said Spanish quota is available.

Approved August 7, 1946.

[CHAPTER 816]

AN ACT

For the relief of Mr. and Mrs. J. W. Williams, Junior.

August 7, 1946
[H. R. 1459]

[Private Law 819]

Mr. and Mrs. J. W.
Williams, Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 to Mr. and Mrs. J. W. Williams, Junior, of Petal,

Mississippi, in full settlement of any and all claims against the United States for the death of their son, Rodney Edwin Williams, as a result of being struck and killed by a United States Army truck at Fort Knox, Kentucky, on August 30, 1944: *Provided*, That no part of the amount appropriated by this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 817]

AN ACT

For the relief of William Tolar Smith.

August 7, 1946

[H. R. 1631]

[Private Law 820]

William Tolar
Smith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Tolar Smith, Hialeah, Florida, the sum of \$10,000. The payment of such sum shall be in full settlement of all claims of the said William Tolar Smith against the United States for personal injuries sustained by him on January 19, 1944, while acting as engineer on the Seaboard Air Line Railway train designated extra 822 south, West Palm Beach-Hialeah local, as the result of a collision between such train and a United States Navy tractor and two gasoline tank trailers attached thereto on the Seaboard Air Line Railway crossing at One Hundred and Sixty-seventh Street, Miami, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 818]

AN ACT

For the relief of Mrs. Leroy A. Robbins.

August 7, 1946

[H. R. 1887]

[Private Law 821]

Mrs. Leroy A. Rob-
bins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Leroy A. Robbins, Gonzales, Louisiana, the sum of \$98.05. The payment of such sum shall be in full settlement of all claims of the said Mrs. Leroy A. Robbins against the United States on account of personal injuries sustained by her as the result of an accident in Alexandria, Louisiana, on September 20, 1941, involving the automobile in which she was riding and a United States Army truck.

Approved August 7, 1946.

[CHAPTER 819]

AN ACT

For the relief of J. L. Harris.

August 7, 1946
[H. R. 2222]
[Private Law 822]

J. L. Harris.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and empowered to pay, out of any money in the Treasury not otherwise appropriated, to J. L. Harris, of Montgomery, Alabama, the sum of \$400, in full settlement of all claims against the United States for personal injuries sustained and for loss of earnings incurred, resulting from a collision with an Army truck about seventeen miles north of Wetumpka, Alabama, on September 1, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 820]

AN ACT

For the relief of Moses Tennenbaum.

August 7, 1946
[H. R. 2485]
[Private Law 823]

Moses Tennenbaum.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the immigration laws, relating to the issuance of immigration visas for admission to the United States for permanent residence and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, the provisions of section 8 of the Immigration Act of 1917 (39 Stat. 875), as amended (U. S. C., title 8, sec. 136 (e)), which exclude from admission into the United States "persons who have been convicted of or admit having committed a felony, or other crime or misdemeanor involving moral turpitude" shall not hereafter be held to apply to Moses Tennenbaum on account of offenses alleged to have been committed in connection with obtaining a passport or a visa for admission to the United States. If he is found otherwise admissible under the immigration laws, an immigration visa may be issued and admission granted to Moses Tennenbaum under this Act upon application hereafter filed.

Approved August 7, 1946.

[CHAPTER 821]

AN ACT

For the relief of W. C. Jones, Myrtle M. Jones, and W. W. Tilghman.

August 7, 1946
[H. R. 2663]
[Private Law 824]

W. C. Jones, Myrtle M. Jones, and W. W. Tilghman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. C. Jones, Myrtle M. Jones, and W. W. Tilghman, all of Coquille, Coos County, Oregon, as their respective interests may appear, the sum of \$6,004.03, in full settlement of all claims against the United States for the damage to three residence properties and for personal property damaged therein as a result of an airplane in the service of the United States Navy crashing and setting fire to said residences, on October 15, 1944: *Provided,* That no part of the amount appropriated in the Act in excess of 10 per

centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 822]

AN ACT

For the relief of Coy C. Brown.

August 7, 1946
[H. R. 3099]
[Private Law 826]

Coy C. Brown.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Coy C. Brown, Big Bear Lake, California, the sum of \$3,500. The payment of such sum shall be in full settlement of all claims of the said Coy C. Brown against the United States on account of personal injuries sustained on February 1, 1943, when an automobile owned and driven by him collided with a United States Army truck on United States Highway Numbered 66 at Devore, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 823]

AN ACT

For the relief of William F. Patchell, Junior.

August 7, 1946
[H. R. 3197]
[Private Law 826]

William F. Patchell,
Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William F. Patchell, Junior, of Malden, Massachusetts, the sum of \$4,000 in full settlement of all claims against the United States for medical and hospital expenses incurred, for wages paid in connection with his business, and for property damage and personal injuries sustained, all resulting from a collision involving an Army truck which occurred on the Pulaski Highway in Jersey City, New Jersey, on May 5, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 824]

AN ACT

For the relief of Edward A. Mason.

August 7, 1946
[H. R. 3209]

[Private Law 827]

Edward A. Mason.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward A. Mason, of Tacoma, Washington, the sum of \$12,563.27, in full settlement of all claims against the United States for personal injuries, pain and suffering, and loss of earnings sustained and medical and hospital expenses incurred by him, for the death of his wife, Mrs. Lina L. Mason, and for the expenses incurred by him incident to her burial, all resulting from an accident involving an Army vehicle which occurred on February 4, 1944, on United States Highway Numbered 99, near Grants Pass, Oregon: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 825]

AN ACT

For the relief of Clyde O. Payne.

August 7, 1946
[H. R. 3210]

[Private Law 828]

Clyde O. Payne.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clyde O. Payne, of Tacoma, Washington, the sum of \$218.60, in full satisfaction of all claims against the United States for personal injuries sustained by his daughter and expenses incurred resulting from a collision on or about the 18th of April 1943, in which the car being driven by Clyde O. Payne collided with a United States Army "jeep" in Tacoma, Washington: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 826]

AN ACT

For the relief of Viola McKinney.

August 7, 1946
[H. R. 3833]

[Private Law 829]

Viola McKinney.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Viola McKinney, Annapolis, Maryland, the sum of \$899.11. The payment of such sum shall be in full settlement of all claims of the said Viola McKinney against the United States on account of personal injuries sustained by her on March 15, 1945, when the automobile in which she was riding

was involved in a collision at the intersection of Generals Highway and Bestgate Road, near Annapolis, Maryland, with a United States Naval Academy bus: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 827]

AN ACT

For the relief of Martin A. Tucker and Emma M. Tucker.

August 7, 1946
[H. R. 3856]
[Private Law 830]

Martin A. Tucker
and Emma M. Tucker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Martin A. Tucker and Emma M. Tucker, wife of the said Martin A. Tucker, both of Kernersville, North Carolina, the sum of \$7,200, in full settlement of all claims against the United States for property damage sustained by said Martin A. Tucker and Emma M. Tucker and for personal injuries sustained by Emma M. Tucker and for medical and hospital expenses incurred by reason thereof, all resulting from an accident which occurred on August 2, 1944, when an Army vehicle operated by one Private Harold M. Murphy crashed into the front of the home of the said Martin A. Tucker and Emma M. Tucker at Kernersville, North Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 828]

AN ACT

Authorizing the President of the United States to award a special medal to General of the Armies of the United States John J. Pershing.

August 7, 1946
[H. R. 3944]
[Private Law 831]

Award of medal to
Gen. John J. Pershing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is requested to cause a gold medal to be struck, with suitable emblems, devices, and inscriptions, to be presented to General John J. Pershing, General of the Armies of the United States of America, in recognition of his peerless leadership, heroic achievements, and great military victories, as Commander in Chief of the American Expeditionary Forces in Europe in World War I, and for his gallant and unselfish devotion to the service of his country in his contribution to the preparation for, and the prosecution of, World War II.

SEC. 2. When the medal, provided for in section 1 of this Act, shall have been struck, the President shall cause the same to be presented to General Pershing in the name of the people of the United States of America.

Appropriation au-
thorized.

SEC. 3. A sufficient sum of money to carry this Act into effect is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated.

Approved August 7, 1946.

[CHAPTER 829]

AN ACT

To authorize the Secretary of the Interior to sell certain land of Alice Scott White on the Crow Indian Reservation, Montana.

August 7, 1946
[H. R. 4114]

[Private Law 832]

Sale of land of Alice
Scott White.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the written application of Alice Scott White, Crow Indian allottee numbered 953, the Secretary of the Interior is hereby authorized to sell to the highest bidder, under such terms and conditions as he may prescribe, that part of the homestead land of the said allottee described as the northeast quarter of the southeast quarter, section 33, township 5 south, range 28 east; the northwest quarter of the northeast quarter, section 7, lot 3, and the southeast quarter of the northwest quarter, section 8, township 4 south, range 33 east, Montana principal meridian, containing one hundred and sixty and forty-eight one-hundredths acres.

Approved August 7, 1946.

[CHAPTER 830]

AN ACT

For the relief of James B. McGoldrick.

August 7, 1946
[H. R. 4341]

[Private Law 833]

James B. McGold-
rick.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James B. McGoldrick, Silver Creek, New York, the sum of \$150. Such sum represents attorney's fee and other expenses incurred by the said James B. McGoldrick on account of an action for slander (later discontinued) brought against him because of statements with respect to a former postmaster at Silver Creek, New York, made by the said James B. McGoldrick in May 1944, as an employee of the Silver Creek Post Office, upon the request of the post-office inspector: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 831]

AN ACT

For the relief of the legal guardian of Rudolph K. Bartels, Junior, a minor.

August 7, 1946
[H. R. 4374]

[Private Law 834]

Guardian of Ru-
dolph K. Bartels, Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Rudolph K. Bartels, Junior, of Honolulu, Territory of Hawaii, the sum of \$500, in full settlement of all claims against the United States on account of personal injuries sustained

by the said Rudolph K. Bartels, Junior, a minor, as a result of the crash of an Army airplane in the Kalihi-Kai district of the city and county of Honolulu, Territory of Hawaii, on June 8, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 832]

AN ACT

For the relief of Charles Martin.

August 7, 1946
[H. R. 4375]
[Private Law 835]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Martin, Hilo, Territory of Hawaii, the sum of \$3,976.50, in full settlement of all claims against the United States on account of the death of his son, Edward Walter Martin, who was killed in an accident involving a one-and-one-half-ton wrecker truck of the United States Marine Corps at the intersection of Manono Avenue with Hualani Avenue, Hilo, Hawaii, on May 27, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Charles Martin.

Approved August 7, 1946.

[CHAPTER 833]

AN ACT

For the relief of Francis T. Lillie and Lois E. Lillie.

August 7, 1946
[H. R. 4460]
[Private Law 836]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Francis T. Lillie and Lois E. Lillie, the sum of \$383.71, in full settlement of all claims against the United States for medical and hospital expenses and property damage sustained as the result of an accident involving an Army truck which collided with a passenger automobile owned by Francis T. Lillie while being driven and operated by Alfred Lillie, who was returning from Richmond, Virginia, to Washington, District of Columbia, by Federal Highway 301 on June 7, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Francis T. Lillie
and Lois E. Lillie.

Approved August 7, 1946.

[CHAPTER 834]

AN ACT

For the relief of Mrs. Mary D. Johnson.

August 7, 1946

[H. R. 4608]

[Private Law 837]

Mrs. Mary D. Johnson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary D. Johnson, Florence, South Carolina, the sum of \$43.80, in full settlement of all claims of the said Mrs. Mary D. Johnson against the United States for the damage caused to her automobile in an accident which occurred at or near the intersection of Dargan and Evans Streets in Florence, South Carolina, on March 9, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 835]

AN ACT

For the relief of the estate of Harry Wright.

August 7, 1946

[H. R. 4686]

[Private Law 838]

Harry Wright,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the estate of Harry Wright, deceased, of Clifton Heights, Pennsylvania, in full settlement of all claims against the United States for the death of the said Harry Wright, deceased, sustained as the result of being struck by a United States Army truck on the Baltimore Pike near Glenwood Avenue, in Clifton Heights, Pennsylvania, on July 16, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 836]

AN ACT

For the relief of Joseph A. Brown.

August 7, 1946

[H. R. 4924]

[Private Law 839]

Joseph A. Brown.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph A. Brown, 138 North First Street, Pleasantville, New Jersey, the sum of \$5,000, in full settlement of all claims against the United States for personal injuries, loss of earnings and property damage sustained, and medical and hospital expenses incurred, as the result of an accident which occurred at the intersection of Michigan and Pacific Avenues, in Atlantic City, New Jersey, on January 25, 1945, when he was struck

by an Army vehicle: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 837]

AN ACT

For the relief of Ethel Guenther.

August 7, 1946
[H. R. 4947]
[Private Law 840]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ethel Guenther, Clarinda, Iowa, the sum of \$3,268.51. The payment of such sum shall be in full settlement of all claims of the said Ethel Guenther against the United States on account of personal injuries and property damage sustained by her as the result of a collision, on December 6, 1944, on United States Highway Numbered 71, about one mile south of Clarinda, Iowa, involving the automobile which she was driving and a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Ethel Guenther.

Approved August 7, 1946.

[CHAPTER 838]

AN ACT

For the relief of Albert Whilden.

August 7, 1946
[H. R. 5093]
[Private Law 841]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,500 to Albert Whilden, of Millville, New Jersey, in full settlement of all claims against the United States for damages sustained by him as the result of an accident which occurred on the southeast corner of High and Main Streets in Millville, New Jersey, on June 27, 1945, when he was struck by a piece of equipment which had fallen from an Army airplane: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Albert Whilden.

Approved August 7, 1946.

[CHAPTER 839]

AN ACT

To provide for the conveyance of certain real property to Roy C. Lammers.

August 7, 1946
[H. R. 5128]
[Private Law 842]

Roy C. Lammers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized and directed to donate and convey to Roy C. Lammers, of Spokane, Washington, all right, title, and interest of the United States in certain land situated in the county of Benewah, State of Idaho, known and described as follows: The south half of the northeast quarter of the northwest quarter of the southeast quarter; and the northeast quarter of the northeast quarter of the northwest quarter of the southeast quarter; and the northwest quarter of the southeast quarter of the northwest quarter of the southeast quarter, all in section 6, township 43, range 2 north, West Boise meridian.

The said land was formerly owned by the said Roy C. Lammers, and was conveyed by him to the United States in May 1935, for use for a Civilian Conservation Corps camp.

Approved August 7, 1946.

[CHAPTER 840]

AN ACT

For the relief of Marjorie B. Marable.

August 7, 1946
[H. R. 5198]
[Private Law 843]

Marjorie B. Marable.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marjorie B. Marable, of Newport News, Virginia, the sum of \$391. The payment of such sum shall be in full settlement of all claims against the United States on account of property damage sustained by said Marjorie B. Marable when an automobile owned by her was struck and completely wrecked by an Army ambulance on the reservation at Camp Adair near Corvallis, Benton County, Oregon, on August 25, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 841]

AN ACT

For the relief of David Weiss.

August 7, 1946
[H. R. 5261]
[Private Law 844]

David Weiss.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to David Weiss, Kalamazoo, Michigan, the sum of \$2,503.35. The payment of such sum shall be in full settlement of all claims of the said David Weiss against the United States on account of personal injuries and property damage sustained by him on April 4, 1945, when a truck owned and driven by him was struck by a United States Army truck at the intersection of King Highway and Mill Street, Kalamazoo, Michigan: *Provided,* That no part of the amount appropriated in this Act in excess of 10

per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 842]

AN ACT

To legalize the admission to the United States of Virginia Harris Casardi.

August 7, 1946
[H. R. 5278]
[Private Law 845]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is hereby directed to record the entry to the United States of Virginia Harris Casardi at Miami, Florida, on March 8, 1945, as a lawful admission to the United States for permanent residence for the purposes of the immigration and naturalization laws. The Secretary of State shall thereupon reduce by one the immigration quota for Italy for the current fiscal year.

Virginia Harris Casardi.

Quota deduction.

Approved August 7, 1946.

[CHAPTER 843]

AN ACT

For the relief of W. G. Magruder.

August 7, 1946
[H. R. 5368]
[Private Law 846]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. G. Magruder, of La Grange, Georgia, the sum of \$5,000, in full satisfaction of all claims against the United States as compensation for the death of his wife, Mrs. Eunice Russell Magruder, who was killed when the automobile in which she was traveling, driven by A. C. Johnson, was involved in a collision with a United States Army truck-trailer on Troup Factory Bridge over Long Cane Creek, on United States Highway Numbered 27, approximately ten miles south of La Grange, Georgia, on or about January 24, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

W. G. Magruder.

Approved August 7, 1946.

[CHAPTER 844]

AN ACT

For the relief of Jessie Wolfington.

August 7, 1946
[H. R. 5372]
[Private Law 847]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jessie Wolfington, of Fresno, California, the sum of \$2,081. The payment of such sum shall be in full settlement of all claims of the said Jessie Wolfington for personal injuries and loss of earnings sustained by her, as the

Jessie Wolfington.

result of an accident on January 16, 1945, when the automobile she was driving on Palm Avenue, near Brown Avenue, Fresno, California, was struck by a United States Army truck: *Provided*, that no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 845]

AN ACT

For the relief of Marie Gorak.

August 7, 1946
[H. R. 5414]

[Private Law 848]

Marie Gorak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marie Gorak, Los Angeles, California, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Marie Gorak against the United States for damages sustained by her as a result of being struck, on May 10, 1945, at the intersection of Third and Plymouth Streets, Los Angeles, California, by a vehicle in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 846]

AN ACT

For the relief of Bertha Lillian Robbins and Charles Robbins.

August 7, 1946
[H. R. 5469]

[Private Law 849]

Bertha Lillian Robbins and Charles Robbins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha Lillian Robbins and Charles Robbins, of Tacoma, Washington, the sum of \$4,500, in full settlement of all claims against the United States for personal injuries, hospital and medical expenses, and loss of earnings sustained as a result of an accident involving a United States Army jeep on Airport Way in Seattle, Washington, on May 31, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 847]

AN ACT

For the relief of Wilford B. Brown.

August 7, 1946
[H. R. 5603]
[Private Law 850]

Wilford B. Brown.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wilford B. Brown, of Islip, Suffolk County, New York, the sum of \$6,299.25, in full settlement of all claims against the United States on account of personal injuries and loss of earnings sustained as a result of an accident involving an Army vehicle, occurring on March 18, 1945, on North King Street in Honolulu, Territory of Hawaii: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 848]

AN ACT

For the relief of Watson Airfotos, Incorporated.

August 7, 1946
[H. R. 5847]
[Private Law 851]Watson Airfotos,
Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Watson Airfotos, Incorporated, of Long Beach, California, is relieved of all liability to the United States in the principal sum of \$3,690, plus any accrued interest. Such sum represents an indebtedness claimed by the United States Department of Agriculture, Soil Conservation Service, against the said Watson Airfotos, Incorporated, by reason of the latter's default in 1941 in the performance of a contract with the United States dated June 8, 1940, for an aerial survey of certain areas in the State of California. The indebtedness includes an item of \$498.15, which represents the excess cost over the original contract price of procuring performance of such contract by other parties, and an item of \$3,191.85, which represents liquidated damages claimed for delay in performance of such contract. The breach of contract was caused by the inability of Watson Airfotos, Incorporated, to obtain qualified pilots for the work under imminent war conditions and by the absence of the president of Watson Airfotos, Incorporated, Colonel Harry B. Watson, on military leave for service in the United States Army. Any surety company acting as surety on a performance bond given to secure such contract is also relieved of liability to the United States to the same extent as Watson Airfotos, Incorporated.

Approved August 7, 1946.

[CHAPTER 849]

AN ACT

For the relief of Mrs. Grace A. Phillips.

August 7, 1946
[H. R. 5849]
[Private Law 852]Mrs. Grace A.
Phillips.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Grace A. Phillips, Long Beach, California, the sum of \$3,310.48. The payment of such

sum shall be in full settlement of all claims of the said Mrs. Grace A. Phillips against the United States on account of the death, on February 7, 1943, of her husband, Arthur D. Phillips, as the result of injuries sustained by him, February 6, 1943, on Pennington Avenue (also known as Henry Ford Avenue), Los Angeles, California, when he was struck by a United States Army vehicle. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 850]

AN ACT

For the relief of Second Lieutenant Francis W. Anderson.

August 7, 1946

[H. R. 5851]

[Private Law 853]

Second Lt. Francis
W. Anderson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Second Lieutenant Francis W. Anderson, United States Army, the sum of \$38.66. Such sum represents the amount which the Office of Price Administration determined that the said Second Lieutenant Francis W. Anderson had been overcharged for rent of room 13A of building 13, Davis Court, Pemberton, New Jersey, during the period from March 24, 1945, to May 18, 1945. When such determination was made, the said Second Lieutenant Francis W. Anderson had departed for parts unknown and, efforts to locate him having failed, the amount of such overcharge was paid, pursuant to regulations governing such cases, by the landlord to the Treasurer of the United States: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 851]

AN ACT

For the relief of Joseph Maezer.

August 7, 1946

[H. R. 5874]

[Private Law 854]

Joseph Maezer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,196.60 to Joseph Maezer, residing at 13706 Benwood Avenue, Cleveland, Ohio, in full settlement of all claims against the United States for personal injuries and loss of earnings, sustained as a result of an accident involving a United States Post Office truck at Saint Clair Avenue, in the city of Cleveland, Ohio, on July 4, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, but the same shall be unlawful, any contract to the contrary

notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in the sum of not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 852]

AN ACT

For the relief of the legal guardian of Samuel Roscoe Thompson, a minor.

August 7, 1946
[H. R. 6161]
[Private Law 855]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Samuel Roscoe Thompson, a minor, of Leesville, Louisiana, the sum of \$597, the said sum to be in full settlement of all claims against the United States for personal injuries sustained by Samuel Roscoe Thompson on January 25, 1944, at which time the minor was struck down and run over by the lead truck of an Army convoy as he alighted from a school bus, in the neighborhood of the Camp Polk, Louisiana, Army Reservation: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Guardian of Samuel
Roscoe Thompson.

Approved August 7, 1946.

[CHAPTER 853]

AN ACT

For the relief of Frank A. Gorman.

August 7, 1946
[H. R. 6231]
[Private Law 856]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank A. Gorman, of Lance Creek, Wyoming, the sum of \$5,590.50, in full settlement of all claims against the United States for damages sustained by the said Frank A. Gorman, as a result of the action of the military authorities at the Black Hills Ordnance Depot, Igloo, South Dakota, on or about April 1, 1943, and requiring him to move a certain theater building which had been constructed by him on said military reservation, to another site on the reservation about four hundred feet from the original location of the building, and of the action taken by said military authorities on or about February 1, 1945, in taking from the claimant said building and certain personal property located therein: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Frank A. Gorman.

Approved August 7, 1946.

[CHAPTER 854]

AN ACT

For the relief of Capital Office Equipment Company.

August 7, 1946
[H. R. 6248]
[Private Law 857]

Capital Office
Equipment Co.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Capital Office Equipment Company, Sacramento, California, the sum of \$125.02, in full settlement of all claims against the United States, for the value of an adding machine destroyed in a fire at the Office of Price Administration in Sacramento, California, on September 16, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 855]

AN ACT

For the relief of Thomas A. Beddingfield and his wife, Opal May Beddingfield.

August 7, 1946
[H. R. 6255]
[Private Law 858]

Thomas A. Bed-
dingfield and Opal
May Beddingfield.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas A. Beddingfield and his wife, Opal May Beddingfield, of Pyote, Texas, the sum of \$2,400, in full settlement of all claims against the United States for damages sustained by them as a result of the death by drowning of their minor son, Bobbie Glenn Beddingfield, in the enlisted men's swimming pool at the Pyote Army Air Base, Pyote, Texas, on December 23, 1945, and for the expenses incurred in connection with the burial of said minor: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 856]

AN ACT

For the relief of Francesco D'Emilio.

August 7, 1946
[H. R. 6307]
[Private Law 859]

Francesco D'Emilio.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,002.13, to Francesco D'Emilio, of 1639 South Camac Street, Philadelphia, Pennsylvania, in full settlement of all claims against the United States for personal injuries and expenses incident thereto sustained as the result of an accident involving a United States post office truck, near the intersection of Fifteenth and Locust Streets, Philadelphia, Pennsylvania, on December 21, 1944: *Provided,* That

no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 857]

AN ACT

For the relief of Thomas L. Brett.

August 7, 1946
[H. R. 6381]
[Private Law 860]

Thomas L. Brett.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas L. Brett, of Santa Rosa, California, the sum of \$1,000, in full settlement of all claims against the United States for personal injuries sustained by him on May 14, 1943, when he was struck by a United States Army truck at the intersection of Fourth Street and Exchange Avenue, Santa Rosa, Sonoma County, California: *Provided*, That no part of the amount appropriated by this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 858]

AN ACT

For the relief of Caesar Henry.

August 7, 1946
[H. R. 6390]
[Private Law 861]

Caesar Henry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Caesar Henry, of Crowley, Louisiana, the sum of \$2,000. The payment of such sum shall be in full settlement of all claims of the said Caesar Henry against the United States for personal injuries, pain and suffering, and loss of present, past, and future earnings sustained as the result of a collision on January 26, 1944, on United States Highway Numbered 165, near Kinder, Louisiana, involving the truck in which he was a passenger and a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 859]

AN ACT

For the relief of Mrs. Ivan B. Hofman.

August 7, 1946
[H. R. 6423]
[Private Law 862]

Mrs. Ivan B. Hof-
man.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$114, to Mrs. Ivan B. Hofman, of Gulfport, Mississippi, in full settlement of all claims against the United States, as reimbursement for the said sum for money lost through burglary at the Gulfport, Mississippi, Office of Internal Revenue, for which she was held accountable, on April 19, 1946: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 7, 1946.

[CHAPTER 860]

AN ACT

For the relief of Milton A. Johnson, and for other purposes.

August 7, 1946
[H. R. 6593]
[Private Law 863]

Milton A. Johnson.
Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Milton A. Johnson, formerly superintendent and special disbursing agent, Yakima Indian Agency, Toppenish, Washington, for the sum of \$2,119.34, representing land rentals and irrigation operation and maintenance charges collected from lessees of Indian lands and embezzled by a former employee of said Indian agency.

Appropriation au-
thorized.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,119.34, which shall be deposited by the Secretary of the Treasury to the accounts diminished as a result of the embezzlements, as follows:

1. Official trust fund checking account of the special disbursing agent of the Yakima Indian Agency, \$310.
2. 147473.1 Deposits, proceeds of labor, Yakima Indians, Washington, \$60.
3. 144777 Maintenance charges, irrigation system, Wapato-Satus project, Washington, \$1,704.34.
4. 144768 Maintenance charges, irrigation system, Toppenish-Simcoe project, Washington, \$45.

Approved August 7, 1946.

[CHAPTER 861]

JOINT RESOLUTION

August 7, 1946
[H. J. Res. 387]
[Private Law 864]

Granting permission to Thomas Parran, Surgeon General of the Public Health Service; Rolla E. Dyer, Assistant Surgeon General, Public Health Service; Howard F. Smith, Assistant Surgeon General, Public Health Service; Herbert A. Spencer, medical director, Public Health Service; Vance B. Murray, medical director, Public Health Service; and Gilbert L. Dunnahoo, medical director, Public Health Service, to accept and wear certain decorations bestowed upon them by France, Cuba, Mexico, Chile, Finland, and Luang-Prabang.

Thomas Parran and
others.
Acceptance of deco-
rations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Thomas Parran, Surgeon General of the Public Health Service, is authorized to accept and wear the decoration and diploma of the Ordre de la Sante Publique,

bestowed by the Government of France; the Decoration of the Order of Carlos Finlay, bestowed by the Government of Cuba; and the Doctor Eduardo Liceaga Medal, bestowed by the Government of Mexico; and to accept the title of knight commander of the Orden al Merito, bestowed by the Government of Chile, and wear the decoration therefor; that Rolla E. Dyer, Assistant Surgeon General, Public Health Service, is authorized to accept and wear the decoration of the Order of Carlos Finlay, bestowed by the Government of Cuba; that Howard F. Smith, Assistant Surgeon General, Public Health Service, is authorized to accept and wear the Cross of Officer of the Order of a Million Elephants, bestowed by His Excellency, the Governor General of French Indochina, and His Majesty, the King of Luang-Prabang; that Herbert A. Spencer, medical director, Public Health Service, is authorized to accept the title of commander of the Order of the White Rose of Finland, bestowed by the President of the Republic of Finland, and wear the decoration therefor; that Vance B. Murray, medical director, Public Health Service, is authorized to accept the title of knight, first class, of the Order of the White Rose of Finland, bestowed by the President of the Republic of Finland, and wear the decoration therefor; that Gilbert L. Dunnahoo, medical director, Public Health Service, be authorized to accept and wear the decoration of the Order of Carlos Finlay, bestowed by the Government of Cuba; the foregoing decorations and titles having been bestowed upon these officers by the respective governments in recognition of assistance rendered by them in matters relating to sanitation and health. The Department of State is hereby authorized to deliver to Thomas Parran, Rolla E. Dyer, Howard F. Smith, Herbert A. Spencer, Vance B. Murray, and Gilbert L. Dunnahoo, respectively, the above-mentioned decorations which have been bestowed on them.

Approved August 7, 1946.

[CHAPTER 862]

AN ACT

To provide for the acquisition by the United States of certain real property in the District of Columbia.

August 7, 1946
[S. 1640]

[Private Law 865]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to acquire on behalf of the United States, by purchase or otherwise, the tract of land consisting of parcels 251/42 and 251/64 in the District of Columbia, together with the improvements thereon, such tract fronting on Chesapeake Street, Second Street, and Nichols Avenue Southwest, and the premises being known as 199 Chesapeake Street Southwest, in order to eliminate hazards to life and property resulting from frequent flights directly over the dwelling house upon such property by aircraft taking off from and landing at Bolling Field. Any appropriation available to the War Department for the acquisition of real property shall be available for carrying out the provisions of this Act.

Acquisition of property in District of Columbia by U. S.

Approved August 7, 1946.

[CHAPTER 863]

AN ACT

For the relief of Colonel S. V. Constant, General Staff Corps.

August 7, 1946
[S. 2369]

[Private Law 866]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized

Col. S. V. Constant. Credit in accounts.

and directed to credit in the accounts of Colonel S. V. Constant, General Staffs Corps, the sum of \$1,179.27, public funds for which he is accountable, and which represent payments made under the Act of March 26, 1934 (48 Stat. 466), which have been disallowed by the Comptroller General: *Provided*, That the payees thereunder shall not be held pecuniarily liable.

Approved August 7, 1946.

5 U. S. C. § 118c.

[CHAPTER 891]

AN ACT

For the relief of the estate of Otto Frederick Gnospelius, deceased.

August 8, 1946

[H. R. 1357]

[Private Law 867]

Otto Frederick Gnospelius, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Otto Frederick Gnospelius, late of Boston, Massachusetts, the sum of \$5,700. The payment of such sum shall be in full settlement of all claims against the United States on account of the death on September 11, 1943, of the said Otto Frederick Gnospelius as a result of injuries sustained by him when, as a pedestrian, he was struck, on September 10, 1943, at the intersection of Old Colony Avenue and Redfield Street, Boston, Massachusetts, by a vehicle in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 892]

AN ACT

For the relief of Raymond Crosby.

August 8, 1946

[H. R. 1633]

[Private Law 868]

Raymond Crosby.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Raymond Crosby, of Roachdale, Indiana, the sum of \$411.79, in full settlement of all claims against the United States for payment to the postmaster at Roachdale, Indiana, by said Raymond Crosby for the purchase of War Savings stamps in 1918, which said amount was embezzled by the said postmaster, and said War Savings stamps were never delivered to said Raymond Crosby: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 893]

AN ACT

For the relief of Felix Napiorkowski.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Felix Napiorkowski, Holyoke, Massachusetts, the sum of \$992. Such sum represents that portion of the aggregate amount of monthly compensation checks for disability issued in favor of the said Felix Napiorkowski by the Veterans' Administration during the period August 31, 1939, to July 31, 1943, which was covered into the Treasury as miscellaneous receipts under the provisions of section 2 of the Act entitled "An Act to restrict or regulate the delivery of checks drawn against funds of the United States, or any agency or instrumentality thereof, to addresses outside the United States, its Territories, and possessions, and for other purposes", approved October 9, 1940. The said Felix Napiorkowski was held as a prisoner by the Germans during such period. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

August 8, 1946
[H. R. 2350]
[Private Law 869]

Felix Napiorkowski.

54 Stat. 1086.
31 U. S. C. § 124.

CHAPTER 894]

AN ACT

For the relief of Harry D. Koons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry D. Koons, of York, Pennsylvania, the sum of \$646.18, in full settlement of all claims against the United States for personal injuries and loss of wages and personal property, as a result of an accident involving a National Youth Administration vehicle on March 24, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

August 8, 1946
[H. R. 3619]
[Private Law 870]

Harry D. Koons.

[CHAPTER 895]

AN ACT

For the relief of Loyal F. Willis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Loyal F. Willis, of Waterford, Connecticut, the sum of \$90, in full settlement of all claims against the United States for loss of earnings sustained

August 8, 1946
[H. R. 4406]
[Private Law 871]

Loyal F. Willis.

from March 16, 1942, to May 10, 1942, inclusive, representing balance of salary due him upon reinstatement by the War Department, after investigation into the causes of an accident to the steamship Ordnance, following which, although entirely exonerated from blame, Captain Willis was not reinstated as master until May 11, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 896]

AN ACT

For the relief of Ernest C. Heine and Harriet W. Heine.

August 8, 1946
[H. R. 5031]
[Private Law 872]

Ernest C. Heine
and Harriet W.
Heine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest C. Heine and Harriet W. Heine, 2334 Waiomao Street, the sum of \$650, in full settlement of all claims against the United States on account of property damage caused by the United States engineers on April 23, 1943, while blasting in a quarry adjacent to this property: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 897]

AN ACT

For the relief of Clarence W. Ohm.

August 8, 1946
[H. R. 5134]
[Private Law 873]

Clarence W. Ohm.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Clarence W. Ohm, Compton, Maryland, the sum of \$330.80. The payment of such sum shall be in full settlement of all claims of the said Clarence W. Ohm against the United States on account of personal injuries sustained by him on August 22, 1945, when the automobile in which he was riding on Route Numbered 5, was struck, at Camp Springs, Maryland, by a United States Navy truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 898]

AN ACT

For the relief of Raphael Elder.

August 8, 1946
[H. R. 5166]
[Private Law 874]

Raphael Elder.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Raphael Elder, Avon Park, Florida, the sum of \$3,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries and loss of earnings sustained and medical and hospital expenses incurred by the said Raphael Elder as the result of an accident which occurred on April 15, 1943, when the automobile operated by him was in collision with an Army vehicle in the city of Avon Park, Florida: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 899]

AN ACT

For the relief of Mrs. Cecile W. McAfee, the legal guardian of Sarah McAfee, a minor, and Haven H. McAfee.

August 8, 1946
[H. R. 5237]
[Private Law 875]

Mrs. Cecile W. McAfee, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500 to Mrs. Cecile W. McAfee; to pay the sum of \$1,200 to Haven H. McAfee, and to pay the sum of \$200 to the legal guardian of Sarah McAfee, a minor, all of Sevierville, Tennessee, in full settlement of all claims against the United States on account of damages sustained by them as a result of a collision which occurred on May 11, 1944, on United States Highway Numbered 70N near Rome, Tennessee, when the automobile in which they were riding was struck by an Army truck: *Provided,* That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 900]

AN ACT

For the relief of Hiram H. Wilson.

August 8, 1946
[H. R. 5463]
[Private Law 876]

Hiram H. Wilson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hiram H. Wilson, the sum of \$5,200, in full settlement of all claims against the United States for the death of Mrs. Hiram H. Wilson,

who died February 10, 1945, and personal injury sustained by the said Hiram H. Wilson, on February 10, 1945, when the automobile in which they were passengers was in collision with an Army vehicle between Bowling Green and Wauchula, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 901]

AN ACT

For the relief of Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar).

August 8, 1946

[H. R. 5527]

[Private Law 877]

Dimitrios Kara-
mouzis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the immigration and naturalization laws, Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar), of Gallup, New Mexico, who served honorably in the armed forces of the United States in time of war and has resided in the United States of America since 1926, shall be held and considered to have been lawfully admitted to the United States for permanent residence on the date in October 1926, that he entered the United States at Calexico, California.

SEC. 2. The Attorney General is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued with respect to the said Dimitrios Karamouzis.

Quota deduction.

SEC. 3. Upon the enactment of this Act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct one number from the non-preference category of the first available Greek immigration quota.

Approved August 8, 1946.

[CHAPTER 902]

AN ACT

For the relief of Sadie Frey and the estate of Marie Hviding.

August 8, 1946

[H. R. 5725]

[Private Law 878]

Sadie Frey.

Marie Hviding, es-
tate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sadie Frey of Lynbrook, New York, the sum of \$2,000, for personal injuries, medical and hospital expenses, and to the estate of Marie Hviding, the sum of \$5,552, for the death and burial of the said Marie Hviding, in full settlement of all claims against the United States, growing out of an accident involving a United States Coast Guard vehicle, occurring in Valley Stream, New York, on January 23, 1945: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 903]

AN ACT

For the relief of Mrs. Millicent Moore.

August 8, 1946
[H. R. 5348]
[Private Law 879]Mrs. Millicent
Moore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Millicent Moore, of Hollywood, California, the sum of \$2,464.60. The payment of such sum shall be in full settlement of all claims of the said Mrs. Millicent Moore against the United States on account of personal injuries sustained by her, on April 14, 1942, when an automobile in which she was a passenger was struck by a United States Army vehicle at the intersection of Paramount Boulevard and Imperial Highway, Downey, California. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 921]

AN ACT

For the relief of Robert June.

August 8, 1946
[H. R. 228]
[Private Law 880]

Robert June.

68 Stat. 257.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal", approved May 29, 1944, Robert June, Detroit, Michigan, shall be held and considered to have been employed for three years by the Isthmian Canal Commission on the Isthmus of Panama during the construction period of the Panama Canal, from May 4, 1904, to March 31, 1914, inclusive. The said Robert June was compelled to leave such employment after serving for two years, eleven months, and twenty-one days on account of a serious injury to his leg sustained while in the performance of his duty.

Approved August 8, 1946.

CHAPTER 922]

AN ACT

For the relief of Wesley A. Mangelsdorf.

August 8, 1946
[H. R. 2480]
[Private Law 881]Wesley Mangels-
dorf.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$9,000, to Wesley Mangelsdorf, of San Francisco, California, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and other losses sustained as a result of a collision between the car in which he was riding and the United States Coast Guard truck on the Bayshore Highway just about the northerly limits of Redwood City, California, on March 9, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or

received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 923]

AN ACT

For the relief of Minnie P. Shorey.

August 8, 1946
[H. R. 5030]
[Private Law 882]

Minnie P. Shorey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Minnie P. Shorey, Tampa, Florida, the sum of \$640. Such sum represents the amount of compensation which the said Minnie P. Shorey would have received as an employee of the War Department at Drew Field, Tampa, Florida, for the period beginning September 4, 1944, and ending May 2, 1945, if she had not been suspended for alleged insubordination on September 3, 1944. On an appeal taken by the said Minnie P. Shorey from the order of suspension, she was held not guilty of insubordination by a board of officers and was restored to her employment on May 3, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 924]

AN ACT

For the relief of Warren M. Miller.

August 8, 1946
[H. R. 5288]
[Private Law 883]

Warren M. Miller.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Warren M. Miller, Philadelphia, Pennsylvania, is relieved of all liability to refund to the United States amounts paid to him for part-time services as an employee of the Coast and Geodetic Survey, Department of Commerce, during the period when he was not eligible, because of being in the service of the War Department, Philadelphia Engineer District, to receive compensation from funds appropriated for the Coast and Geodetic Survey. Any amounts heretofore credited to him or refunded to the United States by him on account of such unauthorized payment to him shall be repaid to him out of any money available for the payment of salaries of employees of the Coast and Geodetic Survey. In the audit and settlement of the accounts of any disbursing officer of the United States the payment of such amounts for such part-time services shall be considered to have been authorized.

Approved August 8, 1946.

[CHAPTER 925]

AN ACT

Authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell.

August 8, 1946
[S. 881]
[Private Law 884]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is requested to cause a gold medal to be struck, with suitable emblems, devices, and inscriptions, to be presented to the late William Mitchell, formerly a colonel, United States Army, in recognition of his outstanding pioneer service and foresight in the field of American military aviation.

William Mitchell.
Posthumous award
of medal.

SEC. 2. When the medal provided for in section 1 of this Act shall have been struck, the President shall transmit the same to William Mitchell, Junior, son of the said William Mitchell, to be presented to him in the name of the people of the United States.

SEC. 3. A sufficient sum of money to carry this Act into effect is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated.

Appropriation au-
thorized.

Approved August 8, 1946.

[CHAPTER 926]

AN ACT

For the relief of Marvin Sachwitz.

August 8, 1946
[H. R. 1002]
[Private Law 885]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, to Marvin Sachwitz, of South Saint Paul, Minnesota, in full settlement of all claims against the United States as the result of deep wells being drilled in connection with the Gopher ordnance works, which resulted in the drying up of his well during the year 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Marvin Sachwitz.

Approved August 8, 1946.

[CHAPTER 927]

AN ACT

For the relief of Mr. and Mrs. Conrad Newman.

August 8, 1946
[H. R. 1788]
[Private Law 886]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Conrad Newman, Muhlenberg County, Kentucky, the sum of \$3,000. The payment of such sum shall be in full settlement of all claims of the said Conrad Newman against the United States on account of the death of his minor son, Jackie Glenn Newman, who was struck and killed by a United States Army truck operated under the direction of the Post Engineer of Fort Knox, Kentucky, while its driver was dumping small rocks and gravel along Adair Street in Goldville, Fort Knox, Kentucky, on May 7, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or

Conrad Newman.

delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1946.

[CHAPTER 938]

AN ACT

For the relief of Karl E. Bond.

August 9, 1946

[H. R. 783]

[Private Law 887]

Karl E. Bond.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Karl E. Bond, Shiprock, New Mexico, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained and all expenses incident thereto by the said Karl E. Bond on May 26, 1943, as the result of an explosion in the basement of his home caused by leakage of gas from an Indian Service pipe line running from wells at Rattlesnake, New Mexico, to the Indian Service power plant at the Indian agency, Shiprock, New Mexico: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 9, 1946.

[CHAPTER 939]

AN ACT

To authorize the Secretary of the Interior to issue a duplicate of Porterfield scrip certificate numbered 53 to the Muskegon Trust Company, Muskegon, Michigan, as trustee of the John Torrent trust.

August 9, 1946

[H. R. 1860]

[Private Law 888]

Muskegon Trust
Co. as trustee of the
John Torrent trust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to issue to the Muskegon Trust Company, Muskegon, Michigan, as trustee of the John Torrent trust, a duplicate of Porterfield scrip certificate numbered 53, originally issued for forty acres of public land pursuant to the Act of Congress approved April 11, 1860, located to the extent of four and twenty-five one-hundredths acres by John Torrent on December 28, 1895, and returned to John Torrent certified as to its unused portion of thirty-five and seventy-five one-hundredths acres on August 21, 1903, upon satisfactory proof of ownership and loss of same, and the execution of a bond, with good and sufficient securities, in double the market value of the certificate so to be issued, to be approved by the Secretary of the Interior, conditioned to indemnify the United States against the presentation by an innocent holder of the alleged lost certificate. Such duplicate shall have all the legal force and effect of the original.

Approved August 9, 1946.

[CHAPTER 940]

AN ACT

For the relief of J. P. Kerr and Robert P. Kerr.

August 9, 1946
[H. R. 2093]
[Private Law 589]

J. P. Kerr and Robert P. Kerr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. P. Kerr, the sum of \$6,600, and to Robert P. Kerr, the sum of \$900, both of Versailles, Illinois, in full settlement of all claims against the United States. Said sum of \$900 is to compensate Robert P. Kerr for operating a pump in the years 1942 and 1943, and said sum of \$6,600 is to compensate J. P. Kerr for damages he suffered from the loss of income from crops, costs of an abstract of title and a guaranty of title, due to the failure of the Illinois Defense Relocation Corporation, an agent of the United States Government, to comply with its contract to purchase from J. P. Kerr certain lands owned by him in Brown County, Illinois: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 9, 1946.

[CHAPTER 941]

AN ACT

For the relief of Materials Handling Machinery Company, Incorporated.

August 9, 1946
[H. R. 4860]
[Private Law 590]

Materials Handling Machinery Company, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,326.10 to Materials Handling Machinery Company, Incorporated, in full and final settlement of all claims for price adjustment as agreed to by the Government but not paid, growing out of War Department contract numbered W-2789-tc-2160, as amended and modified, dated August 25, 1943, for the furnishing of fourteen thousand pallets, hardwood: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the presentation of this claim to the proper committees of Congress, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 9, 1946.

[CHAPTER 942]

AN ACT

For the relief of Lippert Brothers.

August 9, 1946
[H. R. 6012]
[Private Law 591]

Lippert Brothers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lippert Brothers, general contractors, Oklahoma City, Oklahoma, the sum of \$12,000. The payment of such sum shall be in full settlement of all claims of

the said Lippert Brothers against the United States arising out of the construction of Federal Works Agency project numbered La 16-102-N: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 9, 1946.

[CHAPTER 953]

AN ACT

For the relief of Burgess C. Moore, as administrator of the estate of Lela May Tomlinson, deceased, and as legal guardian of Kay Tomlinson and Larry Max Tomlinson, minors.

August 10, 1946

[H. R. 3742]

[Private Law 892]

Estate of Lela May Tomlinson, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Burgess C. Moore, of Ropesville, Texas, as administrator of the estate of Lela May Tomlinson, deceased, the sum of \$1,074.43, and to Burgess C. Moore, as legal guardian of Kay Tomlinson, a minor, the sum of \$3,600, and as legal guardian of Larry Max Tomlinson, a minor, the sum of \$2,660, in full settlement of all claims against the United States on account of the personal injury and death of Lela May Tomlinson and the medical, hospital, and burial expenses incurred incident thereto, and the personal injuries sustained by Kay Tomlinson and Larry Max Tomlinson, minors, and the medical and hospital expenses incurred for the treatment of such injuries, all resulting from an accident, involving an Army vehicle, which occurred in Sacramento, California, on January 14, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 10, 1946.

CONCURRENT RESOLUTIONS

CONCURRENT RESOLUTIONS

SECOND SESSION, SEVENTY-NINTH CONGRESS

PEARL HARBOR ATTACK

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Joint Congressional Committee on the Investigation of the Pearl Harbor Attack be, and is hereby, authorized and empowered to have printed for its use five thousand additional copies of each part of the hearings held before said joint committee during the Seventy-ninth Congress, pursuant to S. Con. Res. 27, a concurrent resolution to investigate the attack on Pearl Harbor on December 7, 1941, and events and circumstances relating thereto.

Agreed to January 22, 1946.

January 22, 1946
[S. Con. Res. 43]

Printing of additional copies of joint committee hearings.
34 Stat. 1012.
44 U. S. C. § 154.

59 Stat. 845.

REPORT ON SOCIAL SECURITY

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Ways and Means be, and is hereby, authorized and empowered to have printed for its use four thousand additional copies of the report to the committee of its technical staff relative to the issues in social security.

Passed January 25, 1946.

January 25, 1946
[H. Con. Res. 121]

Printing of additional copies of House report.
34 Stat. 1012.
44 U. S. C. § 154.

ORGANIZATION OF CONGRESS

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Joint Committee on the Organization of Congress be, and is hereby, authorized and empowered to have printed for its use three thousand additional copies of the summary of hearings, index to hearings, and parts 1, 2, 3, 4, and 5 of the hearings held before the said joint committee during the first session, Seventy-ninth Congress, relative to the organization of Congress.

Agreed to February 15, 1946.

February 15, 1946
[S. Con. Res. 52]

Printing of additional copies of joint committee hearings.
34 Stat. 1012.
44 U. S. C. § 154.

PEARL HARBOR ATTACK

Resolved by the Senate (the House of Representatives concurring), That the limit of time required, under the provisions of S. Con. Res. 27, as extended by S. Con. Res. 45, as amended, for the submission to the Senate and House of Representatives of the report of the Joint Com-

February 15, 1946
[S. Con. Res. 54]

Extension of time for submission of report.
59 Stat. 845, 849, 850.
Post, pp. 1327, 1328, 1329.

mittee on the Investigation of the Pearl Harbor Attack, be, and the same is hereby, further extended to June 1, 1946; and said S. Con. Res. 27 is hereby continued in full force and effect until such date.

Agreed to February 15, 1946.

March 11, 1946

[S. Con. Res. 56]

PEARL HARBOR ATTACK

Limit of expenditures for investigation increased.
59 Stat. 845.
Post, p. 1328.

Resolved by the Senate (the House of Representatives concurring), That the limit of expenditures authorized by S. Con. Res. 27, Seventy-ninth Congress, for the investigation of the Pearl Harbor attack, be, and the same is hereby, increased by an additional \$25,000, one-half of said amount to be paid from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman of the Joint Committee on the Investigation of the Pearl Harbor Attack.

Agreed to March 11, 1946.

March 13, 1946

[S. Con. Res. 55]

INVESTIGATION OF PRODUCTION, ETC., OF WOOL

Printing of additional copies of Senate committee hearings.
34 Stat. 1012.
44 U. S. C. § 164.

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Senate Special Committee to Investigate the Production, Transportation, and Marketing of Wool be, and is hereby, authorized and empowered to have printed for its use three thousand additional copies of part 6 of the hearings held before the said special committee during the first session, Seventy-ninth Congress, relative to the investigation of the production, transportation, and marketing of wool.

Agreed to March 13, 1946.

April 2, 1946

[S. Con. Res. 58]

BERMUDA BRANCH OF EMPIRE PARLIAMENTARY ASSOCIATION

Acceptance of invitation.

Resolved by the Senate (the House of Representatives concurring), That the Senate and the House of Representatives hereby accept the invitation tendered by the President of the Legislative Council of Bermuda and Joint President of the Bermuda Branch of the Empire Parliamentary Association, to have four Members of the Senate and four Members of the House of Representatives attend a meeting to be held in Bermuda, beginning June 10, 1946, at which the Bermuda Branch of the Empire Parliamentary Association will be host to delegations from the Parliaments of the United Kingdom and the Dominion of Canada, and at which it is hoped also to have representatives of the Parliaments of the Australian Commonwealth, New Zealand, and the Union of South Africa, and possibly a representative of the Central Legislature of India. The President of the Senate and the Speaker of the House of Representatives are authorized to appoint the Members of the Senate and the Members of the House of Representatives, respectively, to attend such meeting and are further authorized to designate the chairmen of the delegations from each of the Houses. The expenses incurred by the members of the delegations appointed for the purpose of attending such meeting, which shall not exceed \$5,000 for each of the delegations, shall be reimbursed to them from the contingent fund of the House of which they are Members, upon the submission of vouchers approved by the chairman of the delegation of which they are members.

Agreed to April 2, 1946.

ADJOURNMENT

Resolved by the House of Representatives (the Senate concurring),
That when the House adjourns on Thursday, April 18, 1946, it stands adjourned until 12 o'clock meridian Tuesday, April 30, 1946.

Passed April 18, 1946.

April 18, 1946
[H. Con. Res. 145]
House of Representatives.

AMENDMENT OF INTERSTATE COMMERCE ACT

Resolved by the Senate (the House of Representatives concurring),
That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Senate Committee on Interstate Commerce be, and is hereby, authorized and empowered to have printed for its use one thousand additional copies of parts 1 and 2 of the hearings held before the said committee during the Seventy-ninth Congress on S. 1253, a bill to amend the Interstate Commerce Act, as amended, and for other purposes, relative to modification of railroad financial structures.

Adopted May 3, 1946.

May 3, 1946
[S. Con. Res. 60]

Printing of additional copies of Senate committee hearings.
34 Stat. 1012.
44 U. S. C. § 154.

JOINT MEETING

Resolved by the House of Representatives (the Senate concurring),
That the two Houses of Congress assemble in the Hall of the House of Representatives on Saturday, the 25th day of May, 1946, at 4 o'clock postmeridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Passed May 24, 1946.

May 24, 1946
[H. Con. Res. 153]

Communications from the President.

PEARL HARBOR ATTACK

Resolved by the Senate (the House of Representatives concurring),
That the time for filing the report of the Joint Committee to Investigate the Pearl Harbor Attack be, and it is hereby, extended to July 10, 1946, and that the powers and functions of the said committee be, and the same are hereby, also extended to said date.

Agreed to May 31, 1946.

May 31, 1946
[S. Con. Res. 67]

Extension of time for filing report.
Ante, p. 1325.

JOINT MEETING

Resolved by the House of Representatives (the Senate concurring),
That Monday, the 1st day of July 1946, be set aside as the day upon which there shall be held a joint session of the Senate and the House of Representatives for appropriate exercises in commemoration of the life, character, and public service of the late Franklin D. Roosevelt, former President of the United States.

That a joint committee, to consist of three Senators and five Members of the House of Representatives, to be appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives, respectively, shall be named, with full power to make all arrangements and publish a suitable program for the joint session of Congress herein authorized, and to issue the invitations hereinafter mentioned.

That invitations shall be extended to the President of the United States, the members of the Cabinet, the Chief Justice and Associate

June 1, 1946
[H. Con. Res. 152]

Exercises in commemoration of the late President Franklin D. Roosevelt.

Joint committee.

Invitations.

Justices of the Supreme Court of the United States, and such other invitations shall be issued as to the said committee shall seem best.

That all expenses incurred by the committee in the execution of the provisions of this resolution shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

Passed June 1, 1946.

PEARL HARBOR ATTACK

July 9, 1946
[S. Con. Res. 69]

Limit of expenditures for investigation increased.
69 Stat. 845.
Ante, p. 1326.

Resolved by the Senate (the House of Representatives concurring), That the limit of expenditures authorized by S. Con. Res. 27, Seventy-ninth Congress, for the investigation of the Pearl Harbor attack, as increased by S. Con. Res. 56, be, and the same is hereby, further increased by an additional \$25,000, one-half of said amount to be paid from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman of the Joint Committee on the Investigation of the Pearl Harbor Attack.

Agreed to July 9, 1946.

PEARL HARBOR ATTACK

July 9, 1946
[S. Con. Res. 70]

Extension of time for filing report.
Ante, p. 1325.

Resolved by the Senate (the House of Representatives concurring), That the time for filing the report of the Joint Committee to Investigate the Pearl Harbor Attack be, and it is hereby, further extended to July 16, 1946, inclusive, and that the powers and functions of the said committee be, and the same are hereby, also extended to said date.

Agreed to July 9, 1946.

DISTRIBUTION OF WAR TROPHIES AND DEVICES

July 9, 1946
[S. Con. Res. 71]

Return of bill (S. 1746) requested.
Ante, p. 635.

Signing of enrolled bill rescinded.

Correction in reenrollment.

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 1746) to govern distribution of war trophies and devices; that if and when the said bill is returned by the President, the action of the Presiding Officers of the two Houses in signing the said bill be deemed to be rescinded; and that the Secretary of the Senate be, and he is hereby, authorized and directed, in the reenrollment of the said bill, to make the following correction, namely, on page 1, line 8, of the Senate engrossed bill, after the word "all" insert the words "war devices and trophies suitable for distribution"; so that as amended the section will read:

That the Secretary of War is authorized and directed to apportion and distribute pro rata among the several States in the ratio that the total number of persons who have served or are serving in the Army of the United States from each State bears to the total number of such persons from all States, all war devices and trophies suitable for distribution, with the exception of such trophies as may be required for experimental purposes or for other use by the United States or any department or agency thereof, and the further exception of such trophies as may be required for display in national museums, at national homes for disabled members of the armed forces, or for monumental purposes in Arlington National Cemetery and in other national cemeteries, national parks, and national monuments wheresoever situated.

Agreed to July 9, 1946.

ADDRESS IN MEMORY OF THE LATE PRESIDENT FRANKLIN DELANO
ROOSEVELT

July 13, 1946
[H. Con. Res. 161]

Resolved by the House of Representatives (the Senate concurring), That there be compiled, printed with illustrations, and bound, as may be directed by the Joint Committee on Printing, twenty-five thousand copies of the address delivered by the Honorable John G. Winant during exercises held in memory of the late President Franklin Delano Roosevelt on July 1, 1946, including all the proceedings and the program of exercises and such other tributes to the life, character, and public services of the late President Roosevelt as the Committee on Arrangements may deem appropriate, of which eight thousand copies shall be for the use of the Senate and seventeen thousand copies for the use of the House of Representatives.

Printing of address
by Hon. John G.
Winant.

Passed July 13, 1946.

REORGANIZATION PLAN NO. 1 OF 1946

July 15, 1946
[H. Con. Res. 155]

Resolved by the House of Representatives (the Senate concurring), That the Congress does not favor the Reorganization Plan Numbered 1 of May 16, 1946, transmitted to Congress by the President on the 16th of May 1946.

House Document
No. 594, 79th Congress.

Passed July 15, 1946.

PEARL HARBOR ATTACK

July 16, 1946
[S. Con. Res. 72]

Resolved by the Senate (the House of Representatives concurring), That the time for filing the report of the Joint Committee to Investigate the Pearl Harbor Attack be, and it is hereby, further extended to July 22, 1946, inclusive, and that the said committee be, and it is hereby, authorized to continue up to and including July 31, 1946, inclusive, the employment of necessary clerical assistants to complete the performance of its duties and to pay incidental expenses incurred in connection therewith.

Extension of time
for filing report.
Ante, p. 1325.

Agreed to July 16, 1946.

"LAWS RELATING TO THE PHYSICALLY HANDICAPPED"

July 25, 1946
[H. Con. Res. 160]

Resolved by the House of Representatives (the Senate concurring), That the handbook entitled "Laws Relating to the Physically Handicapped" be printed as a House document, and that twelve thousand additional copies shall be printed for the use of the Committee on Labor of the House of Representatives.

Printing of hand-
book as House docu-
ment.

Passed July 25, 1946.

PEARL HARBOR ATTACK

July 26, 1946
[S. Con. Res. 74]

Resolved by the Senate (the House of Representatives concurring), That there be printed eight thousand additional copies of S. Doc. No. 244, being the report of the Joint Committee on the Investigation of the Pearl Harbor Attack pursuant to S. Con. Res. 27, a concurrent resolution to investigate the attack on Pearl Harbor on December 7, 1941, and events and circumstances relating thereto, including the additional views of Mr. Keefe and the minority views of Mr. Ferguson and Mr. Brewster, of which six thousand copies shall be for the use

Printing of addi-
tional copies of report.
59 Stat. 845.

of the said joint committee, one thousand copies for the use of the Senate document room and one thousand copies for the use of the House document room.

Agreed to July 26, 1946.

July 26, 1946

[H. Con. Res. 163]

BIOGRAPHICAL DIRECTORY OF THE AMERICAN CONGRESS

Compiling and printing of revised edition as House document.

Resolved by the House of Representatives (the Senate concurring), That there shall be compiled and printed, with illustrations, as a House document, in such style and form as may be directed by the Joint Committee on Printing, a revised edition of the Biographical Directory of the American Congress up to and including the Eightieth Congress (1774-1948); and that three thousand five hundred additional copies shall be printed, of which two thousand three hundred copies shall be for the use of the House of Representatives, eight hundred copies for the use of the Senate, and four hundred copies for the use of the Joint Committee on Printing.

Passed July 26, 1946.

July 29, 1946

[H. Con. Res. 66]

MANUAL FOR MEMBERS OF ARMED FORCES, ETC.

Printing of pamphlet as House document.

Resolved by the House of Representatives (the Senate concurring), That the pamphlet entitled "Manual Explanatory of the Privileges, Rights, and Benefits Provided for All Persons Who Are, or Have Been, Members of the Armed Forces of the United States and of Those Dependent Upon Them" be printed as a House document, and that ninety-one thousand three hundred additional copies shall be printed, of which sixty-six thousand three hundred copies shall be for the use of the House of Representatives, twenty thousand for the use of the Senate, two thousand for the use of the Committee on World War Veterans' Legislation of the House of Representatives, two thousand for the House document room, and one thousand for the Senate document room.

Passed July 29, 1946.

July 30, 1946

[S. Con. Res. 75]

MINERAL LEASING ACT, AMENDMENT

Correction in enrollment of bill (S. 1236).
Ante, p. 950.
41 Stat. 437.
30 U. S. C. § 22 et seq.; Supp. V, § 188a et seq.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of the bill (S. 1236) to amend the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of oil and gas on the public domain, and for other purposes, be, and he is hereby, authorized to make the following correction, namely: In the language inserted in the conference report, in respect to House amendment numbered 19, after the word "limits", the first word in such language, insert the words "are found by the Secretary to"; and after the phrase "where such lease", strike out the comma and the words "or a lease for which it is exchanged" and the comma; so that the language inserted in the conference report would read as follows: "limits are found by the Secretary to exist on the effective date of this Act, and (2) any production on a lease from an oil or gas deposit which was discovered after May 27, 1941, by a well or wells drilled within the boundaries of the lease, and which is determined by the Secretary to be a new deposit; and (3) any production on or allocated to a lease pursuant to an approved unit or cooperative agreement from an oil or gas deposit which was discovered after May 27, 1941, on land committed to such

agreement, and which is determined by the Secretary to be a new deposit, where such lease was included in such agreement at the time of discovery, or was included in a duly executed and filed application for the approval of such agreement at the time of discovery”.

Agreed to July 30, 1946.

SIGNING OF ENROLLED BILLS, ETC.

August 2, 1946
[S. Con. Res. 76]

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the adjournment of the second session of the Seventy-ninth Congress, the Speaker of the House of Representatives and the President pro tempore of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses which have been examined by the Committee on Enrolled Bills of the House of Representatives and the Secretary of the Senate and found truly enrolled.

Agreed to August 2, 1946.

ADJOURNMENT SINE DIE

August 2, 1946
[H. Con. Res. 166]

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Friday, August 2, 1946, and that when they adjourn on said day they stand adjourned sine die.

Passed August 2, 1946.

PROCLAMATIONS

PROCLAMATIONS

GRANTING PARDON TO CERTAIN PERSONS WHO HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 24, 1945
[No. 2676]

A PROCLAMATION

WHEREAS the Constitution of the United States provides that the President "shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment"; and

WHEREAS subsequent to July 29, 1941, there were inducted and enrolled in the armed forces of the United States persons who had prior to their entry, induction or enrollment been convicted of offenses against the laws of the United States or the Territory of Alaska, other than the laws for the government of the Army and Navy; and

WHEREAS it appears that such convicted persons who have or shall hereafter be honorably discharged or separated from the armed forces, or separated with honor from active service therein, after serving in active status for not less than one year ought to have restored to them the political, civil, and other rights of which they were deprived by reason of such conviction and which may not be restored to them unless they are pardoned:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby grant a full pardon to all persons convicted of violation of any law of the United States or of the Territory of Alaska, except the laws for the government of the Army and the Navy, who on or after the twenty-ninth day of July, 1941, and prior to the date hereof, entered, enrolled in, or were inducted into the armed forces of the United States and who after serving in active status for not less than one year have been or shall hereafter be honorably discharged or separated therefrom, or separated under honorable conditions from active service therein: *Provided, however,* that such pardon shall not be construed to include the pardon of such persons for any offenses for which conviction has been obtained after the date of such entry, enrollment, or induction into service.

Pardon granted.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 24th day of December, in the year of our Lord nineteen hundred and forty-five, and [SEAL] of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

GEORGE WASHINGTON CARVER DAY

December 28, 1945
[No. 2677]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it is fitting that we honor the memory of George Washington Carver who contributed to the expansion of the agricultural economy of the nation through his diligent research as an agricultural chemist; and

WHEREAS by a joint resolution approved December 28, 1945 (Public Law 290, 79th Congress), the Congress has designated January 5, 1946 as George Washington Carver Day and has authorized and requested me "to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day":

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon officials of the Government to have the flag of the United States displayed on all Government buildings on January 5, 1946 in commemoration of the achievements of George Washington Carver.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of December, in the year of our Lord nineteen hundred and forty-five and [SEAL] of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

REVOKING PROCLAMATION No. 2537 OF JANUARY 14, 1942, PRESCRIBING REGULATIONS RELATING TO THE CONTROL OF ALIEN ENEMIES

December 29, 1945
[No. 2678]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS by Proclamation No. 2537 of January 14, 1942 (7 Fed. Reg. 329), the President prescribed and proclaimed certain regulations governing the issuance of certificates of identification to alien enemies; and

WHEREAS the interests of national defense and public safety no longer require that these regulations thus prescribed remain in force and effect:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States, acting under and by virtue of the authority vested in me by the Constitution of the United States and by sections 21, 22, 23 and 24 of Title 50 of the United States Code, do proclaim that Proclamation No. 2537 of January 14, 1942, prescribing and proclaiming regulations governing the issuance of certificates of identification to alien enemies, is hereby revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Revocation of Proclamation No. 2537.

R. S. §§ 4067-4070.

86 Stat. 1933.

DONE at the City of Washington this 29th day of December in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON
Acting Secretary of State

RED CROSS MONTH, 1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 14, 1946
[No. 2679]

A PROCLAMATION

WHEREAS the American National Red Cross, under the provisions of its Congressional charter, continues to fulfill its manifold obligations to extend cheer and aid to our servicemen in distant areas overseas, to provide servicemen and veterans, and wounded and sick in hospitals, with solace and a link with home, and to maintain its traditional services of aiding victims of catastrophe, and of training men and women of our nation to combat sickness and accident and thus to reduce suffering and death; and

WHEREAS new obligations have arisen to assist veterans and their families in the many difficult problems of return to civilian life and resumption of long-interrupted normal peacetime relations, and to contribute to the care of peoples in areas devastated by military operations, whose distress appeals with utmost urgency to every source of help for months ahead; and

WHEREAS at this time when the foundations of peace are being established, the American National Red Cross by its very nature and purpose, and by its long record of humanitarian service, stands both as symbol and as tangible expression of the spirit of universal good will, recognizing no barriers in the unity of human welfare; and

WHEREAS this organization, which represents the solicitude of our people for the care of its servicemen and its lofty ideals for the prevention of suffering, and which is entirely dependent on voluntary contributions to carry out its purposes, is issuing its nation-wide appeal for the contribution of a minimum fund of \$100,000,000:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, and President of the American National Red Cross, do hereby designate the month of March 1946 as Red Cross Month, and urge every citizen of this country to respond to the utmost of his ability in support of this indispensable humanitarian cause.

Designation of
March 1946 as "Red
Cross Month."

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this fourteenth day of February, in the year of our Lord nineteen hundred and forty-six, [SEAL] and of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

"I AM AN AMERICAN DAY," 1946

March 12, 1946
[No. 2680]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

36 U. S. C. § 152.

WHEREAS Public Resolution 67 approved May 3, 1940 (54 Stat. 178), provides in part:

"That the third Sunday in May each year be, and hereby is, set aside as Citizenship Day and that the President of the United States is hereby authorized and requested to issue annually a proclamation setting aside that day as a public occasion for the recognition of all who, by coming of age or naturalization, have attained the status of citizenship, and the day shall be designated as 'I Am An American Day.'

"That the civil and educational authorities of States, counties, cities, and towns be, and they are hereby, urged to make plans for the proper observance of this day and for the full instruction of future citizens in their responsibilities and opportunities as citizens of the United States and of the States and localities in which they reside.";

WHEREAS the part played by this nation in bringing full victory to the Allied Powers during the past year has been possible only because of the strength, the devotion, and the sacrifices of millions of our young men and women on the battlefronts of the world, performing bravely their highest duties as citizens;

WHEREAS our numerous citizens of foreign birth have shown loyalty and fidelity to their new citizenship in the performance of all the tasks which helped to bring the final and complete victory over the enemies of the country which these citizens have made their own by naturalization;

WHEREAS the nations of the world now look to the United States for leadership and for assistance, as they repair the devastation wrought by the war;

WHEREAS our nation derives its chief strength to give leadership and assistance from the fact that its citizens, young and old, native-born and foreign-born, work together as one people; and

WHEREAS this year new thousands have entered upon the full responsibilities of citizenship either by reaching their majority or by naturalization:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, pursuant to the aforesaid public resolution do hereby designate Sunday, May 19, 1946, as "I Am An American Day," and do set that day aside as a public occasion for the honoring of American citizenship by giving special recognition to all our citizens who have recently become full members of the body politic.

And I urge Federal, State, and local officials and patriotic, civic, and educational organizations to plan and hold, on or about May 19, exercises designed to help our new citizens, both native-born and naturalized, to understand more fully the significance and responsibilities of citizenship in our self-governing Republic, so that they may be better prepared to add strength to the common purpose of all our citizens that this Republic shall continue to maintain its place of leadership and service among the nations of the world.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Designation of May 19, 1946, as "I Am An American Day."

DONE at the City of Washington this 12th day of March in the year of our Lord, nineteen hundred and forty-six, and of [SEAL] the Independence of the United States of America, the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

REDEFINING THE AREA OF GREAT SAND DUNES NATIONAL MONUMENT,
COLORADO

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 12, 1946

[No. 2681]

A PROCLAMATION

WHEREAS the lands included within the Great Sand Dunes National Monument, Colorado, by Proclamation No. 1994 of March 17, 1932 (47 Stat. 2506), were described therein in conformity with plats then on file in the General Land Office and other maps of the locality;

WHEREAS resurveys by the General Land Office disclose that sections 10, 11, 12, and parts of sections 13, 14, and 15, Township 41 North, Range 12 East, and unsurveyed sections 30 and 31, Township 42 North, Range 13 East, New Mexico Principal Meridian, as described in the said Proclamation, do not exist; and

WHEREAS it appears necessary and desirable in the public interest to redefine the area included within the Monument in accordance with the latest plats of survey:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, c. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do revise the land description contained in said Proclamation No. 1994 of March 17, 1932, to read as follows:

Redefinition of area
of Great Sand Dunes
National Monument,
Colo.

47 Stat. 2506.

SIXTH PRINCIPAL MERIDIAN

- T. 25 S., R. 73 W.,
secs. 31 and 32.
- T. 26 S., R. 73 W.,
secs. 3 to 11, secs. 14 to 23, and secs. 26 to 35, inclusive.
- T. 27 S., R. 73 W.,
secs. 3 to 10 and secs. 15 to 22, inclusive.

NEW MEXICO PRINCIPAL MERIDIAN

- T. 40 N., R. 12 E.,
secs. 1 and 2;
sec. 11, NE $\frac{1}{4}$;
secs. 12, 13, 24, and 25.
 - T. 41 N., R. 12 E.,
secs. 13, 14, 15, those parts south of Luis Maria Baca Grant
No. 4;
secs. 22 to 27, inclusive;
secs. 34, 35, and 36.
 - Tps. 40 and 41 N., R. 13 E., unsurveyed.
- Containing approximately 44,810 acres.

All other provisions contained in the said Proclamation of March 17, 1932, shall remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 12th day of March, in the year of our Lord nineteen hundred and forty-six, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State.

ARMY DAY, 1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Army of the United States has performed gallantly its part, in magnificent cooperation with our Allies, in accomplishing the utter defeat in the past year of the enemy nations that threatened our freedom and required us to defend it in the most terrible war in history;

WHEREAS our Army continues in active service to the nation in occupying parts of enemy countries to insure the establishment of a lasting peace; and

WHEREAS the Congress, by Senate Concurrent Resolution 5, 75th Congress, agreed to by the House of Representatives on March 16, 1937, has recognized April 6 of each year as Army Day and has requested that the President issue a proclamation annually with respect to that day:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may give especial honor to our Army, to the soldiers of World War II, and to the soldiers who defended our liberty in other wars, do hereby proclaim Saturday, April 6, 1946, as Army Day, and do invite the Governors of the several States to issue proclamations calling for the observance of that day.

I also remind our citizens that our Army, charged with responsibility for defending the United States and our territorial possessions, can carry out its duty only with the full support of our people. I urge my fellow citizens to be mindful of the Army's needs, to the end that our soldiers overseas do not lack the means of performing effectively their continuing duties, and in order that the hardship of their separation from home and loved ones may be alleviated in every possible way. I know that our people will always remember the soldiers who have suffered that we might remain free, and the families of those who have sacrificed their lives for our cause.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 20th day of March in the year of our Lord nineteen hundred and forty-six, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

March 20, 1946
[No. 2682]

50 Stat. 1108.

Proclamation of
April 6, 1946, as Army
Day.

CANCER CONTROL MONTH, 1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 25, 1946
[No. 2683]

A PROCLAMATION

WHEREAS cancer is the second highest cause of death in the United States, and was responsible last year for more than 170,000 deaths; and

WHEREAS the number of deaths from cancer in the United States during the period of hostilities in World War II exceeded the number of war casualties of the United States armed forces; and

WHEREAS the control of this disease requires that the individual shall be on the alert to discover early signs of the disease and seek medical diagnosis; that the medical profession shall be prepared to render adequate preventive, diagnostic, and treatment services; that adequate diagnostic and treatment facilities shall be available to all citizens; and that research shall be carried on to increase our knowledge of the disease and thereby improve our present methods of treatment and discover new methods; and

WHEREAS the National Cancer Institute in the United States Public Health Service, State health departments and cancer control commissions, medical associations, and many other public and private organizations have for many years been actively leading the fight against this disease; and

WHEREAS it is known that a large percentage of deaths from cancer can be prevented if the disease is discovered and treated in its early stages; and

WHEREAS by Public Resolution 82, 75th Congress, approved March 28, 1938 (52 Stat. 148), the President is authorized and requested to issue annually a proclamation setting apart the month of April of each year as Cancer Control Month:

36 U. S. C. § 150.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby set apart the month of April 1946 as Cancer Control Month, and do invite the Governors of the several States, Territories, and possessions of the United States to issue proclamations for like purposes. I also invite the medical profession, the press, the radio, the moving picture industry and all agencies and individuals interested in a national program for the control of the disease of cancer by education and other cooperative means to unite during this month in a public dedication to such a program and in a concerted effort to impress upon the people of the Nation the necessity of that program.

Designation of April
1946 as Cancer Control
Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 25th day of March, in the year of our Lord nineteen hundred and forty-six and of
[SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

PAN-AMERICAN WEEK

March 28, 1946
[No. 2684]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the date of April 14 marks the anniversary of the founding of the Pan-American Union in 1890 and has come to be observed annually as a commemorative symbol of the bonds of friendship and common interest among the nations of the Western Hemisphere; and

WHEREAS the exigencies of war have brought to the nations of the world new realization of their interdependence and new determination to join together to achieve a just and lasting peace and to promote and maintain the welfare, security and prosperity of all peoples everywhere; and

WHEREAS it is accordingly appropriate that this anniversary of Pan-American unity be again observed in order that the people of the United States may publicly testify to the mutual confidence and good will existing between them and the peoples of the other American republics and to the mutual advantages to be gained through development of closer international cultural, trade and political relations;

Designation of week
beginning April 14,
1946, as "Pan-Ameri-
can Week."

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby order that the week beginning April 14, 1946, be designated and known as "Pan-American Week" and that the flag of the United States be displayed on all public buildings during that week. I also invite the Governors of the several States, Territories and possessions of the United States and the appropriate officials of the various municipalities and other political subdivisions to take similar action with respect to either the entire week or any designated day or days thereof. I further call upon the churches, educational institutions, civic associations, clubs, business establishments and other organizations, and the people of the United States generally, to observe this Pan-American Week with fitting commemorative ceremonies, displays, exhibits or other activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of March, in the year of our Lord nineteen hundred and forty-six and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

REMOVAL OF ALIEN ENEMIES

April 10, 1946
[No. 2685]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS sections 4067 and 4068 of the Revised Statutes of the United States (50 U. S. C. 21 and 22) make provision relative to the restraint and removal from the United States of alien enemies in the interest of the public safety; and

WHEREAS the Congress by joint resolutions approved by the President on December 8 and 11, 1941, and June 5, 1942, declared the existence of a state of war between the United States on the one hand and Japan, Germany, Italy, Bulgaria, Hungary, and Rumania on the other hand; and

55 Stat. 795-797;
56 Stat. 307.
60 U. S. C., Supp.
V, app., note prec. § 3.

WHEREAS in accordance with Resolution XVII of the Conference of Foreign Ministers at Rio de Janeiro adopted on January 28, 1942, and subsequently by undertakings based upon Resolution XX of the Emergency Advisory Committee for Political Defense adopted at Montevideo on May 21, 1943, there has been assumed by the Government of the United States responsibility for the restraint and repatriation of certain dangerous alien enemies brought to the United States from other of the American republics in the interest of the security of the Western Hemisphere; and

WHEREAS by Resolution VII of the Inter-American Conference on Problems of War and Peace adopted at Mexico City on March 8, 1945, the American republics recommended the adoption of measures to prevent any person whose deportation should be deemed necessary for reasons of security of the continent from further residing in this hemisphere, if such residence would be prejudicial to the future security or welfare of the Americas; and

Department of
State Publication
2497.

WHEREAS I find it necessary in the light of the commitments of the Government and in the interest of national defense and public safety to prescribe regulations additional and supplemental to all other regulations affecting the restraint and removal of alien enemies:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid sections of the Revised Statutes of the United States, do hereby prescribe and proclaim the following regulations, additional and supplemental to all other regulations affecting the restraint and removal of alien enemies:

Restraint and re-
moval of alien ene-
mies.

1. All alien enemies within the continental limits of the United States brought here from other American republics after December 7, 1941, who are within the territory of the United States without admission under the immigration laws, shall, if their continued residence in the Western Hemisphere is deemed by the Secretary of State to be prejudicial to the future security or welfare of the Americas, be subject upon the order of the Secretary of State to removal from the United States and may be required to depart therefrom in accordance with such regulations as the Secretary of State may prescribe.

2. In all cases in which the Secretary of State shall have ordered the removal of an alien enemy under the authority of this proclamation or in which the Attorney General shall have ordered the removal of an alien enemy under the authority of Proclamation No. 2655 of July 14, 1945, thirty days shall be considered, and is hereby declared to be, a reasonable time for such alien enemy to effect the recovery, disposal, and removal of his goods and effects, and for his departure.

59 Stat. 870.

3. This proclamation supersedes Proclamation No. 2662 of September 8, 1945, entitled "Removal of Alien Enemies."

59 Stat. 880.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 10th day of April in the year of our Lord nineteen hundred and forty-six, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:
JAMES F BYRNES
Secretary of State.

CHILD HEALTH DAY, 1946

April 13, 1946
[No. 2686]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

36 U. S. C. § 143.

Designation of May
1, 1946, as Child
Health Day.

WHEREAS the Congress by joint resolution of May 18, 1928 (45 Stat. 617) has authorized and requested the President of the United States to issue annually a proclamation setting apart May 1 as Child Health Day:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in recognition that the health of American children, like their education, should be accepted as a definite public responsibility, do hereby designate the first day of May of this year as Child Health Day.

And I call upon the people in each of our communities to pledge themselves today to review their community health and medical care services to see how well these services meet the needs of all our children in the light of the goals of the national health program, and to organize a definite plan to achieve within the coming year at least one improvement in community health services which will contribute to the better health of children.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 13th day of April in the year of our Lord nineteen hundred and forty-six, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State.

NATIONAL MARITIME DAY, 1946

April 13, 1946
[No. 2687]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS improvements in modes of ocean transportation during the last one hundred and fifty years have opened possibilities, new in history, of mutually profitable intercourse and closer relations between peoples; and

WHEREAS a signal event in this technical progress was the first successful ocean passage by a steam-propelled vessel, the *Savannah*, which departed from Savannah, Georgia, May 22, 1819; and

WHEREAS in World War II the seamen of the United States Merchant Marine displayed splendid heroism, under stress and under hazard in the waters of every ocean, in meeting the demands on them in the colossal task of supply which was so essential to our victory; and

WHEREAS in peace no less than in war the Merchant Marine makes a vital contribution to the welfare of the Nation; and

36 U. S. C. § 145.

WHEREAS the Congress by a joint resolution approved May 20, 1933 (48 Stat. 73) designated May 22 of each year as National Maritime Day and requested the President to issue annually a

proclamation calling upon the people of the United States to observe that day:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1946 as National Maritime Day by displaying the flag at their homes or other suitable places, and I direct that the flag be displayed on all Government buildings on that day.

Observance of May 22, 1946, as National Maritime Day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 13th day of April, in the year of our Lord nineteen hundred and forty-six, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State.

DEATH OF HARLAN FISKE STONE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 23, 1946
[No. 2638]

A PROCLAMATION

To the People of the United States:

WHEREAS Almighty God in His everlasting wisdom has brought to an end the mortal life of Harlan Fiske Stone, Chief Justice of the United States; and

WHEREAS by this death the people of the United States have lost a distinguished lawyer and jurist who has for almost a quarter of a century contributed generously to public life as Attorney General of the United States and as Associate Justice of the Supreme Court and Chief Justice of the United States; and

WHEREAS the death of this public servant will be mourned throughout the Nation, and his life and achievement will be celebrated forever in the history of the development of our rich heritage of legal tradition:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby officially announce the death of Harlan Fiske Stone, stricken in the public performance of his duties in the highest Court of this Nation in the City of Washington on the twenty-second day of April, nineteen hundred and forty-six, at six forty-five o'clock in the evening.

Death of Harlan Fiske Stone.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 23rd day of April, in the year of our Lord nineteen hundred and forty-six and of the [SEAL] Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

MOTHER'S DAY 1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it has become customary on one day of each year to unite our hearts in public celebration of the common bond of humanity which we share in the memory and enjoyment of a mother's love, a mother's training, and a mother's care; and

WHEREAS it is especially appropriate this year after the achievement of victory on a thousand momentous fields of battle that we express the debt of gratitude which each of us owes to his own mother and which we all owe to the mothers of America; and

WHEREAS by Public Resolution 25, 63d Congress, approved May 8, 1914 (38 Stat. 770), the second Sunday in May is designated as Mother's Day, and the President is authorized and requested to issue a proclamation calling for the observance of that day:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby request that Sunday, May 12, 1946, be observed as Mother's Day with public and private expressions of honor, reverence, and love; and I call upon the officials of the Government to display the flag of the United States on all Government buildings on that day and the people of the United States to display the flag at their homes or other suitable places as a public expression of honor for the mothers of this country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 27th day of April, in the year of our Lord nineteen hundred and forty-six, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

NATIONAL FARM SAFETY WEEK, 1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS an increased supply of food is vitally needed to promote peace and happiness in the postwar world; and

WHEREAS farm accidents rob the nation of thousands of lives and millions of dollars worth of food and other property each year; and

WHEREAS experience in previous observances of National Farm Safety Week has clearly shown the necessity and benefits of a coordinated and constant educational farm-safety program:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the Nation to observe the week commencing July 21, 1946, as National Farm Safety Week.

And I request all persons and organizations concerned with agriculture and farm life to do everything in their power to discover and publish the facts about farm accidents, and to develop practical safety programs which farm people everywhere can translate into

April 27, 1946
[No. 2689]

36 U. S. C. §§ 141,
142.

Observance of May
12, 1946, as Mother's
Day.

April 27, 1946
[No. 2690]

Observance of week
commencing July 21,
1946, as National
Farm Safety Week.

direct action against hazards which daily threaten their lives and happiness. As a start, I specifically suggest that the farm people of the country observe National Farm Safety Week by resolving to eliminate at least one hazard a day until their farms are as safe as they can possibly make them.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of April in the year of our Lord nineteen hundred and forty-six, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

DISCONTINUING THE HAWAIIAN, CRISTOBAL, GULF OF PANAMA, SAN FRANCISCO, COLUMBIA RIVER, PUGET SOUND, SOUTHEASTERN ALASKA, PRINCE WILLIAM SOUND, KODIAK, UNALASKA, LOS ANGELES AND SAN DIEGO MARITIME CONTROL AREAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 8, 1946
[No. 2691]

A PROCLAMATION

WHEREAS the continuance of the maritime control areas hereinafter designated is no longer necessary in the interest of national defense:

NOW, THEREFORE, I, HARRY S. TRUMAN, by virtue of the authority vested in me as President of the United States, and as Commander in Chief of the Army and Navy of the United States, do hereby discontinue the following-designated maritime control areas:

Discontinuance of designated maritime control areas.

1. Hawaiian Maritime Control Area, established by Proclamation No. 2532 of December 27, 1941. 56 Stat. 1713.
2. Cristobal Maritime Control Area, established by Proclamation No. 2536 of January 13, 1942. 56 Stat. 1932.
3. Gulf of Panama Maritime Control Area, established by Proclamation No. 2536 of January 13, 1942.
4. San Francisco Maritime Control Area, established by Proclamation No. 2543 of March 25, 1942. 56 Stat. 1941.
5. Columbia River Maritime Control Area, established by Proclamation No. 2543 of March 25, 1942.
6. Puget Sound Maritime Control Area, established by Proclamation No. 2543 of March 25, 1942.
7. Southeastern Alaska Maritime Control Area, established by Proclamation No. 2543 of March 25, 1942.
8. Prince William Sound Maritime Control Area, established by Proclamation No. 2543 of March 25, 1942.
9. Kodiak Maritime Control Area, established by Proclamation No. 2543 of March 25, 1942.
10. Unalaska Maritime Control Area, established by Proclamation No. 2543 of March 25, 1942.
11. Los Angeles Maritime Control Area, established by Proclamation No. 2569 of October 21, 1942. 56 Stat. 1978.
12. San Diego Maritime Control Area, established by Proclamation No. 2573 of November 17, 1942. 56 Stat. 1985.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 8th day of May in the year of our Lord nineteen hundred and forty-six, and of the [SEAL] Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

FLAG DAY, 1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS on June 14, 1777, the Continental Congress adopted the flag which we cherish as the flag of the United States of America; and

WHEREAS under this flag generations of Americans have lived and worked to establish the foundations of our country's greatness; and

WHEREAS this flag has become the beloved symbol of our way of life, our achievements as a people, and the many blessings which Providence has heaped upon us; and

WHEREAS for many years it has been customary to observe the anniversary of the day of the adoption of the flag as Flag Day; and

WHEREAS in this year following our great victories on the field of battle it is especially appropriate that we continue the customary observance of this day, and dedicate ourselves with renewed devotion to the responsibilities and obligations of citizenship under this flag:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate June 14, 1946, as Flag Day, and direct that the flag of the United States be displayed on all Government buildings on that day.

And I urge that the people of the United States observe that day by suitable public ceremonies and by the display of the flag at their homes and other appropriate places; and I suggest that, in recognition of the joint victories achieved by the United States and her allies, the flags of the United Nations be shown, wherever possible, in the company of the flag of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 29th day of May in the year of our Lord nineteen hundred and forty-six, and of the [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES

Secretary of State

May 29, 1946

[No. 2692]

Observance of June 14, 1946, as Flag Day.

SUSPENSION OF ADDITIONAL PROCESSING TAX ON CERTAIN
COCONUT OIL

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

June 27, 1946
[No. 2693]

A PROCLAMATION

WHEREAS section 2470 (a) (2) of the Internal Revenue Code, as amended, provides in part as follows:

53 Stat. 264.
26 U. S. C. § 2470
(a) (2); Supp. V, § 2470
note.
Ante, p. 157.

“Additional rate on coconut oil. There shall be imposed (in addition to the tax imposed by the preceding paragraph) a tax of 2 cents per pound, to be paid by the processor, upon the first domestic processing of coconut oil or of any combination or mixture containing a substantial quantity of coconut oil with respect to which oil there has been no previous first domestic processing, except that the tax imposed by this sentence shall not apply when it is established, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, that such coconut oil (whether or not contained in such a combination or mixture), (A) is wholly the production of the Philippine Islands or any possession of the United States, or (B) was produced wholly from materials the growth or production of the Philippine Islands or any possession of the United States * * *”;

WHEREAS section 505 (b) of the Philippine Trade Act of 1946 (Public Law 371, 79th Congress) provides as follows:

Ante, p. 157.

“Suspension of Section 2470 (a) (2) of Internal Revenue Code. Whenever the President, after consultation with the President of the Philippines, finds that adequate supplies of neither copra nor coconut oil, the product of the Philippines, are readily available for processing in the United States, he shall so proclaim, and after the date of such proclamation the provisions of section 2470 (a) (2) of the Internal Revenue Code shall be suspended until the expiration of 30 days after he proclaims that, after consultation with the President of the Philippines, he has found that such adequate supplies are so readily available”;

AND WHEREAS I have consulted with the President of the Philippines concerning the supplies of copra and coconut oil, the product of the Philippines, which are available for processing in the United States:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby find and proclaim that adequate supplies of neither copra nor coconut oil, the product of the Philippines, are readily available for processing in the United States.

Findings in respect
of copra and coconut
oil.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of June in the year of our Lord nineteen hundred and forty-six, and of the [SEAL] Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

DESIGNATING PROPERTIES SUITABLE FOR DIPLOMATIC AND CONSULAR ESTABLISHMENTS OF THE UNITED STATES IN THE PHILIPPINE ISLANDS

July 3, 1946

[No. 2694]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

48 U. S. C., § 1240;
Supp. V, § 1240 note.

WHEREAS section 10 of the act of March 24, 1934, 48 Stat. 463, as amended by section 3 of the act of August 7, 1939, 53 Stat. 1230, provides in part as follows:

“(c) (1) Whenever the President of the United States shall find that any properties in the Philippines, owned by the Philippine Government or by private persons, would be suitable for diplomatic or consular establishments of the United States after the inauguration of the independent Government, he may, with the approval of the Philippine Government, and in exchange for the conveyance of title to the United States, transfer to the said Government or private persons any properties of the United States in the Philippines. Title to any properties so transferred to private persons, and title to any properties so acquired by the United States, shall be vested in fee simple in such persons and the United States, respectively, notwithstanding the provisions contained in subsection (a) of this section.

“(2) Whenever, prior to July 4, 1946, the President of the United States shall find that any properties of the United States in the Philippines would be suitable for diplomatic and consular establishments of the United States after the inauguration of the independent Government, he shall designate the same by the issuance of a proclamation or proclamations, and title to any properties so designated shall continue to be vested in fee simple in the United States notwithstanding the provisions contained in subsection (a) of this section.”;

AND WHEREAS I find that the hereinafter described properties will be suitable for diplomatic and consular establishments of the United States after the inauguration of the independent Philippine Government:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate the following described properties in the Philippine Islands as suitable for diplomatic and consular establishments of the United States after the inauguration of the independent Philippine Government.

1. All lands and buildings pertaining to the official residences of the United States High Commissioner to the Philippine Islands in the Cities of Manila and Baguio, together with all fixtures and movable objects.

2. All that plot of land, including the improvements thereon, and designated as Lot No. 17B1 of Subdivision Plan PSC4355 G K. R. O. Cadastral record No. 189, being a portion of Lot No. 17B, Block 2058 of Cadastral survey of the City of Manila, situated in District of Binondo and bounded on the northeast by Calle David, on the southeast by Lot No. 17B2, and on the northwest by property of heirs of Pedro R. Roxas (Lot 18); containing an area of 1,255 square meters and 60 square decimeters, more or less. Title registered in the name of the Government of the United States of America on April 13, 1946, by transfer Certificate of Title 76700, recorded by Register of Deeds for the City of Manila in Book T289. Page 200. This property is known as the Heacock Building.

Designation of properties for diplomatic and consular establishments in the Philippine Islands.

3. All that plot of land, including the improvements thereon, designated as Lot No. 6 of Block 501 of the Cadastral survey for the City of Manila, situated in the District of Malate, bounded on the northeast by part of Calle M. H. Del Pilar (Lot No. 15 of Block No. 501), on the southeast by property of Mercedes Martines MacLeod (Lot No. 5 of Block No. 501), on the southwest by property of the City of Manila (Lot No. 9 of Block No. 501), and on the northwest by public property reserved for military purposes (Lot No. 8 of Block No. 501), and by military reservation; containing a total of 3490 square meters and 30 square decimeters, more or less. Title registered in the name of the Government of the United States of America on May 22, 1946, by transfer Certificate of Title 79309, recorded by Register of Deeds for the City of Manila in Book T272, Page 59.

4. All that plot of land, including the improvements thereon, situated in the District of Malate, and designated as Lot 29B of Subdivision plan portion of Lot 29, Block 539 of Cadastral survey of the City of Manila, the area containing 3464 square meters and 80 square decimeters, more or less.

5. All that plot of land, including the improvements thereon, designated as Lot No. 860 under Certificate of Title 12515 and Tax Declaration 2860 for Pasay, located on Dewey Boulevard, Pasay, Rizal, Philippines, area containing 6499 square meters and 40 square decimeters, more or less.

6. All that plot of land, including the improvements thereon, designated as Lots A, B1, and B2B, parts of Block No. 33 of Pasay Estates Company Ltd., in the District of San Rafael, Municipality of Pasay, Province of Rizal; the three parcels of land forming one unit bounded on the north by Del Pan Avenue, on the east by property of F. C. Laing and Lot B2A, on the south by property of De La Rama Steamship Company, and on the west by Dewey Boulevard; containing a total area of 5,712 square meters and 92 square decimeters, more or less. Title registered in the name of the Government of the United States of America by Register of Deeds for the City of Manila on June 4, 1946, by transfer Certificates of Title 48576, recorded in Book T252, Page 126, 48577 recorded in Book T252, Page 127, and 48578 recorded in Book T252, Page 128.

7. All that plot of land, including the improvements thereon, and designated as Lot No. 23, Block No. 2633, situated in the District of San Miguel, City of Manila, bounded on the north by Calle Arlegui, on the east by Lot No. 24, Block No. 2633, on the southeast by Lot No. 17, Block No. 2633, on the southwest by Lot No. 19, Block No. 2633, and on the west by Lot No. 18, Block No. 2633; containing an area of 4,924 square meters and 60 square decimeters, more or less. Recorded by Register of Deeds for the City of Manila as Transcript Certificate of Title No. 73102, Book No. 250, Page 232.

8. All that plot of land, including the improvements thereon, designated as Lot No. 9 of Block No. 501 of Cadastral survey of the City of Manila, situated in the Districts of Ermita and Malate, bounded on the northeast by Lot No. 6 of Block No. 501, on the southeast by Lots 5 and 10 of Block 501, on the southwest by Cavite Boulevard, and on the northwest by Lot No. 8 of Block No. 501; containing a total area of 289 square meters and 40 square decimeters, more or less. Title registered in the name of the Government of the United States of America on May 22, 1946, by transfer Certificate of Title 79310, recorded by Register of Deeds for the City of Manila in Book T272, Page 60. This property is known as the Dewey Arms Apartments.

9. All that plot of land, including the improvements thereon, and designated on the Consolidated Plan as Lots No. 3-B, 4, 5, 8 and 9,

Block No. 355 of Cadastral survey of the City of Manila, plan PCN-141, bounded on the southeast by Lots No. 2 and 6 of Block 355, on the northeast by L. Guerrero Street, formerly Calle, on the northwest by Padre Faura Street, on the southwest by Dewey Boulevard; the area containing 3367 square meters and 80 square decimeters, more or less.

And I hereby authorize and direct the Secretary of State, on behalf of the United States, to enter into and conduct suitable negotiations for the acquisition of title to any of the above described properties the title to which is not vested in the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 3rd day of July, in the year of our Lord nineteen hundred and forty-six, and of the [SEAL] Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

INDEPENDENCE OF THE PHILIPPINES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the United States of America by the Treaty of Peace with Spain of December 10, 1898, commonly known as the Treaty of Paris, and by the Treaty with Spain of November 7, 1900, did acquire sovereignty over the Philippines, and by the Convention of January 2, 1930, with Great Britain did delimit the boundary between the Philippine Archipelago and the State of North Borneo; and

WHEREAS the United States of America has consistently and faithfully during the past forty-eight years exercised jurisdiction and control over the Philippines and its people; and

WHEREAS it has been the repeated declaration of the legislative and executive branches of the Government of the United States of America that full independence would be granted the Philippines as soon as the people of the Philippines were prepared to assume this obligation; and

WHEREAS the people of the Philippines have clearly demonstrated their capacity for self-government; and

WHEREAS the Act of Congress approved March 24, 1934, known as the Philippine Independence Act, directed that, on the 4th day of July immediately following a ten-year transitional period leading to the independence of the Philippines, the President of the United States of America should by proclamation withdraw and surrender all rights of possession, supervision, jurisdiction, control, or sovereignty of the United States of America in and over the territory and people of the Philippines, except certain reservations therein or thereafter authorized to be made, and, on behalf of the United States of America, should recognize the independence of the Philippines:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the aforesaid act of Congress, do proclaim that, in accord with and subject to the reservations provided for in the applicable statutes of the United States,

July 4, 1946

[No. 2605]

30 Stat. 1754.

31 Stat. 1942.

47 Stat. 2198.

48 Stat. 456.
48 U. S. C., § 1232
et seq.; Supp. V, § 1232
et seq.

The United States of America hereby withdraws and surrenders all rights of possession, supervision, jurisdiction, control, or sovereignty now existing and exercised by the United States of America in and over the territory and people of the Philippines; and,

On behalf of the United States of America, I do hereby recognize the independence of the Philippines as a separate and self-governing nation and acknowledge the authority and control over the same of the government instituted by the people thereof, under the constitution now in force.

Recognition of independence of Philippines.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this Fourth day of July in the year of our Lord, nineteen hundred and forty-six, and of [SEAL] the Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

IMMIGRATION QUOTA FOR PHILIPPINE ISLANDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 4, 1946 [No. 2696]

A PROCLAMATION

WHEREAS the Secretary of State, the Secretary of Commerce, and the Attorney General have reported to the President that pursuant to the duty imposed and the authority conferred upon them in and by sections 11 and 12 of the Immigration Act of 1924 approved May 26, 1924 (43 Stat. 159, 161) and Reorganization Plan No. V (3 CFR Cum. Supp., Ch. IV), they jointly have made the revision provided for in section 12 of the said act and have fixed the quota for the Philippine Islands in accordance therewith to be as hereinafter set forth.

8 U. S. C. §§ 211, 212; Supp. V, § 211 et seq. 54 Stat. 1238. 5 U. S. C. § 133t note.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the power in me vested by the aforesaid act of Congress, do hereby proclaim and make known that the annual quota for the Philippine Islands effective July 4, 1946, for the remainder of the fiscal year ending June 30, 1947, and for each fiscal year thereafter, has been determined in accordance with the law to be, and shall be, 100.

Immigration quota for Philippine Islands.

The immigration quota of 50 authorized by section 8 (a) (1) of the Act approved March 24, 1934, entitled "An Act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes" (48 Stat. 462; 53 Stat. 1230; 48 U. S. C. 1238), which Act was accepted by concurrent resolution of the Philippine Legislature on May 1, 1934, and which became effective on that date, will become inoperative on July 4, 1946, the date the Government of the United States recognizes the independence of the Philippine Islands as a separate and self-governing nation.

The immigration quota assigned to the Philippine Islands is designed solely for purposes of compliance with the pertinent provisions of the Immigration Act of 1924 and is not to be regarded as having any significance extraneous to this subject.

43 Stat. 153.

52 Stat. 1544.

This proclamation shall have the effect of amending Proclamation 2283 of April 28, 1938, and is the third amendment to that proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 4th day of July, in the year of our Lord nineteen hundred and forty-six and of the [SEAL] Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

ARMY AIR FORCE DAY—1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 12, 1946
[No. 2697]

A PROCLAMATION

WHEREAS the United States Army Air Forces began in 1907 as the Aeronautical Division in the Office of the Chief Signal Officer of the Army, with three men and no airplanes, and has grown to its present stature as one of the chief custodians of our future; and

WHEREAS the Army Air Forces contributed greatly to the victories against our enemies in Europe and in Asia, spearheading the attacks and carrying the battle into the heart of the enemy homelands; and

WHEREAS we look back with pride upon the noble achievements and the courageous deeds of the living and remember in affection the devoted service and the heroic sacrifices of the dead; and

WHEREAS we look forward to the increasing importance of American air power in preserving the peace; in defending America against aggression; and in strengthening the Union of our own country by swift, space-ignoring flight;

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may in gratitude do honor to the men and women of the Army Air Forces and pay tribute to all those who through research and development, in science and industry, have supported the growth of our country's air power, do hereby proclaim Thursday, August 1, 1946, as Army Air Force Day, and do invite the Governors of the various States to issue proclamations calling for the observance of that day.

I strongly urge all citizens of this country to familiarize themselves with our Army Air Forces and to recall in appreciation the importance and the influence of air power in our national life in pioneering new means of transportation and communication and new contributions to our comfort, our health, and our well-being.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 12th day of July, in the year of our Lord nineteen hundred and forty-six and of the [SEAL] Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

Proclamation of
August 1, 1946, as
Army Air Force Day.

VICTORY DAY—1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 2, 1946
[No. 2698]

A PROCLAMATION

WHEREAS on August 14, 1945, the victory of the Allied Nations was consummated by the unconditional surrender of the armed forces of the Empire of Japan, which terminated a conflict world-wide in scope and freed the people of the world from the threat of enslavement of body and spirit; and

WHEREAS this victory was dearly bought not only by unlimited expenditure of material and effort but also by a heroic sacrifice of life; and

WHEREAS it is fitting that our people should recall with pride the sacrifices which have been made and renew their devotion to the cause for which they fought; and

WHEREAS, although victorious in arms, we must not relax our determination or diminish our efforts for the attainment of the final goal—the establishment of a just and enduring peace:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim Wednesday, August 14, 1946, as Victory Day; and I direct that on that day the flag of the United States be displayed on all Government buildings.

Proclamation of
August 14, 1946, as
Victory Day.

And I call upon the people of the United States to observe Victory Day as a day of solemn commemoration of the devotion of the men and women by whose sacrifices victory was achieved, and as a day of prayer and of high resolve that the cause of justice, freedom, peace, and international good-will shall be advanced with undiminished and unremitting efforts, inspired by the valor of our heroes of the Armed Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 2nd day of August in the year of our Lord nineteen hundred and forty-six and of the [SEAL] Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

TREATIES

NOTE

In this section are included all instruments, whether called treaties, conventions, protocols, or otherwise, entered into on the part of the United States by the President by and with the advice and consent of the Senate.

TREATIES

Protocol between the United States of America and other American Republics modifying and extending for one year from October 1, 1945, the Inter-American Coffee Agreement of November 28, 1940. Open for signature at Washington September 1–November 1, 1945; ratification advised by the Senate of the United States of America April 11, 1946; ratified by the President of the United States of America April 29, 1946; ratification of the United States of America deposited with the Pan American Union at Washington May 1, 1946; proclaimed by the President of the United States of America May 7, 1946; effective from October 1, 1945.

October 1, 1945
[T. I. A. S. 1513]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a protocol for the extension of the Inter-American Coffee Agreement for one year from October 1, 1945 was open for signature at Washington from September 1, 1945 to November 1, 1945, and during that period was signed by the Plenipotentiaries of the Government of the United States of America (with a reservation "Subject to ratification") and fourteen other countries;

AND WHEREAS the text of the said protocol, being in the English, Spanish, Portuguese, and French languages, as certified by the Director General of the Pan American Union, is word for word as follows:

PROTOCOL FOR THE EXTENSION OF THE INTER-AMERICAN COFFEE AGREEMENT FOR ONE YEAR FROM OCTOBER 1, 1945

WHEREAS an Inter-American Coffee Agreement (hereinafter referred to as "the Agreement") was signed in Washington on November 28, 1940;

55 Stat. 1143; 56
Stat. 1345.

AND WHEREAS by a Protocol signed in Washington on April 15, 1941, the Agreement was regarded as having come into force immediately in respect of the Governments signatory to that Protocol;

55 Stat. 1153.

AND WHEREAS it was provided in the said Agreement that it should continue in force until October 1, 1943;

AND WHEREAS by unanimous consent the Governments signatory to the Agreement have twice extended the said Agreement unchanged

for one-year periods, these extensions being duly attested by two certified and signed Declarations passed by the Inter-American Coffee Board on May 12, 1943 and July 25, 1944,^[1] respectively, which were duly deposited in the Pan American Union on June 11, 1943 and September 11, 1944, respectively, in accordance with the procedure established in Article XXIV of the Agreement.

55 Stat. 1172.

Now, THEREFORE, in support of a recommendation made by the Inter-American Coffee Board on June 13, 1945, the Governments signatory to the present Protocol, considering that it is expedient that the Agreement should be prolonged for a further term, subject to the conditions stated below, have agreed as follows:

ARTICLE 1

Continuance in force.

Subject to the provisions of Article 2 hereof, the Agreement shall continue in force between the Governments signatory to the present Protocol for a period of one year from October 1, 1945.

ARTICLE 2

Inoperative provisions.

55 Stat. 1146.

During the period specified in Article 1 above, the Governments signatory to the present Protocol agree that the provisions of Articles I through and including VIII of the Agreement shall be inoperative, except that, under emergency conditions, such articles of the Agreement shall again become effective upon a motion approved by at least a 95% of the total vote of the Inter-American Coffee Board.

ARTICLE 3

Inter-American Coffee Board. Analysis of world coffee situation; recommendations.

a. The Governments signatory to the present Protocol agree that, during the period specified in Article 1 above, the Inter-American Coffee Board shall undertake to prepare a thorough analysis of the world coffee situation and shall formulate recommendations, for the consideration of the governments now participating in the Agreement and of other governments that might be interested in participating in a revised agreement, regarding the type of international cooperation that appears most likely to contribute to the development of sound, prosperous conditions in international trade in coffee equitable for both producers and consumers.

b. Such recommendations shall take due account of any general principles of commodity policy embodied in any agreement which may be concluded under the auspices of the United Nations prior to the submission of such recommendations.

ARTICLE 4

The present Protocol shall be open for signature at the Pan American Union from September 1, 1945 until November 1, 1945, provided, however, that all signatures shall be deemed to have effect as of October 1, 1945.

¹[Not printed.]

In witness whereof the undersigned, being duly authorized thereto by their respective Governments, have signed the present Protocol.

Done at the City of Washington in English, Spanish, Portuguese and French. The original instrument in each language shall be deposited in the Pan American Union and certified copies shall be furnished to the Governments signatory to this Protocol.

(sgd.) E. PENTEADO

Brazil

(sgd.) EMILIO TORO, (Ad referendum)

Colombia

(sgd.) J. RAFAEL OREAMUNO

Costa Rica

(sgd.) GUILLERMO BELT

(Sujeto a ratificación por el Senado)

Cuba

(sgd.) EMILIO GARCÍA GODOY

Dominican Republic

(sgd.) JORGE REYES

(Ad referendum)

Ecuador

(sgd.) HÉCTOR DAVID CASTRO

El Salvador

(sgd.) ENRIQUE LÓPEZ HERRARTE

(Ad referendum)

Guatemala

(sgd.) ELIE GARCIA

Haiti

(sgd.) JULIÁN R. CÁCERES

Honduras

(sgd.) RAFAEL DE LA COLINA

Mexico

(sgd.) ALBERTO SEVILLA SACASA

(Ad referendum)

Nicaragua

(sgd.) H. FERNÁNDEZ DÁVILA

(Ad referendum)

Peru

(sgd.) DEAN ACHESON

(Subject to ratification)

United States

(sgd.) M. A. FALCÓN BRICEÑO
(*Ad referendum*)

Venezuela

I hereby certify that the foregoing document is a true and faithful copy of the original of the Protocol for the Extension of the Inter-American Coffee Agreement from October 1, 1945, deposited in the Pan American Union on November 1, 1945.

WASHINGTON, D. C., *December 5, 1945*

L. S. ROWE
*Director General of the
Pan American Union*

[SEAL]

**PROTOCOLO PARA LA
PRORROGA DEL CONVENIO INTERAMERICANO DEL
CAFE POR UN AÑO, A PARTIR DE OCTUBRE 1, 1945**

- POR CUANTO:** el Convenio Interamericano del Café (que en lo sucesivo se designará bajo la denominación de "el Convenio") fué suscrito en Washington, el 28 de noviembre de 1940;
- POR CUANTO:** dicho Convenio fué considerado en efecto inmediatamente con respecto de los Gobiernos que firmaron el Protocolo en Washington, el 15 de abril de 1941;
- POR CUANTO:** se estipuló que dicho Convenio continuara en vigor hasta el 1ro. de octubre de 1943;
- POR CUANTO:** por consentimiento unánime los Gobiernos signatarios han prorrogado en dos ocasiones dicho Convenio sin modificaciones, por períodos de un año, y dichas prórrogas han sido debidamente formalizadas mediante dos Declaraciones certificadas y firmadas, aprobadas por la Junta Interamericana del Café el 12 de mayo de 1943, y el 25 de julio de 1944, respectivamente, las cuales fueron debidamente depositadas en la Unión Panamericana el 11 de junio de 1943 y el 11 de septiembre de 1944, respectivamente, en conformidad con el procedimiento que establece en el Artículo XXIV del Convenio.
- POR TANTO:** de acuerdo con la recomendación de la Junta Interamericana del Café, del 13 de junio de 1945, los Gobiernos que firman el presente Protocolo, considerando que el Convenio debe ser prorrogado por un nuevo período, sujeto a las condiciones que a continuación se expresan, han convenido en lo siguiente:

ARTÍCULO 1

El Convenio continuará en vigor entre los Gobiernos firmantes del presente Protocolo, por un período de un año, a partir del 1ro. de octubre de 1945, sujeto a las disposiciones del Artículo 2 de este instrumento.

ARTÍCULO 2

Durante el período indicado en el Artículo 1 de este instrumento, los Gobiernos signatarios del presente Protocolo convienen en dejar sin efecto las estipulaciones de los Artículos I a VIII, inclusivos, del Convenio, excepto en condiciones de emergencia, en cuyo caso dichos Artículos se pondrán en vigor nuevamente por moción aprobada por lo menos por el 95% del total de los votos de la Junta Interamericana del Café.

ARTÍCULO 3

a. Los Gobiernos signatarios del presente Protocolo convienen en que durante el período especificado en el Artículo I, la Junta Interamericana del Café prepare un análisis completo de la situación

cafetera mundial y formule, para la consideración de los gobiernos actualmente participantes del Convenio y de aquellos otros gobiernos que tengan interés en participar en un convenio revisado, recomendaciones sobre la clase de cooperación internacional, que se considere la más conveniente para el desarrollo de condiciones sanas y prósperas en el comercio internacional de café, equitativas para productores y consumidores.

b. Tales recomendaciones deberán tomar en consideración cualesquiera principios generales de política sobre productos ("commodity policy") que se adopten en cualquier convenio que se celebre bajo los auspicios de las Naciones Unidas antes de que se sometan dichas recomendaciones.

ARTÍCULO 4

El presente Protocolo quedará abierto a la firma de los países en la Unión Panamericana desde el 1.º de septiembre de 1945 hasta el 1.º de noviembre de 1945, entendiéndose que todas las firmas se considerarán efectivas a partir del 1.º de octubre de 1945.

En testimonio de lo cual los abajo firmantes, debidamente autorizados por sus Gobiernos respectivos, suscriben el presente Protocolo.

Hecho en la ciudad de Washington en inglés, español, portugués y francés. El instrumento original en cada idioma será depositado en la Unión Panamericana y se remitirán copias certificadas a los Gobiernos firmantes de este Protocolo.

(Fdo.) E. PENTEADO

Brasil

(Fdo.) EMILIO TORO

(Ad referendum)

Colombia

(Fdo.) J. RAFAEL OREAMUNO

Costa Rica

(Fdo.) GUILLERMO BELT

(Sujeto a ratificación por el Senado)

Cuba

(Fdo.) JORGE REYES

(Ad referendum)

Ecuador

(Fdo.) HÉCTOR DAVID CASTRO

El Salvador

(Fdo.) DEAN ACHESON

(Subject to ratification)

Estados Unidos

(Fdo.) ENRIQUE LÓPEZ HERRARTE

(Ad referendum)

Guatemala

(Fdo.) ELIE GARCIA

Haiti

(Fdo.) JULIÁN R. CÁCERES

Honduras

(Fdo.) RAFAEL DE LA COLINA

México

(Fdo.) ALBERTO SEVILLA SACASA

(Ad referendum)

Nicaragua

(Fdo.) H. FERNÁNDEZ DÁVILA

(Ad referendum)

Perú

(Fdo.) EMILIO GARCÍA GODOY

República Dominicana

(Fdo.) M. A. FALCÓN BRICEÑO

(Ad referendum)

Venezuela

I hereby certify that the foregoing document is a true and faithful copy of the original in Spanish of the Protocol for the Extension of the Inter-American Coffee Agreement from October 1, 1945, deposited in the Pan American Union on November 1, 1945.

WASHINGTON, D. C., *December 5, 1945*

L. S. ROWE
*Director General of the
Pan American Union*

[SEAL]

PROTOCOLO PARA A
PRORROGAÇÃO DO CONVÊNIO INTERAMERICANO DO
CAFÉ POR UM ANO, A PARTIR DE 1º DE OUTUBRO DE
1945

Considerando que o Convênio Interamericano do Café (aqui referido como "o Convênio") foi assinado em Washington aos 28 de novembro de 1940;

Que, pelo Protocolo assinado em Washington em 15 de abril de 1941, o Convênio foi considerado imediatamente em vigor pelos Governos signatários do mesmo Protocolo

Que, estava estipulado no referido Convênio a sua duração em vigor até 1º de outubro de 1943;

Que, por consentimento unânime dos Governos signatários do Convênio, este fôra prorrogado duas vezes, sem modificações, por períodos de um ano, sendo essas prorrogações regularmente atestadas por duas Declarações assinadas e oficialmente reconhecidas, da Junta Interamericana do Café, com datas de 12 de maio de 1943 e 25 de julho de 1944, respectivamente, tendo sido ambas regularmente entregues à União Pan-Americana em 11 de junho de 1943 e 11 de setembro de 1944, respectivamente, de acôrdo com o procedimento recomendado no Artigo XXIV do Convênio.

Os Governos signatários dêste Protocolo, em apóio à recomendação da Junta Interamericana do Café, de 13 de junho de 1945, julgando conveniente a prorrogação do Convênio por mais um termo, sujeita às condições que transcrevemos abaixo, concordam com o seguinte:

ARTIGO 1

De acôrdo com as determinações do Artigo 2 dêste Protocolo, o Convênio deverá continuar em vigor entre os Governos signatários do mesmo Protocolo pelo período de um ano, a partir de 1º de outubro de 1945.

ARTIGO 2

Durante o período especificado no artigo precedente, os Governos signatários dêste Protocolo concordam que as determinações do Convênio, dos Artigos I ao VIII, inclusive, permanecerão inoperantes, exceto em condições de emergência e, neste caso, tais artigos tornar-se-ão novamente efetivos pela aprovação de, pelo menos, 95% do total de vozes da Junta Interamericana do Café.

ARTIGO 3

a. Os Governos signatários dêste Protocolo concordam que, durante o período especificado no Artigo I do mesmo, a Junta Interamericana do Café deverá empreender uma cuidadosa análise da situação mundial

do café e deverá formular recomendações para a ulterior consideração dos Governos participantes do Convênio e outros Governos que possam eventualmente estar interessados na participação de um Convênio, então revisto, visando um tipo de cooperação internacional que poderá provavelmente contribuir para o desenvolvimento de condições harmoniosas e prósperas para um comércio internacional do café, justo, tanto para o produtor como para o consumidor.

b. Essas recomendações devem levar em devida consideração quaisquer princípios gerais de entendimento, incorporados em qualquer acôrdo que possa ser concluído sob os auspícios das Nações Unidas e anterior à submissão dessas mesmas recomendações.

ARTIGO 4

Este Protocolo deverá estar pronto para as assinaturas, na União Pan-Americana, de 1º de setembro de 1945 a 1º de novembro de 1945, embora tôdas as assinaturas sejam consideradas efetivas a partir de 1º de outubro de 1945.

Em testemunho da verdade, os signatários, devidamente autorizados pelos respectivos Governos, assinaram o presente Protocolo.

Redigido na cidade de Washington em inglês, espanhol, português e francês. O documento original, em cada um dos referidos idiomas, deverá ser depositado na União Pan-Americana e as cópias, oficialmente reconhecidas, deverão ser enviadas aos Governos signatários do mesmo.

(Ado.) E. PENTEADO

Brasil

(Ado.) EMILIO TORO

(Ad referendum)

Colômbia

(Ado.) J. RAFAEL OREAMUNO

Costa Rica

(Ado.) GUILLERMO BELT

(Sujeto a ratificación por el Senado)

Cuba

(Ado.) JORGE REYES

(Ad referendum)

Equador

(Ado.) HÉCTOR DAVID CASTRO

Salvador

(Ado.) DEAN ACHESON

(Subject to ratification)

Estados Unidos da América

(Ado.) ENRIQUE LÓPEZ HERRARTE

(Ad referendum)

Guatemala

(Ado.) ELIE GARCIA

Haití

(Ado.) JULIÁN R. CÁCERES

Honduras

(Ado.) RAFAEL DE LA COLINA

México

(Ado.) ALBERTO SEVILLA SACASA

(Ad referendum)

Nicaragua

(Ado.) H. FERNÁNDEZ DÁVILA

(Ad referendum)

Perú

(Ado.) EMILIO GARCÍA GODOY

Republica Dominicana

(Ado.) M. A. FALCÓN BRICEÑO

(Ad referendum)

Venezuela

I hereby certify that the foregoing document is a true and faithful copy of the original in Portuguese of the Protocol for the Extension of the Inter-American Coffee Agreement from October 1, 1945, deposited in the Pan American Union on November 1, 1945.

WASHINGTON, D. C., December 5, 1945

L. S. ROWE
*Director General of the
 Pan American Union*

[SEAL]

**PROTOCOLE POUR LE
RENOUVELLEMENT DE L'ACCORD INTER-AMERICAIN
DU CAFE POUR UNE PERIODE D'UNE ANNEE A
PARTIR DU PREMIER OCTOBRE MIL-NEUF-
CENT-QUARANTE-CING.**

Attendu que l'Accord Inter-Américain du Café (qui dans le présent texte sera désigné comme "l'Accord") fut signé à Washington à la date du 28 Novembre 1940;

Attendu que par un Protocole signé à Washington à la date du 15 Avril 1941 l'Accord fut considéré comme entrant en vigueur immédiatement en ce qui concernait les Gouvernements signataires du dit Protocole;

Attendu que le dit Accord prévoyait qu'il resterait en vigueur jusqu'au Premier Octobre 1943;

Attendu que les Gouvernements signataires, à deux reprises, ont renouvelé, à l'unanimité, le dit Accord, sans changement, pour des périodes d'une année, ces reconductions étant dûment constatées par deux déclarations signées et enregistrées, faites par le Conseil Inter-Américain du Café, la première le 12 Mai 1943 et la seconde le 25 Juillet 1944, déclarations qui furent dûment déposées à l'Union Pan-Américaine respectivement les 11 Juin 1943 et 11 Septembre 1944, conformément à la procédure établie par l'Article XXIV de l'Accord.

Par conséquent, maintenant, faisant suite à une Recommandation du Conseil Inter-Américain du Café à la date de 13 Juin 1945, les Gouvernements signataires du présent Protocole, considérant qu'il est utile de renouveler l'Accord, sujet aux conditions ci-après stipulées, ont convenu ce qui suit:

ARTICLE I

L'Accord continuera à être en vigueur entre les Gouvernements signataires du Présent Protocole pendant une période d'une année à partir du 1er Octobre 1945, sujet aux dispositions de l'Article II.

ARTICLE II

Pendant la période spécifiée dans l'Article précédent, les Gouvernements signataires du Présent Protocole consentent à ce que les dispositions des huit premiers Articles de l'Accord demeurent sans effet, sauf en cas de force majeure, auquel cas ces Articles pourront être de nouveau appliqués par une motion qui devra être approuvée par au moins 95% des votes du Conseil Inter-Américain du Café.

ARTICLE III

a. Les Gouvernements signataires du Present Protocole conviennent que pendant la période stipulée ci-dessus à l'Article I, le Conseil Inter-Américain du Café devra entreprendre une étude de la situation du café sur le marché mondial afin de formuler des recommandations qui seront soumises tant aux Gouvernements signataires qu'à tous autres Gouvernements qui seraient intéressés à participer à un Accord révisé, ces recommandations envisageront l'étendue et la forme de coopération internationale qui contribuerait au développement du commerce international du café sur des bases saines et équitables à tous, producteurs et consommateurs.

b. De telles recommandations devront tenir compte des principes généraux de toute politique commerciale au sujet des denrées (Commodity policy) qui pourrait être adoptée sous les auspices des Nations Unies avant la soumission des dites recommandations.

ARTICLE IV

Le présent Protocole sera ouvert à la signature des pays à l'Union Pan-Américaine depuis le 1er. Septembre 1945 jusqu'au 1er. Novembre 1945, et il est agréé cependant que toutes les signatures seront considérées comme effectives au 1er. Octobre 1945.

En foi de quoi les soussignés, dûment autorisés par leurs Gouvernements respectifs, ont signé le présent Protocole.

Fait en la Ville de Washington dans les langues anglaise, espagnole, portugaise et française. L'instrument originel en chaque langue sera déposé à l'union Pan-Américaine et des copies certifiées seront remises à chaque Gouvernement signataire du présent Protocole.

(S) E. PENTEADO

Brésil

(S) EMILIO TORO

(*Ad referendum*)

Colombie

(S) J. RAFAEL OREAMUNO

Costa Rica

(S) GUILLERMO BELT

(*Sujeto a ratificación por el Senado*)

Cuba

(S) JORGE REYES

(*Ad referendum*)

Équateur

(S) HÉCTOR DAVID CASTRO

El Salvador

(S) DEAN ACHESON

(*Subject to ratification*)

États-Unis d'Amérique

(S) ENRIQUE LÓPEZ HERRARTE
(*Ad referendum*)

Guatemala

(S) ELIE GARCÍA

Haiti

(S) JULIÁN R. CÁCERES

Honduras

(S) RAFAEL DE LA COLINA

México

(S) ALBERTO SEVILLA SACASA
(*Ad referendum*)

Nicaragua

(S) H. FERNÁNDEZ DÁVILA
(*Ad referendum*)

Pérou

(S) EMILIO GARCÍA GODOY

République Dominicaine

(S) M. A. FALCÓN BRICEÑO
(*Ad referendum*)

Vénézuéla

I hereby certify that the foregoing document is a true and faithful copy of the original in French of the Protocol for the Extension of the Inter-American Coffee Agreement from October 1, 1945, deposited in the Pan American Union on November 1, 1945.

WASHINGTON, D. C., December 5, 1945

L. S. ROWE
Director General of the
Pan American Union

[SEAL]

AND WHEREAS the Senate of the United States of America by their Resolution of April 11, 1946, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said protocol;

AND WHEREAS the said protocol was duly ratified by the President of the United States of America on April 29, 1946, and the instrument of ratification on the part of the United States of America was duly deposited in the archives of the Pan American Union on May 1, 1946;

Now, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said protocol for the extension of the Inter-American Coffee Agreement for one year from October 1, 1945, to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith by the United States of America and by the citizens of the

United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this seventh day of May in the year of our Lord one thousand nine hundred forty-six and [SEAL] of the Independence of the United States of America the one hundred seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

Protocol between the United States of America and other powers prolonging the international agreement of May 6, 1937, respecting regulation of production and marketing of sugar. Signed at London August 31, 1945; ratification advised by the Senate of the United States of America April 17, 1946; ratified by the President of the United States of America May 1, 1946; ratification deposited May 27, 1946; proclaimed by the President of the United States of America June 10, 1946.

August 31, 1945
[T. I. A. S. 1523]

HARRY S. TRUMAN

President of the United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, That whereas a protocol dated in London August 31, 1945, prolonging the international agreement regarding the regulation of production and marketing of sugar signed in London May 6, 1937, as enforced and prolonged by a protocol dated in London July 22, 1942, and as further prolonged by a protocol dated in London August 31, 1944, was signed by the respective Plenipotentiaries of the United States of America (with a reservation "Signed subject to ratification"), the Commonwealth of the Philippines, the Union of South Africa, the Commonwealth of Australia, Belgium, Brazil, Cuba, Czechoslovakia, the Dominican Republic, the United Kingdom of Great Britain and Northern Ireland, Haiti, the Netherlands, Peru, Poland, Portugal, the Union of Soviet Socialist Republics, Yugoslavia, and the Provisional Government of the French Republic;

59 Stat. 922.

59 Stat. 949.

59 Stat. 951.

AND WHEREAS a certified copy of the said protocol of August 31, 1945 is word for word as follows:

PROTOCOL.

WHEREAS an International Agreement regarding the Regulation of the Production and Marketing of Sugar (hereinafter referred to as "the Agreement") was signed in London on the 6th May, 1937;

59 Stat. 922.

And whereas by a Protocol signed in London on the 22nd July, 1942, the Agreement was regarded as having come into force on the 1st September, 1937, in respect of the Governments signatory of the Protocol;

59 Stat. 949.

And whereas it was provided in the said Protocol that the Agreement should continue in force between the said Governments for a period of two years after the 31st August, 1942;

And whereas by a further Protocol signed in London on the 31st August, 1944, it was agreed that, subject to the provisions of Article 2 of the said Protocol, the Agreement should continue in force between the Governments signatory thereof for a period of one year after the 31st August, 1944;

59 Stat. 951.

Now, therefore, the Governments signatory of the present Protocol, considering that it is expedient that the Agreement should be prolonged for a further term as between themselves, subject, in view of the present emergency, to the conditions stated below, have agreed as follows:—

ARTICLE 1.

Continuance in force.

Subject to the provisions of Article 2 hereof, the Agreement shall continue in force between the Governments signatory of this Protocol for a period of one year after the 31st August, 1945.

ARTICLE 2.

Inoperative provisions.
59 Stat. 926, 930, 933.

During the period specified in Article 1 above the provisions of Chapters III, IV and V of the Agreement shall be inoperative.

ARTICLE 3.

Revision of Agreement.

1. The Governments signatory of the present Protocol recognise that revision of the Agreement is necessary and should be undertaken as soon as the time appears opportune. Discussion of any such revision should take the existing Agreement as the starting point.

2. For the purposes of such revision due account shall be taken of any general principles of commodity policy embodied in any agreements which may be concluded under the auspices of the United Nations.

ARTICLE 4.

Renewal.

Before the conclusion of the period of one year specified in Article 1, the contracting Governments, if the steps contemplated in Article 3 have not been taken, will discuss the question of a further renewal of the Agreement.

ARTICLE 5.

The present Protocol shall bear the date the 31st August, 1945, and shall remain open for signature until the 30th September, 1945; provided however that any signatures appended after the 31st August, 1945, shall be deemed to have effect as from that date

In witness whereof the undersigned being duly authorised thereto by their respective Governments have signed the present Protocol.

Done in London on the 31st day of August, 1945, in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, and of which certified copies shall be furnished to the signatory Governments.

For the Government of the Union of South Africa:

G. HEATON NICHOLLS.

For the Government of the Commonwealth of Australia:

S. M. BRUCE.

For the Government of Belgium:

BARON BEYENS.

For the Government of Brazil:

MONIZ DE ARAGÃO.

For the Government of Cuba:

G. DE BLANCK.

For the Government of Czechoslovakia:

V. JANSÁ.

For the Government of the Dominican Republic:

PORFIRIO HERRERA BAEZ.

For the Government of the United Kingdom of Great Britain
and Northern Ireland:

ALEXANDER CADOGAN.

For the Government of Haiti:

JOHN G. WINANT.

For the Government of the Netherlands:

E. MICHIELS VAN VERDUYNEN.

For the Government of Peru:

F. BERCKEMEYER.

For the Government of Poland:

HENRYK STRASBURGER.

For the Government of Portugal:

FELIX B. M. DA HORTA.

For the Government of the Union of Soviet Socialist Republics:

D. BORISENKO.

For the Government of the United States of America

JOHN G. WINANT.

Signed subject to ratification.

(In respect of the Commonwealth of the Philippines):

JOHN G. WINANT.

For the Government of Yugoslavia:

DR. LJUBO LEONTIĆ.

For the Provisional Government of the French Republic:

R. MASSIGLI.

Certified a true copy.

LONDON

[SEAL] D. A. BIGBY
*Acting Librarian and Keeper of
the Papers for the Secretary
of State for Foreign Affairs.*

AND WHEREAS, pursuant to advice and consent of the Senate of the United States of America, two-thirds of the Senators present concurring therein, the said protocol of August 31, 1945 was duly ratified by the President of the United States of America on May 1, 1946, and the instrument of ratification on the part of the Government of the United States of America was duly deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland;

Ante, p. 1374.

AND WHEREAS it is provided in Article 1 of the said protocol of August 31, 1945 that, subject to the provisions of Article 2 of the said protocol, the said agreement of May 6, 1937 shall continue in force between the Governments signatory of the said protocol for a period of one year after August 31, 1945;

Ante, p. 1374.

AND WHEREAS it is provided in Article 5 of the said protocol that it shall bear the date of August 31, 1945, and shall remain open for signature until September 30, 1945, provided however that any signature appended after August 31, 1945 shall be deemed to have effect as from that date;

Now, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said protocol of August 31, 1945, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, the said protocol being deemed to have the effect, as provided in Article 1 thereof, of continuing in force between the Governments signatory of the said protocol, for a period of one year after August 31, 1945, the said agreement regarding the regulation of production and marketing of sugar signed at London May 6, 1937.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of June in the year of our Lord one thousand nine hundred forty-six and of [SEAL] the Independence of the United States of America the one hundred seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES

Secretary of State

Convention between the United States of America and the United Kingdom respecting double taxation and taxes on income and protocol. Signed at Washington April 16, 1945, and June 6, 1946, respectively; ratification advised by the Senate of the United States of America June 1, 1946, and June 19, 1946, respectively; ratified by the President of the United States of America June 26, 1946; ratifications exchanged at Washington July 25, 1946; proclaimed by the President of the United States of America July 30, 1946.

April 16, 1945, and
June 6, 1946
[T. I. A. S. 1546]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income was signed by their respective Plenipotentiaries at Washington on April 16, 1945;

AND WHEREAS a supplementary protocol modifying in certain respects the said convention was signed by the respective Plenipotentiaries of the United States of America and the United Kingdom of Great Britain and Northern Ireland at Washington on June 6, 1946;

AND WHEREAS the originals of the said convention and the said supplementary protocol are word for word as follows:

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland,
Desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income,

Have appointed for that purpose as their Plenipotentiaries:

The Government of the United States of America:

Mr. Edward R. Stettinius, Jr., Secretary of State, and

The Government of the United Kingdom of Great Britain and Northern Ireland:

The Right Honorable the Earl of Halifax, K.G., Ambassador Extraordinary and Plenipotentiary in Washington,

Who, having exhibited their respective full powers, found in good and due form, have agreed as follows:

Plenipotentiaries.

ARTICLE I

(1) The taxes which are the subject of the present Convention are:

(a) In the United States of America:

The Federal income taxes, including surtaxes and excess profits taxes (hereinafter referred to as United States tax).

(b) In the United Kingdom of Great Britain and Northern Ireland:

The income tax (including surtax), the excess profits tax and the national defense contribution (hereinafter referred to as United Kingdom tax).

(2) The present Convention shall also apply to any other taxes of a substantially similar character imposed by either Contracting Party subsequently to the date of signature of the present Convention or by the government of any territory to which the present Convention is extended under Article XXII.

Post, p. 1387.

ARTICLE II

(1) In the present Convention, unless the context otherwise requires:

- “United States.”
- “United Kingdom.”
- “Territory of one of the Contracting Parties.”
- “United States corporation.”
- “United Kingdom corporation.”
- “Corporation of one Contracting Party.”
- “Resident of the United Kingdom.”
- “Resident of the United States.”
- (a) The term “United States” means the United States of America, and when used in a geographical sense means the States, the Territories of Alaska and of Hawaii, and the District of Columbia.
- (b) The term “United Kingdom” means Great Britain and Northern Ireland, excluding the Channel Islands and the Isle of Man.
- (c) The terms “territory of one of the Contracting Parties” and “territory of the other Contracting Party” mean the United States or the United Kingdom as the context requires.
- (d) The term “United States corporation” means a corporation, association or other like entity created or organized in or under the laws of the United States.
- (e) The term “United Kingdom corporation” means any kind of juridical person created under the laws of the United Kingdom.
- (f) The terms “corporation of one Contracting Party” and “corporation of the other Contracting Party” mean a United States corporation or a United Kingdom corporation as the context requires.
- (g) The term “resident of the United Kingdom” means any person (other than a citizen of the United States or a United States corporation) who is resident in the United Kingdom for the purposes of United Kingdom tax and not resident in the United States for the purposes of United States tax. A corporation is to be regarded as resident in the United Kingdom if its business is managed and controlled in the United Kingdom.
- (h) The term “resident of the United States” means any individual who is resident in the United States for the purposes of United States tax and not resident in the United Kingdom for the purposes of United Kingdom tax, and any United States corporation and any partnership created or organized in or under the laws of the United States, being a corporation or partnership which is not resident in the United Kingdom for the purposes of United Kingdom tax.

- (i) The term "United Kingdom enterprise" means an industrial or commercial enterprise or undertaking carried on by a resident of the United Kingdom. "United Kingdom enterprise."
- (j) The term "United States enterprise" means an industrial or commercial enterprise or undertaking carried on by a resident of the United States. "United States enterprise."
- (k) The terms "enterprise of one of the Contracting Parties" and "enterprise of the other Contracting Party" mean a United States enterprise or a United Kingdom enterprise, as the context requires. "Enterprise of one of the Contracting Parties."
- (l) The term "permanent establishment" when used with respect to an enterprise of one of the Contracting Parties means a branch, management, factory or other fixed place of business, but does not include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of such enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. An enterprise of one of the Contracting Parties shall not be deemed to have a permanent establishment in the territory of the other Contracting Party merely because it carries on business dealings in the territory of such other Contracting Party through a *bona fide* commission agent, broker or custodian acting in the ordinary course of his business as such. The fact that an enterprise of one of the Contracting Parties maintains in the territory of the other Contracting Party a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute such fixed place of business a permanent establishment of such enterprise. The fact that a corporation of one Contracting Party has a subsidiary corporation which is a corporation of the other Contracting Party or which is engaged in trade or business in the territory of such other Contracting Party (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary corporation a permanent establishment of its parent corporation. "Permanent establishment."

(2) For the purposes of Articles VI, VII, VIII, IX and XIV a resident of the United Kingdom shall not be deemed to be engaged in trade or business in the United States in any taxable year unless such resident has a permanent establishment situated therein in such taxable year. The same principle shall be applied, *mutatis mutandis*, by the United Kingdom in the case of a resident of the United States.

Post, pp. 1331, 1382, 1384.

(3) In the application of the provisions of the present Convention by one of the Contracting Parties any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting Party relating to the taxes which are the subject of the present Convention.

ARTICLE III

Tax on profits, restriction.

(1) A United Kingdom enterprise shall not be subject to United States tax in respect of its industrial or commercial profits unless it is engaged in trade or business in the United States through a permanent establishment situated therein. If it is so engaged, United States tax may be imposed upon the entire income of such enterprise from sources within the United States.

(2) A United States enterprise shall not be subject to United Kingdom tax in respect of its industrial or commercial profits unless it is engaged in trade or business in the United Kingdom through a permanent establishment situated therein. If it is so engaged, United Kingdom tax may be imposed upon the entire income of such enterprise from sources within the United Kingdom: Provided that nothing in this paragraph shall affect any provisions of the law of the United Kingdom regarding the imposition of United Kingdom excess profits tax and national defence contribution in the case of inter-connected companies.

(3) Where an enterprise of one of the Contracting Parties is engaged in trade or business in the territory of the other Contracting Party through a permanent establishment situated therein, there shall be attributed to such permanent establishment the industrial or commercial profits which it might be expected to derive if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment, and the profits so attributed shall, subject to the law of such other Contracting Party, be deemed to be income from sources within the territory of such other Contracting Party.

Determination of profits.

(4) In determining the industrial or commercial profits from sources within the territory of one of the Contracting Parties of an enterprise of the other Contracting Party, no profits shall be deemed to arise from the mere purchase of goods or merchandise within the territory of the former Contracting Party by such enterprise.

ARTICLE IV

Where an enterprise of one of the Contracting Parties, by reason of its participation in the management, control or capital of an enterprise of the other Contracting Party, makes with or imposes on the latter, in their commercial or financial relations, conditions different from those which would be made with an independent enterprise, any profits which would but for those conditions have accrued to one of the enterprises but by reason of those conditions have not so accrued, may be included in the profits of that enterprise and taxed accordingly.

ARTICLE V

Profits from ships or aircraft.

(1) Notwithstanding the provisions of Articles III and IV of the present Convention, profits which an individual (other than a citizen of the United States) resident in the United Kingdom or a United Kingdom corporation derives from operating ships documented or

aircraft registered under the laws of the United Kingdom, shall be exempt from United States tax.

(2) Notwithstanding the provisions of Articles III and IV of the present Convention, profits which a citizen of the United States not resident in the United Kingdom or a United States corporation derives from operating ships documented or aircraft registered under the laws of the United States, shall be exempt from United Kingdom tax.

(3) This Article shall be deemed to have superseded, on and after the first day of January, 1945, as to United States tax, and on and after the 6th day of April, 1945, as to United Kingdom tax, the arrangements relating to reciprocal exemption of shipping profits from income tax effected between the Government of the United States and the Government of the United Kingdom by exchange of Notes dated August 11, 1924, November 18, 1924, November 26, 1924, January 15, 1925, February 13, 1925 and March 16, 1925, which shall accordingly cease to have effect.

Shipping profits.
Prior arrangements
superseded.

47 Stat. 2587.

ARTICLE VI

(1) The rate of United States tax on dividends derived from a United States corporation by a resident of the United Kingdom who is subject to United Kingdom tax on such dividends and not engaged in trade or business in the United States shall not exceed 15 percent: Provided that such rate of tax shall not exceed five percent if such resident is a corporation controlling, directly or indirectly, at least 95 percent of the entire voting power in the corporation paying the dividend, and not more than 25 percent of the gross income of such paying corporation is derived from interest and dividends, other than interest and dividends received from its own subsidiary corporations. Such reduction of the rate to five percent shall not apply if the relationship of the two corporations has been arranged or is maintained primarily with the intention of securing such reduced rate.

Rate of tax on dividends.

(2) Dividends derived from sources within the United Kingdom by an individual who is (a) a resident of the United States, (b) subject to United States tax with respect to such dividends, and (c) not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom surtax.

(3) Either of the Contracting Parties may terminate this Article by giving written notice of termination to the other Contracting Party, through diplomatic channels, on or before the thirtieth day of June in any year after the year 1945, and in such event paragraph (1) hereof shall cease to be effective as to United States tax on and after the first day of January, and paragraph (2) hereof shall cease to be effective as to United Kingdom tax on and after the 6th day of April, in the year next following that in which such notice is given.

Termination of Article.

ARTICLE VII

(1) Interest (on bonds, securities, notes, debentures, or on any other form of indebtedness) derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom

Interest on bonds, etc.

tax on such interest and not engaged in trade or business in the United States, shall be exempt from United States tax; but such exemption shall not apply to such interest paid by a United States corporation to a corporation resident in the United Kingdom controlling, directly or indirectly, more than 50 percent of the entire voting power in the paying corporation.

(2) Interest (on bonds, securities, notes, debentures, or on any other form of indebtedness) derived from sources within the United Kingdom by a resident of the United States who is subject to United States tax on such interest and not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom tax; but such exemption shall not apply to such interest paid by a corporation resident in the United Kingdom to a United States corporation controlling, directly or indirectly, more than 50 percent of the entire voting power in the paying corporation.

ARTICLE VIII

Royalties, etc.

(1) Royalties and other amounts paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulae, trade-marks, and other like property, and derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom tax on such royalties or other amounts and not engaged in trade or business in the United States, shall be exempt from United States tax.

(2) Royalties and other amounts paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulae, trade-marks, and other like property, and derived from sources within the United Kingdom by a resident of the United States who is subject to United States tax on such royalties or other amounts and not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom tax.

(3) For the purposes of this Article the term "royalties" shall be deemed to include rentals in respect of motion picture films.

ARTICLE IX

Rate of tax on royalties.

(1) The rate of United States tax on royalties in respect of the operation of mines or quarries or of other extraction of natural resources, and on rentals from real property or from an interest in such property, derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom tax with respect to such royalties or rentals and not engaged in trade or business in the United States, shall not exceed 15 percent: Provided that any such resident may elect for any taxable year to be subject to United States tax as if such resident were engaged in trade or business in the United States.

(2) Royalties in respect of the operation of mines or quarries or of other extraction of natural resources, and rentals from real property or from an interest in such property, derived from sources within the United Kingdom by an individual who is (a) a resident of the United

States, (b) subject to United States tax with respect to such royalties and rentals, and (c) not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom surtax.

ARTICLE X

(1) Any salary, wage, similar remuneration, or pension, paid by the Government of the United States to an individual (other than a British subject who is not also a citizen of the United States) in respect of services rendered to the United States in the discharge of governmental functions, shall be exempt from United Kingdom tax.

Wages, etc., tax exemption.

(2) Any salary, wage, similar remuneration, or pension, paid by the Government of the United Kingdom to an individual (other than a citizen of the United States who is not also a British subject) in respect of services rendered to the United Kingdom in the discharge of governmental functions, shall be exempt from United States tax.

(3) The provisions of this Article shall not apply to payments in respect of services rendered in connection with any trade or business carried on by either of the Contracting Parties for purposes of profit.

ARTICLE XI

(1) An individual who is a resident of the United Kingdom shall be exempt from United States tax upon compensation for personal (including professional) services performed during the taxable year within the United States if (a) he is present within the United States for a period or periods not exceeding in the aggregate 183 days during such taxable year, and (b) such services are performed for or on behalf of a person resident in the United Kingdom.

Compensation for personal services, tax exemption.

(2) An individual who is a resident of the United States shall be exempt from United Kingdom tax upon profits, emoluments or other remuneration in respect of personal (including professional) services performed within the United Kingdom in any year of assessment if (a) he is present within the United Kingdom for a period or periods not exceeding in the aggregate 183 days during that year, and (b) such services are performed for or on behalf of a person resident in the United States.

(3) The provisions of this Article shall not apply to the compensation, profits, emoluments or other remuneration of public entertainers such as stage, motion picture or radio artists, musicians and athletes.[]

Public entertainers.

Post, p. 1389.

ARTICLE XII

(1) Any pension (other than a pension to which Article X applies), and any life annuity, derived from sources within the United States by an individual who is a resident of the United Kingdom shall be exempt from United States tax.

Pension and life annuity.

(2) Any pension (other than a pension to which Article X applies), and any life annuity, derived from sources within the United Kingdom by an individual who is a resident of the United States shall be exempt from United Kingdom tax.

¹ [See Protocol signed June 6, 1946, *post*, p. 1389.]

"Life annuity."

(3) The term "life annuity" means a stated sum payable periodically at stated times, during life or during a specified or ascertainable period of time, under an obligation to make the payments in consideration of money paid.

ARTICLE XIII

Credit for tax paid
other country.
53 Stat. 56.
26 U. S. C. § 131;
Supp. V, § 131.

(1) Subject to section 131 of the United States Internal Revenue Code as in effect on the first day of January, 1945, United Kingdom tax shall be allowed as a credit against United States tax. For this purpose, the recipient of a dividend paid by a corporation which is a resident of the United Kingdom shall be deemed to have paid the United Kingdom income tax appropriate to such dividend if such recipient elects to include in his gross income for the purposes of United States tax the amount of such United Kingdom income tax.

(2) Subject to such provisions (which shall not affect the general principle hereof) as may be enacted in the United Kingdom, United States tax payable in respect of income from sources within the United States shall be allowed as a credit against any United Kingdom tax payable in respect of that income. Where such income is an ordinary dividend paid by a United States corporation, such credit shall take into account (in addition to any United States income tax deducted from or imposed on such dividend) the United States income tax imposed on such corporation in respect of its profits, and where it is a dividend paid on participating preference shares and representing both a dividend at the fixed rate to which the shares are entitled and an additional participation in profits, such tax on profits shall likewise be taken into account in so far as the dividend exceeds such fixed rate.

(3) For the purposes of this Article, compensation, profits, emoluments and other remuneration for personal (including professional) services shall be deemed to be income from sources within the territory of the Contracting Party where such services are performed.

ARTICLE XIV

Sale or exchange of
capital assets.

A resident of the United Kingdom not engaged in trade or business in the United States shall be exempt from United States tax on gains from the sale or exchange of capital assets.

ARTICLE XV

Dividends and in-
terest.

Dividends and interest paid on or after the first day of January 1945 by a United Kingdom corporation shall be exempt from United States tax except where the recipient is a citizen of or a resident of the United States or a United States corporation.

ARTICLE XVI

Exemption from
U. S. tax.

A United Kingdom corporation shall be exempt from United States tax on its accumulated or undistributed earnings, profits, income or surplus, if individuals who are residents of the United Kingdom control, directly or indirectly, throughout the last half of the taxable

year, more than 50 percent of the entire voting power in such corporation.

ARTICLE XVII

(1) The United States income tax liability for any taxable year beginning prior to January 1, 1936 of any individual (other than a citizen of the United States) resident in the United Kingdom, or of any United Kingdom corporation, remaining unpaid on the date of signature of the present Convention, may be adjusted on a basis satisfactory to the United States Commissioner of Internal Revenue: Provided that the amount to be paid in settlement of such liability shall not exceed the amount of the liability which would have been determined if

Adjustment of unpaid taxes.

(a) the United States Revenue Act of 1936 (except in the case of a United Kingdom corporation in which more than 50 percent of the entire voting power was controlled, directly or indirectly, throughout the latter half of the taxable year, by citizens or residents of the United States), and

49 Stat. 1648.

(b) Articles XV and XVI of the present Convention, had been in effect for such year. If the taxpayer was not, within the meaning of such Revenue Act, engaged in trade or business in the United States and had no office or place of business therein during the taxable year, the amount of interest and penalties shall not exceed 50 percent of the amount of the tax with respect to which such interest and penalties have been computed.

(2) The United States income tax unpaid on the date of signature of the present Convention for any taxable year beginning after the thirty-first day of December 1935 and prior to the first day of January 1945 in the case of an individual (other than a citizen of the United States) resident of the United Kingdom, or in the case of any United Kingdom corporation shall be determined as if the provisions of Articles XV and XVI of the present Convention had been in effect for such taxable year.

(3) The provisions of paragraph (1) of this Article shall not apply—

Nonapplicability of provisions.

(a) unless the taxpayer files with the Commissioner of Internal Revenue on or before the thirty-first day of December 1947 a request that such tax liability be so adjusted and furnishes such information as the Commissioner may require; or

(b) in any case in which the Commissioner is satisfied that any deficiency in tax is due to fraud with intent to evade the tax.

ARTICLE XVIII

A professor or teacher from the territory of one of the Contracting Parties who visits the territory of the other Contracting Party for the purpose of teaching, for a period not exceeding two years, at a university, college, school or other educational institution in the territory of such other Contracting Party shall be exempted by such

Teachers.

other Contracting Party from tax on his remuneration for such teaching for such period.

ARTICLE XIX

Students.

A student or business apprentice from the territory of one of the Contracting Parties who is receiving full-time education or training in the territory of the other Contracting Party shall be exempted by such other Contracting Party from tax on payments made to him by persons within the territory of the former Contracting Party for the purposes of his maintenance, education or training.

ARTICLE XX

Exchange of information.

(1) The taxation authorities of the Contracting Parties shall exchange such information (being information available under the respective taxation laws of the Contracting Parties) as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or the administration of statutory provisions against legal avoidance in relation to the taxes which are the subject of the present Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any person other than those concerned with the assessment and collection of the taxes which are the subject of the present Convention. No information shall be exchanged which would disclose any trade secret or trade process.

"Taxation authorities."

(2) As used in this Article, the term "taxation authorities" means, in the case of the United States, the Commissioner of Internal Revenue or his authorized representative; in the case of the United Kingdom, the Commissioners of Inland Revenue or their authorized representative; and, in the case of any territory to which the present Convention is extended under Article XXII, the competent authority for the administration in such territory of the taxes to which the present Convention applies.

ARTICLE XXI

Taxes on nationals of other Contracting Party.

(1) The nationals of one of the Contracting Parties shall not, while resident in the territory of the other Contracting Party, be subjected therein to other or more burdensome taxes than are the nationals of such other Contracting Party resident in its territory.

"Nationals."

(2) The term "nationals" as used in this Article means

- (a) in relation to the United Kingdom, all British subjects and British protected persons, from the United Kingdom or any territory with respect to which the present Convention is applicable by reason of extension made by the United Kingdom under Article XXII; and
- (b) in relation to the United States, United States citizens, and all persons under the protection of the United States, from the United States or any territory to which the present Convention is applicable by reason of extension made by the United States under Article XXII;

and includes all legal persons, partnerships and associations deriving their status as such from, or created or organized under, the laws in force in any territory of the Contracting Parties to which the present Convention applies.

(3) In this Article the word "taxes" means taxes of every kind or description, whether national, Federal, state, provincial or municipal.

"Taxes."

ARTICLE XXII

(1) Either of the Contracting Parties may, at the time of exchange of instruments of ratification or thereafter while the present Convention continues in force, by a written notification of extension given to the other Contracting Party through diplomatic channels, declare its desire that the operation of the present Convention shall extend to all or any of its colonies, overseas territories, protectorates, or territories in respect of which it exercises a mandate, which impose taxes substantially similar in character to those which are the subject of the present Convention. The present Convention shall apply to the territory or territories named in such notification on the date or dates specified in the notification (not being less than sixty days from the date of the notification) or, if no date is specified in respect of any such territory, on the sixtieth day after the date of such notification, unless, prior to the date on which the Convention would otherwise become applicable to a particular territory, the Contracting Party to whom notification is given shall have informed the other Contracting Party in writing through diplomatic channels that it does not accept such notification as to that territory. In the absence of such extension, the present Convention shall not apply to any such territory.

Extension to territories, etc.

(2) At any time after the expiration of one year from the entry into force of an extension under paragraph (1) of this Article, either of the Contracting Parties may, by written notice of termination given to the other Contracting Party through diplomatic channels, terminate the application of the present Convention to any territory to which it has been extended under paragraph (1), and in such event the present Convention shall cease to apply, six months after the date of such notice, to the territory or territories named therein, but without affecting its continued application to the United States, the United Kingdom or to any other territory to which it has been extended under paragraph (1) hereof.

(3) In the application of the present Convention in relation to any territory to which it is extended by notification by the United States or the United Kingdom references to the "United States" or, as the case may be, the "United Kingdom" shall be construed as references to that territory.

(4) The termination in respect of the United States or the United Kingdom of the present Convention under Article XXIV or of Article VI shall, unless otherwise expressly agreed by both Contracting Parties, terminate the application of the present Convention or, as the

Ante, p. 1381.

case may be, that Article to any territory to which the Convention has been extended by the United States or the United Kingdom.

Channel Islands and
Isle of Man.

(5) The provisions of the preceding paragraphs of this Article shall apply to the Channel Islands and the Isle of Man as if they were colonies of the United Kingdom.

ARTICLE XXIII

Ratification.

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

Effective dates.

(2) Upon exchange of ratifications, the present Convention shall have effect

- (a) as respects United States tax, for the taxable years beginning on or after the first day of January 1945;
- (b) (i) as respects United Kingdom income tax, for the year of assessment beginning on the 6th day of April 1945 and subsequent years; (ii) as respects United Kingdom surtax, for the year of assessment beginning on the 6th day of April 1944 and subsequent years; and (iii) as respects United Kingdom excess profits tax and national defence contribution, for any chargeable accounting period beginning on or after the first day of April 1945 and for the unexpired portion of any chargeable accounting period current at that date.

ARTICLE XXIV

Duration; termina-
tion.

(1) The present Convention shall continue in effect indefinitely but either of the Contracting Parties may, on or before the 30th day of June in any year after the year 1946, give to the other Contracting Party, through diplomatic channels, notice of termination and, in such event, the present Convention shall cease to be effective

- (a) as respects United States tax, for the taxable years beginning on or after the first day of January in the year next following that in which such notice is given;
- (b) (i) as respects United Kingdom income tax, for any year of assessment beginning on or after the 6th day of April in the year next following that in which such notice is given; (ii) as respects United Kingdom surtax, for any year of assessment beginning on or after the 6th day of April in the year in which such notice is given; and (iii) as respects United Kingdom excess profits tax and national defence contribution, for any chargeable accounting period beginning on or after the first day of April in the year next following that in which such notice is given and for the unexpired portion of any chargeable accounting period current at that date.

(2) The termination of the present Convention or of any Article thereof shall not have the effect of reviving any treaty or arrangement abrogated by the present Convention or by treaties previously concluded between the Contracting Parties.

IN WITNESS WHEREOF the above-mentioned Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

DONE at Washington, in duplicate, on the 16th day of April, 1945.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
[SEAL] E R STETTINIUS JR

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND:
[SEAL] HALIFAX.

PROTOCOL

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland,

Desiring to conclude a supplementary Protocol modifying in certain respects the Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income which was signed at Washington on April 16, 1945,

Ante, p. 1377.

Have agreed as follows:

ARTICLE I

Paragraph (3) of Article XI of the Convention of April 16, 1945 for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income shall be deemed to be deleted and of no effect.

Ante, p. 1383.

ARTICLE II

This Protocol, which shall be regarded as an integral part of the said Convention, shall be ratified and the instruments of ratification thereof shall be exchanged at Washington.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being authorized thereto by their respective Governments, have signed this Protocol and have affixed thereto their seals.

DONE at Washington, in duplicate, this sixth day of June, 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
[SEAL] JAMES F BYRNES
Secretary of State
of the United States of America

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND:
[SEAL] JOHN BALFOUR.
His Majesty's
Envoy Extraordinary and Minister Plenipotentiary
in Washington

AND WHEREAS the said convention and the said supplementary protocol have been ratified by both Governments, and the instruments of ratification of the two Governments were exchanged at Washington on the twenty-fifth day of July, 1946;

Exchange of ratifications.

Ante, p. 1388.

AND WHEREAS it is provided in Article XXIII of the said convention that upon the exchange of instruments of ratification the convention shall have effect as respects United States tax, for the taxable years beginning on or after the first day of January 1945, and shall have effect as respects United Kingdom income tax, for the year of assessment beginning on the sixth day of April 1945 and subsequent years, and shall have effect as respects United Kingdom surtax, for the year of assessment beginning on the sixth day of April 1944 and subsequent years, and shall have effect as respects United Kingdom excess profits tax and national defense contribution, for any chargeable accounting period beginning on or after the first day of April 1945 and for the unexpired portion of any chargeable accounting period current at that date;

AND WHEREAS it is provided in Article II of the said supplementary protocol that the protocol shall be regarded as an integral part of the said convention;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said convention and the said supplementary protocol to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America, and all other persons subject to the jurisdiction thereof, the said convention as modified by the said supplementary protocol being deemed to have effect as provided in Article XXIII of the said convention, as aforesaid.

Ante, p. 1388.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this thirtieth day of July in the year of our Lord one thousand nine hundred forty-six [SEAL] and of the Independence of the United States of America the one hundred seventy-first.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

Convention between the United States of America and the United Kingdom respecting double taxation and taxes on estates of deceased persons. Signed at Washington April 16, 1945; ratification advised by the Senate of the United States of America June 1, 1946; ratified by the President of the United States of America June 26, 1946; ratifications exchanged at Washington July 25, 1946; proclaimed by the President of the United States of America July 30, 1946.

April 16, 1945
[T. I. A. S. 1547]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons was signed by their respective Plenipotentiaries at Washington on April 16, 1945, the original of which convention is word for word as follows:

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland, Desiring to conclude a convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons,

Have appointed for that purpose as their respective Plenipotentiaries:

Plenipotentiaries.

The Government of the United States of America:

Mr. Edward R. Stettinius, Jr., Secretary of State, and

The Government of the United Kingdom of Great Britain and Northern Ireland:

The Right Honorable the Earl of Halifax, K.G., Ambassador Extraordinary and Plenipotentiary in Washington,

Who, having exhibited their respective full powers, found in good and due form, have agreed as follows:

ARTICLE I

(1) The taxes which are the subject of the present Convention are:

- (a) In the United States of America, the Federal estate tax, and
- (b) In the United Kingdom of Great Britain and Northern Ireland, the estate duty imposed in Great Britain.

(2) The present Convention shall also apply to any other taxes of a substantially similar character imposed by either Contracting Party subsequently to the date of signature of the present Convention or by the government of any territory to which the present Convention applies under Article VIII or Article IX.

Post, pp. 1395, 1396.

ARTICLE II

(1) In the present Convention, unless the context otherwise requires:

"United States."

(a) The term "United States" means the United States of America, and when used in a geographical sense means the States, the Territories of Alaska and of Hawaii, and the District of Columbia.

"Great Britain."

(b) The term "Great Britain" means England, Wales and Scotland, and does not include the Channel Islands or the Isle of Man.

"Territory."

(c) The term "territory" when used in relation to one or the other Contracting Party means the United States or Great Britain, as the context requires.

"Tax."

(d) The term "tax" means the estate duty imposed in Great Britain or the United States Federal estate tax, as the context requires.

(2) In the application of the provisions of the present Convention by one of the Contracting Parties, any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting Party relating to the taxes which are the subject of the present Convention.

ARTICLE III

Determination of domicile, situs, etc.

(1) For the purposes of the present Convention, the question whether a decedent was domiciled in any part of the territory of one of the Contracting Parties at the time of his death shall be determined in accordance with the law in force in that territory.

(2) Where a person dies domiciled in any part of the territory of one Contracting Party, the situs of any of the following rights or interests, legal or equitable, which for the purposes of tax form part of the estate of such person or pass on his death, shall, for the purposes of the imposition of tax and for the purposes of the credit to be allowed under Article V, be determined exclusively in accordance with the following rules, but in cases not within such rules the situs of such rights and interests shall be determined for those purposes in accordance with the law relating to tax in force in the territory of the other Contracting Party:

Post, p. 1394.

(a) Rights or interests (otherwise than by way of security) in or over immovable property shall be deemed to be situated at the place where such property is located;

(b) Rights or interests (otherwise than by way of security) in or over tangible movable property, other than such property for which specific provision is hereinafter made, and in or over bank or currency notes, other forms of currency recognized as legal tender in the place of issue, negotiable bills of exchange and negotiable promissory notes, shall be deemed to be situated at the place where such property, notes, currency or documents are located at the time of death, or, if *in transitu*, at the place of destination;

- (c) Debts, secured or unsecured, other than the forms of indebtedness for which specific provision is made herein, shall be deemed to be situated at the place where the decedent was domiciled at the time of death;
- (d) Shares or stock in a corporation other than a municipal or governmental corporation (including shares or stock held by a nominee where the beneficial ownership is evidenced by scrip certificates or otherwise) shall be deemed to be situated at the place in or under the laws of which such corporation was created or organized;
- (e) Monies payable under a policy of assurance or insurance on the life of the decedent shall be deemed to be situated at the place where the decedent was domiciled at the time of death;
- (f) Ships and aircraft and shares thereof shall be deemed to be situated at the place of registration or documentation of the ship or aircraft;
- (g) Goodwill as a trade, business or professional asset shall be deemed to be situated at the place where the trade, business or profession to which it pertains is carried on;
- (h) Patents, trademarks and designs shall be deemed to be situated at the place where they are registered;
- (i) Copyright, franchises, and rights or licenses to use any copyrighted material, patent, trademark or design shall be deemed to be situated at the place where the rights arising therefrom are exercisable;
- (j) Rights or causes of action *ex delicto* surviving for the benefit of an estate of a decedent shall be deemed to be situated at the place where such rights or causes of action arose;
- (k) Judgment debts shall be deemed to be situated at the place where the judgment is recorded;

Provided that if, apart from this paragraph, tax would be imposed by one Contracting Party on any property which is situated in its territory and passes under a disposition not governed by its law, this paragraph shall not apply to such property unless, by reason of its application or otherwise, tax is imposed or would but for some specific exemption be imposed thereon by the other Contracting Party.

ARTICLE IV

(1) In determining the amount on which tax is to be computed, permitted deductions shall be allowed in accordance with the law in force in the territory in which the tax is imposed.

Deductions.

(2) Where tax is imposed by one Contracting Party on the death of a person who at the time of his death was not domiciled in any part of the territory of that Contracting Party but was domiciled in some part of the territory of the other Contracting Party, no account shall be taken in determining the amount or rate of such tax of property situated outside the former territory: Provided that this paragraph shall not apply as respects tax imposed—

- (a) in the United States in the case of a United States citizen dying domiciled in any part of Great Britain; or

- (b) in Great Britain in the case of property passing under a disposition governed by the law of Great Britain.

ARTICLE V

Credits allowable.

(1) Where one Contracting Party imposes tax by reason of a decedent's being domiciled in some part of its territory or being its national, that Party shall allow against so much of its tax (as otherwise computed) as is attributable to property situated in the territory of the other Contracting Party, a credit (not exceeding the amount of the tax so attributable) equal to so much of the tax imposed in the territory of such other Party as is attributable to such property; but this paragraph shall not apply as respects any such property as is mentioned in paragraph (2) of this Article.

(2) Where each Contracting Party imposes tax by reason of a decedent's being domiciled in some part of its territory, each Party shall allow against so much of its tax (as otherwise computed) as is attributable to property which is situated, or is deemed under paragraph (2) of Article III to be situated,

- (a) in the territory of both Parties, or
 (b) outside both territories,

a credit which bears the same proportion to the amount of its tax so attributable or to the amount of the other Party's tax attributable to the same property, whichever is the less, as the former amount bears to the sum of both amounts.

(3) For the purposes of this Article, the amount of the tax of a Contracting Party attributable to any property shall be ascertained after taking into account any credit, allowance or relief, or any remission or reduction of tax, otherwise than in respect of tax payable in the territory of the other Contracting Party or in any other country; and if, in respect of property situated outside the territories of both Parties, a Contracting Party allows against its tax a credit for tax payable in the country where the property is situated, that credit shall be taken into account in ascertaining, for the purposes of paragraph (2) of this Article, the amount of the tax of that Party attributable to the property.

ARTICLE VI

Claim for credit or tax refund.

(1) Any claim for a credit or for a refund of tax founded on the provisions of the present Convention shall be made within six years from the date of the death of the decedent in respect of whose estate the claim is made, or, in the case of a reversionary interest where payment of tax is deferred until on or after the date on which the interest falls into possession, within six years from that date.

(2) Any such refund shall be made without payment of interest on the amount so refunded.

ARTICLE VII

Exchange of information.

(1) The taxation authorities of the Contracting Parties shall exchange such information (being information available under the

respective taxation laws of the Contracting Parties) as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or the administration of statutory provisions against legal avoidance in relation to the taxes which are the subject of the present Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any person other than those concerned with the assessment and collection of the taxes which are the subject of the present Convention. No information shall be exchanged which would disclose any trade secret or trade process.

(2) As used in this Article, the term "taxation authorities" means, in the case of the United States, the Commissioner of Internal Revenue or his authorized representative; in the case of Great Britain, the Commissioners of Inland Revenue or their authorized representative; and, in the case of any territory to which the present Convention is extended under Article VIII, the competent authority for the administration in such territory of the taxes to which the present Convention applies.

"Taxation authorities."

ARTICLE VIII

(1) Either of the Contracting Parties may, on the coming into force of the present Convention or at any time thereafter while it continues in force, by a written notification of extension given to the other Contracting Party through diplomatic channels, declare its desire that the operation of the present Convention shall extend to all or any of its colonies, overseas territories, protectorates, or territories in respect of which it exercises a mandate, which impose taxes substantially similar in character to those which are the subject of the present Convention. The present Convention shall apply to the territory or territories named in such notification as to the estates of persons dying on or after the date or dates specified in the notification (not being less than sixty days from the date of the notification) or, if no date is specified in respect of any such territory, on or after the sixtieth day after the date of such notification, unless, prior to the date on which the Convention would otherwise become applicable to a particular territory, the Contracting Party to whom notification is given shall have informed the other Contracting Party in writing through diplomatic channels that it does not accept such notification as to that territory. In the absence of such extension, the present Convention shall not apply to any such territory.

Extension to territories, etc.

(2) At any time after the expiration of one year from the entry into force of an extension under paragraph (1) of this Article, either of the Contracting Parties may, by written notice of termination given to the other Contracting Party through diplomatic channels, terminate the application of the present Convention to any territory to which it has been extended under paragraph (1), and in such event the present Convention shall cease to apply, as to the estates of persons dying on or after the date or dates (not being earlier than the sixtieth day after the date of such notice) specified in such notice, or, if no date is specified, on or after the sixtieth day after the date of such notice, to the territory or territories named therein, but without affecting its

continued application to the United States, Great Britain or to any other territory to which it has been extended under paragraph (1) hereof.

(3) In the application of the present Convention in relation to any territory to which it is extended by the United States or the United Kingdom, references to "United States" or, as the case may be, "Great Britain", or to the territory of one (or of the other) Contracting Party, shall be construed as references to that territory.

Channel Islands and
Isle of Man.

(4) The provisions of the preceding paragraphs of this Article shall apply to the Channel Islands and the Isle of Man as if they were colonies of the United Kingdom.

ARTICLE IX

The present Convention shall apply in relation to estate duty imposed in Northern Ireland as it applies in relation to estate duty imposed in Great Britain, but shall be separately terminable in respect of Northern Ireland by the same procedure as is laid down in paragraph (2) of Article VIII.

ARTICLE X

Ratification.

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

Entry into force.

(2) The present Convention shall come into force on the date of exchange of ratifications and shall be effective only as to

- (a) the estates of persons dying on or after such date; and
- (b) the estate of any person dying before such date and after the 31st day of December, 1944, whose personal representative elects, in such manner as may be prescribed, that the provisions of the present Convention shall be applied to such estate.

ARTICLE XI

Duration; termina-
tion.

(1) The present Convention shall remain in force for not less than three years after the date of its coming into force.

(2) If not less than six months before the expiration of such period of three years, neither of the Contracting Parties shall have given to the other Contracting Party, through diplomatic channels, written notice of its intention to terminate the present Convention, the Convention shall remain in force after such period of three years until either of the Contracting Parties shall have given written notice of such intention, in which event the present Convention shall not be effective as to the estates of persons dying on or after the date (not being earlier than the sixtieth day after the date of such notice) specified in such notice, or, if no date is specified, on or after the sixtieth day after the date of such notice.

IN WITNESS WHEREOF the above-mentioned Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done at Washington, in duplicate, on the 16th day of April, 1945.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

[SEAL]

E R STETTINIUS, JR

FOR THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND:

[SEAL]

HALIFAX.

AND WHEREAS the said convention has been ratified by both Governments, and the instruments of ratification of the two Governments were exchanged at Washington on the twenty-fifth day of July, 1946;

Exchange of ratifications.

AND WHEREAS it is provided in Article X of the said convention that on the date of the exchange of ratifications the convention shall be effective as to the estates of persons dying on or after such date, and as to the estate of any person dying before such date and after the thirty-first day of December 1944, whose personal representative elects, in such manner as may be prescribed, that the provisions of the said convention shall be applied to such estate;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said convention to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, the said convention being deemed to have effect as provided in Article X thereof, as aforesaid.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this thirtieth day of July in the year of our Lord one thousand nine hundred forty-six and

[SEAL] of the Independence of the United States of America the one hundred seventy-first.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

**INTERNATIONAL AGREEMENTS
OTHER THAN TREATIES**

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

Articles of agreement between the United States of America and other powers respecting the International Monetary Fund. Formulated at the United Nations Monetary and Financial Conference, Bretton Woods, New Hampshire, July 1 to July 22, 1944; signed at Washington December 27, 1945; instrument of acceptance by the United States of America deposited December 20, 1945; effective December 27, 1945.

December 27, 1945
[T. I. A. S. 1501]

ARTICLES OF AGREEMENT OF THE INTERNATIONAL MONETARY FUND

59 Stat. 512.

The Governments on whose behalf the present Agreement is signed agree as follows:

INTRODUCTORY ARTICLE

The International Monetary Fund is established and shall operate in accordance with the following provisions:

ARTICLE I

PURPOSES

The purposes of the International Monetary Fund are:

- (i) To promote international monetary cooperation through a permanent institution which provides the machinery for consultation and collaboration on international monetary problems.
- (ii) To facilitate the expansion and balanced growth of international trade, and to contribute thereby to the promotion and maintenance of high levels of employment and real income and to the development of the productive resources of all members as primary objectives of economic policy.
- (iii) To promote exchange stability, to maintain orderly exchange arrangements among members, and to avoid competitive exchange depreciation.
- (iv) To assist in the establishment of a multilateral system of payments in respect of current transactions between members and in the elimination of foreign exchange restrictions which hamper the growth of world trade.
- (v) To give confidence to members by making the Fund's resources available to them under adequate safeguards, thus providing them with opportunity to correct maladjustments in their balance of payments without resorting to measures destructive of national or international prosperity.

- (vi) In accordance with the above, to shorten the duration and lessen the degree of disequilibrium in the international balances of payments of members.

The Fund shall be guided in all its decisions by the purposes set forth in this Article.

ARTICLE II MEMBERSHIP

Section 1. *Original members*

The original members of the Fund shall be those of the countries represented at the United Nations Monetary and Financial Conference whose governments accept membership before the date specified in Article XX, Section 2 (e).

Post, p. 1426.

Section 2. *Other members*

Membership shall be open to the governments of other countries at such times and in accordance with such terms as may be prescribed by the Fund.

ARTICLE III QUOTAS AND SUBSCRIPTIONS

Section 1. *Quotas*

Each member shall be assigned a quota. The quotas of the members represented at the United Nations Monetary and Financial Conference which accept membership before the date specified in Article XX, Section 2 (e), shall be those set forth in Schedule A. The quotas of other members shall be determined by the Fund.

Post, p. 1426.

Section 2. *Adjustment of quotas*

The Fund shall at intervals of five years review, and if it deems it appropriate propose an adjustment of, the quotas of the members. It may also, if it thinks fit, consider at any other time the adjustment of any particular quota at the request of the member concerned. A four-fifths majority of the total voting power shall be required for any change in quotas and no quota shall be changed without the consent of the member concerned.

Review every five years.

Change in quotas.

Section 3. *Subscriptions: time, place, and form of payment*

(a) The subscription of each member shall be equal to its quota and shall be paid in full to the Fund at the appropriate depository on or before the date when the member becomes eligible under Article XX, Section 4 (c) or (d), to buy currencies from the Fund.

Post, p. 1427.

- (b) Each member shall pay in gold, as a minimum, the smaller of
- (i) twenty-five percent of its quota; or
 - (ii) ten percent of its net official holdings of gold and United States dollars as at the date when the Fund notifies members under Article XX, Section 4 (a) that it will shortly be in a position to begin exchange transactions.

Post, p. 1427.

Each member shall furnish to the Fund the data necessary to determine its net official holdings of gold and United States dollars.

(c) Each member shall pay the balance of its quota in its own currency.

(d) If the net official holdings of gold and United States dollars of any member as at the date referred to in (b) (ii) above are not ascertainable because its territories have been occupied by the enemy, the Fund shall fix an appropriate alternative date for determining such holdings. If such date is later than that on which the country becomes eligible under Article XX, Section 4 (c) or (d), to buy currencies from the Fund, the Fund and the member shall agree on a provisional gold payment to be made under (b) above, and the balance of the member's subscription shall be paid in the member's currency, subject to appropriate adjustment between the member and the Fund when the net official holdings have been ascertained.

Post, p. 1427.

Section 4. *Payments when quotas are changed*

(a) Each member which consents to an increase in its quota shall, within thirty days after the date of its consent, pay to the Fund twenty-five percent of the increase in gold and the balance in its own currency. If, however, on the date when the member consents to an increase, its monetary reserves are less than its new quota, the Fund may reduce the proportion of the increase to be paid in gold.

Increase in quota.

(b) If a member consents to a reduction in its quota, the Fund shall, within thirty days after the date of the consent, pay to the member an amount equal to the reduction. The payment shall be made in the member's currency and in such amount of gold as may be necessary to prevent reducing the Fund's holdings of the currency below seventy-five percent of the new quota.

Reduction in quota.

Section 5. *Substitution of securities for currency*

The Fund shall accept from any member in place of any part of the member's currency which in the judgment of the Fund is not needed for its operations, notes or similar obligations issued by the member or the depository designated by the member under Article XIII, Section 2, which shall be non-negotiable, non-interest bearing and payable at their par value on demand by crediting the account of the Fund in the designated depository. This Section shall apply not only to currency subscribed by members but also to any currency otherwise due to, or acquired by, the Fund.

Post, p. 1420.

ARTICLE IV

PAR VALUES OF CURRENCIES

Section 1. *Expression of par values*

(a) The par value of the currency of each member shall be expressed in terms of gold as a common denominator or in terms of the United States dollar of the weight and fineness in effect on July 1, 1944.

(b) All computations relating to currencies of members for the purpose of applying the provisions of this Agreement shall be on the basis of their par values.

Section 2. *Gold purchases based on par values*

The Fund shall prescribe a margin above and below par value for transactions in gold by members, and no member shall buy gold at a price above par value plus the prescribed margin, or sell gold at a price below par value minus the prescribed margin.

Section 3. *Foreign exchange dealings based on parity*

Rates for exchange transactions.

The maximum and the minimum rates for exchange transactions between the currencies of members taking place within their territories shall not differ from parity.

- (i) in the case of spot exchange transactions, by more than one percent; and
- (ii) in the case of other exchange transactions, by a margin which exceeds the margin for spot exchange transactions by more than the Fund considers reasonable.

Section 4. *Obligations regarding exchange stability*

(a) Each member undertakes to collaborate with the Fund to promote exchange stability, to maintain orderly exchange arrangements with other members, and to avoid competitive exchange alterations.

(b) Each member undertakes, through appropriate measures consistent with this Agreement, to permit within its territories exchange transactions between its currency and the currencies of other members only within the limits prescribed under Section 3 of this Article. A member whose monetary authorities, for the settlement of international transactions, in fact freely buy and sell gold within the limits prescribed by the Fund under Section 2 of this Article shall be deemed to be fulfilling this undertaking.

Section 5. *Changes in par values*

(a) A member shall not propose a change in the par value of its currency except to correct a fundamental disequilibrium.

(b) A change in the par value of a member's currency may be made only on the proposal of the member and only after consultation with the Fund.

(c) When a change is proposed, the Fund shall first take into account the changes, if any, which have already taken place in the initial par value of the member's currency as determined under Article XX, Section 4. If the proposed change, together with all previous changes, whether increases or decreases,

- (i) does not exceed ten percent of the initial par value, the Fund shall raise no objection,
- (ii) does not exceed a further ten percent of the initial par value, the Fund may either concur or object, but shall declare its attitude within seventy-two hours if the member so requests,
- (iii) is not within (i) or (ii) above, the Fund may either concur or object, but shall be entitled to a longer period in which to declare its attitude.

(d) Uniform changes in par values made under Section 7 of this Article shall not be taken into account in determining whether a proposed change falls within (i), (ii), or (iii) of (c) above.

(e) A member may change the par value of its currency without the concurrence of the Fund if the change does not affect the international transactions of members of the Fund.

(f) The Fund shall concur in a proposed change which is within the terms of (c) (ii) or (c) (iii) above if it is satisfied that the change is necessary to correct a fundamental disequilibrium. In particular, provided it is so satisfied, it shall not object to a proposed change because of the domestic social or political policies of the member proposing the change.

Section 6. *Effect of unauthorized changes*

If a member changes the par value of its currency despite the objection of the Fund, in cases where the Fund is entitled to object, the member shall be ineligible to use the resources of the Fund unless the Fund otherwise determines; and if, after the expiration of a reasonable period, the difference between the member and the Fund continues, the matter shall be subject to the provisions of Article XV, Section 2 (b).

Post, p. 1421.

Section 7. *Uniform changes in par values*

Notwithstanding the provisions of Section 5 (b) of this Article, the Fund by a majority of the total voting power may make uniform proportionate changes in the par values of the currencies of all members, provided each such change is approved by every member which has ten percent or more of the total of the quotas. The par value of a member's currency shall, however, not be changed under this provision if, within seventy-two hours of the Fund's action, the member informs the Fund that it does not wish the par value of its currency to be changed by such action.

Section 8. *Maintenance of gold value of the Fund's assets*

(a) The gold value of the Fund's assets shall be maintained notwithstanding changes in the par or foreign exchange value of the currency of any member.

(b) Whenever (i) the par value of a member's currency is reduced, or (ii) the foreign exchange value of a member's currency has, in the opinion of the Fund, depreciated to a significant extent within that member's territories, the member shall pay to the Fund within a reasonable time an amount of its own currency equal to the reduction in the gold value of its currency held by the Fund.

Reduction in gold value.

(c) Whenever the par value of a member's currency is increased, the Fund shall return to such member within a reasonable time an amount in its currency equal to the increase in the gold value of its currency held by the Fund.

Increase in gold value.

(d) The provisions of this Section shall apply to a uniform proportionate change in the par values of the currencies of all members, unless at the time when such a change is proposed the Fund decides otherwise.

Section 9. *Separate currencies within a member's territories*

A member proposing a change in the par value of its currency shall be deemed, unless it declares otherwise, to be proposing a corresponding change in the par value of the separate currencies of all territories

Post, p. 1426.

in respect of which it has accepted this Agreement under Article XX, Section 2 (g). It shall, however, be open to a member to declare that its proposal relates either to the metropolitan currency alone, or only to one or more specified separate currencies, or to the metropolitan currency and one or more specified separate currencies.

ARTICLE V

TRANSACTIONS WITH THE FUND

Section 1. *Agencies dealing with the Fund*

Each member shall deal with the Fund only through its Treasury, central bank, stabilization fund or other similar fiscal agency and the Fund shall deal only with or through the same agencies.

Section 2. *Limitation on the Fund's operations*

Except as otherwise provided in this Agreement, operations on the account of the Fund shall be limited to transactions for the purpose of supplying a member, on the initiative of such member, with the currency of another member in exchange for gold or for the currency of the member desiring to make the purchase.

Section 3. *Conditions governing use of the Fund's resources*

Buying currency of another member.

(a) A member shall be entitled to buy the currency of another member from the Fund in exchange for its own currency subject to the following conditions:

- (i) The member desiring to purchase the currency represents that it is presently needed for making in that currency payments which are consistent with the provisions of this Agreement;
- (ii) The Fund has not given notice under Article VII, Section 3, that its holdings of the currency desired have become scarce;
- (iii) The proposed purchase would not cause the Fund's holdings of the purchasing member's currency to increase by more than twenty-five percent of its quota during the period of twelve months ending on the date of the purchase nor to exceed two hundred percent of its quota, but the twenty-five percent limitation shall apply only to the extent that the Fund's holdings of the member's currency have been brought above seventy-five percent of its quota if they had been below that amount;
- (iv) The Fund has not previously declared under Section 5 of this Article, Article IV, Section 6, Article VI, Section 1, or Article XV, Section 2 (a), that the member desiring to purchase is ineligible to use the resources of the Fund.

Post, p. 1410.

Ante, p. 1405; *post*, pp. 1409, 1421.

(b) A member shall not be entitled without the permission of the Fund to use the Fund's resources to acquire currency to hold against forward exchange transactions.

Section 4. *Waiver of conditions*

The Fund may in its discretion, and on terms which safeguard its interests, waive any of the conditions prescribed in Section 3 (a) of

this Article, especially in the case of members with a record of avoiding large or continuous use of the Fund's resources. In making a waiver it shall take into consideration periodic or exceptional requirements of the member requesting the waiver. The Fund shall also take into consideration a member's willingness to pledge as collateral security gold, silver, securities, or other acceptable assets having a value sufficient in the opinion of the Fund to protect its interests and may require as a condition of waiver the pledge of such collateral security.

Section 5. *Ineligibility to use the Fund's resources*

Whenever the Fund is of the opinion that any member is using the resources of the Fund in a manner contrary to the purposes of the Fund, it shall present to the member a report setting forth the views of the Fund and prescribing a suitable time for reply. After presenting such a report to a member, the Fund may limit the use of its resources by the member. If no reply to the report is received from the member within the prescribed time, or if the reply received is unsatisfactory, the Fund may continue to limit the member's use of the Fund's resources or may, after giving reasonable notice to the member, declare it ineligible to use the resources of the Fund.

Section 6. *Purchases of currencies from the Fund for gold*

(a) Any member desiring to obtain, directly or indirectly, the currency of another member for gold shall, provided that it can do so with equal advantage, acquire it by the sale of gold to the Fund.

(b) Nothing in this Section shall be deemed to preclude any member from selling in any market gold newly produced from mines located within its territories.

Newly mined gold.

Section 7. *Repurchase by a member of its currency held by the Fund*

(a) A member may repurchase from the Fund and the Fund shall sell for gold any part of the Fund's holdings of its currency in excess of its quota.

(b) At the end of each financial year of the Fund, a member shall repurchase from the Fund with gold or convertible currencies, as determined in accordance with Schedule B, part of the Fund's holdings of its currency under the following conditions:

Post, p. 1433.

- (i) Each member shall use in repurchases of its own currency from the Fund an amount of its monetary reserves equal in value to one-half of any increase that has occurred during the year in the Fund's holdings of its currency plus one-half of any increase, or minus one-half of any decrease, that has occurred during the year in the member's monetary reserves. This rule shall not apply when a member's monetary reserves have decreased during the year by more than the Fund's holdings of its currency have increased.
- (ii) If after the repurchase described in (i) above (if required) has been made, a member's holdings of another member's currency (or of gold acquired from that member) are found to

have increased by reason of transactions in terms of that currency with other members or persons in their territories, the member whose holdings of such currency (or gold) have thus increased shall use the increase to repurchase its own currency from the Fund.

(c) None of the adjustments described in (b) above shall be carried to a point at which

- (i) the member's monetary reserves are below its quota, or
- (ii) the Fund's holdings of its currency are below seventy-five percent of its quota, or
- (iii) the Fund's holdings of any currency required to be used are above seventy-five percent of the quota of the member concerned.

Section 8. *Charges*

Service charge.

(a) Any member buying the currency of another member from the Fund in exchange for its own currency shall pay a service charge uniform for all members of three-fourths percent in addition to the parity price. The Fund in its discretion may increase this service charge to not more than one percent or reduce it to not less than one-half percent.

Handling charge.

(b) The Fund may levy a reasonable handling charge on any member buying gold from the Fund or selling gold to the Fund.

(c) The Fund shall levy charges uniform for all members which shall be payable by any member on the average daily balances of its currency held by the Fund in excess of its quota. These charges shall be at the following rates:

- (i) *On amounts not more than twenty-five percent in excess of the quota*: no charge for the first three months; one-half percent per annum for the next nine months; and thereafter an increase in the charge of one-half percent for each subsequent year.
- (ii) *On amounts more than twenty-five percent and not more than fifty percent in excess of the quota*: an additional one-half percent for the first year; and an additional one-half percent for each subsequent year.
- (iii) *On each additional bracket of twenty-five percent in excess of the quota*: an additional one-half percent for the first year; and an additional one-half percent for each subsequent year.

(d) Whenever the Fund's holdings of a member's currency are such that the charge applicable to any bracket for any period has reached the rate of four percent per annum, the Fund and the member shall consider means by which the Fund's holdings of the currency can be reduced. Thereafter, the charges shall rise in accordance with the provisions of (c) above until they reach five percent and failing agreement, the Fund may then impose such charges as it deems appropriate.

Change in rates.

(e) The rates referred to in (c) and (d) above may be changed by a three-fourths majority of the total voting power.

(f) All charges shall be paid in gold. If, however, the member's monetary reserves are less than one-half of its quota, it shall pay in gold only that proportion of the charges due which such reserves bear to one-half of its quota, and shall pay the balance in its own currency. Charges payable in gold.

ARTICLE VI

CAPITAL TRANSFERS

Section 1. *Use of the Fund's resources for capital transfers*

(a) A member may not make net use of the Fund's resources to meet a large or sustained outflow of capital, and the Fund may request a member to exercise controls to prevent such use of the resources of the Fund. If, after receiving such a request, a member fails to exercise appropriate controls, the Fund may declare the member ineligible to use the resources of the Fund.

(b) Nothing in this Section shall be deemed

- (i) to prevent the use of the resources of the Fund for capital transactions of reasonable amount required for the expansion of exports or in the ordinary course of trade, banking or other business, or
- (ii) to affect capital movements which are met out of a member's own resources of gold and foreign exchange, but members undertake that such capital movements will be in accordance with the purposes of the Fund.

Section 2. *Special provisions for capital transfers*

If the Fund's holdings of the currency of a member have remained below seventy-five percent of its quota for an immediately preceding period of not less than six months, such member, if it has not been declared ineligible to use the resources of the Fund under Section 1 of this Article, Article IV, Section 6, Article V, Section 5, or Article XV, Section 2 (a), shall be entitled, notwithstanding the provisions of Section 1 (a) of this Article, to buy the currency of another member from the Fund with its own currency for any purpose, including capital transfers. Purchases for capital transfers under this Section shall not, however, be permitted if they have the effect of raising the Fund's holdings of the currency of the member desiring to purchase above seventy-five percent of its quota, or of reducing the Fund's holdings of the currency desired below seventy-five percent of the quota of the member whose currency is desired.

Ante, pp. 1405, 1407;
post, p. 1421.

Section 3. *Controls of capital transfers*

Members may exercise such controls as are necessary to regulate international capital movements, but no member may exercise these controls in a manner which will restrict payments for current transactions or which will unduly delay transfers of funds in settlement of commitments, except as provided in Article VII, Section 3 (b), and in Article XIV, Section 2.

Post, p. 1410.

Post, p. 1420.

ARTICLE VII

SCARCE CURRENCIES

Section 1. *General scarcity of currency*

Report.

If the Fund finds that a general scarcity of a particular currency is developing, the Fund may so inform members and may issue a report setting forth the causes of the scarcity and containing recommendations designed to bring it to an end. A representative of the member whose currency is involved shall participate in the preparation of the report.

Section 2. *Measures to replenish the Fund's holdings of scarce currencies*

The Fund may, if it deems such action appropriate to replenish its holdings of any member's currency, take either or both of the following steps:

- (i) Propose to the member that, on terms and conditions agreed between the Fund and the member, the latter lend its currency to the Fund or that, with the approval of the member, the Fund borrow such currency from some other source either within or outside the territories of the member, but no member shall be under any obligation to make such loans to the Fund or to approve the borrowing of its currency by the Fund from any other source.
- (ii) Require the member to sell its currency to the Fund for gold.

Section 3. *Scarcity of the Fund's holdings*

(a) If it becomes evident to the Fund that the demand for a member's currency seriously threatens the Fund's ability to supply that currency, the Fund, whether or not it has issued a report under Section 1 of this Article, shall formally declare such currency scarce and shall thenceforth apportion its existing and accruing supply of the scarce currency with due regard to the relative needs of members, the general international economic situation and any other pertinent considerations. The Fund shall also issue a report concerning its action.

(b) A formal declaration under (a) above shall operate as an authorization to any member, after consultation with the Fund, temporarily to impose limitations on the freedom of exchange operations in the scarce currency. Subject to the provisions of Article IV, Sections 3 and 4, the member shall have complete jurisdiction in determining the nature of such limitations, but they shall be no more restrictive than is necessary to limit the demand for the scarce currency to the supply held by, or accruing to, the member in question; and they shall be relaxed and removed as rapidly as conditions permit.

Ante, p. 1404.

(c) The authorization under (b) above shall expire whenever the Fund formally declares the currency in question to be no longer scarce.

Section 4. *Administration of restrictions*

Any member imposing restrictions in respect of the currency of any other member pursuant to the provisions of Section 3 (b) of this Article shall give sympathetic consideration to any representations by the other member regarding the administration of such restrictions.

Section 5. *Effect of other international agreements on restrictions*

Members agree not to invoke the obligations of any engagements entered into with other members prior to this Agreement in such a manner as will prevent the operation of the provisions of this Article.

ARTICLE VIII

GENERAL OBLIGATIONS OF MEMBERS

Section 1. *Introduction*

In addition to the obligations assumed under other articles of this Agreement, each member undertakes the obligations set out in this Article.

Section 2. *Avoidance of restrictions on current payments*

(a) Subject to the provisions of Article VII, Section 3 (b), and Article XIV, Section 2, no member shall, without the approval of the Fund, impose restrictions on the making of payments and transfers for current international transactions.

Post, p. 1420.

(b) Exchange contracts which involve the currency of any member and which are contrary to the exchange control regulations of that member maintained or imposed consistently with this Agreement shall be unenforceable in the territories of any member. In addition, members may, by mutual accord, cooperate in measures for the purpose of making the exchange control regulations of either member more effective, provided that such measures and regulations are consistent with this Agreement.

Section 3. *Avoidance of discriminatory currency practices*

No member shall engage in, or permit any of its fiscal agencies referred to in Article V, Section 1, to engage in, any discriminatory currency arrangements or multiple currency practices except as authorized under this Agreement or approved by the Fund. If such arrangements and practices are engaged in at the date when this Agreement enters into force the member concerned shall consult with the Fund as to their progressive removal unless they are maintained or imposed under Article XIV, Section 2, in which case the provisions of Section 4 of that Article shall apply.

Ante, p. 1406.

Post, p. 1420.

Section 4. *Convertibility of foreign held balances*

(a) Each member shall buy balances of its currency held by another member if the latter, in requesting the purchase, represents

- (i) that the balances to be bought have been recently acquired as a result of current transactions; or
- (ii) that their conversion is needed for making payments for current transactions.

The buying member shall have the option to pay either in the currency of the member making the request or in gold.

(b) The obligation in (a) above shall not apply

- (i) when the convertibility of the balances has been restricted consistently with Section 2 of this Article, or Article VI, Section 3; or

Ante, p. 1409.

Post, p. 1420.

Ante, p. 1410.

- (ii) when the balances have accumulated as a result of transactions effected before the removal by a member of restrictions maintained or imposed under Article XIV, Section 2; or
- (iii) when the balances have been acquired contrary to the exchange regulations of the member which is asked to buy them; or
- (iv) when the currency of the member requesting the purchase has been declared scarce under Article VII, Section 3 (a); or
- (v) when the member requested to make the purchase is for any reason not entitled to buy currencies of other members from the Fund for its own currency.

Section 5. *Furnishing of information*

(a) The Fund may require members to furnish it with such information as it deems necessary for its operations, including, as the minimum necessary for the effective discharge of the Fund's duties, national data on the following matters:

- (i) Official holdings at home and abroad, of (1) gold, (2) foreign exchange.
- (ii) Holdings at home and abroad by banking and financial agencies, other than official agencies, of (1) gold, (2) foreign exchange.
- (iii) Production of gold.
- (iv) Gold exports and imports according to countries of destination and origin.
- (v) Total exports and imports of merchandise, in terms of local currency values, according to countries of destination and origin.
- (vi) International balance of payments, including (1) trade in goods and services, (2) gold transactions, (3) known capital transactions, and (4) other items.
- (vii) International investment position, *i.e.*, investments within the territories of the member owned abroad and investments abroad owned by persons in its territories so far as it is possible to furnish this information.
- (viii) National income.
- (ix) Price indices, *i. e.*, indices of commodity prices in wholesale and retail markets and of export and import prices.
- (x) Buying and selling rates for foreign currencies.
- (xi) Exchange controls, *i.e.*, a comprehensive statement of exchange controls in effect at the time of assuming membership in the Fund and details of subsequent changes as they occur.
- (xii) Where official clearing arrangements exist, details of amounts awaiting clearance in respect of commercial and financial transactions, and of the length of time during which such arrears have been outstanding.

(b) In requesting information the Fund shall take into consideration the varying ability of members to furnish the data requested.

Furnishing of information.

Members shall be under no obligation to furnish information in such detail that the affairs of individuals or corporations are disclosed. Members undertake, however, to furnish the desired information in as detailed and accurate a manner as is practicable, and, so far as possible, to avoid mere estimates.

(c) The Fund may arrange to obtain further information by agreement with members. It shall act as a centre for the collection and exchange of information on monetary and financial problems, thus facilitating the preparation of studies designed to assist members in developing policies which further the purposes of the Fund.

Section 6. Consultation between members regarding existing international agreements

Where under this Agreement a member is authorized in the special or temporary circumstances specified in the Agreement to maintain or establish restrictions on exchange transactions, and there are other engagements between members entered into prior to this Agreement which conflict with the application of such restrictions, the parties to such engagements will consult with one another with a view to making such mutually acceptable adjustments as may be necessary. The provisions of this Article shall be without prejudice to the operation of Article VII, Section 5.

Art. p. 1411.

ARTICLE IX

STATUS, IMMUNITIES AND PRIVILEGES

Section 1. Purposes of Article

To enable the Fund to fulfill the functions with which it is entrusted, the status, immunities and privileges set forth in this Article shall be accorded to the Fund in the territories of each member.

Section 2. Status of the Fund

The Fund shall possess full juridical personality, and, in particular, the capacity:

- (i) to contract;
- (ii) to acquire and dispose of immovable and movable property;
- (iii) to institute legal proceedings.

Section 3. Immunity from judicial process

The Fund, its property and its assets, wherever located and by whomsoever held, shall enjoy immunity from every form of judicial process except to the extent that it expressly waives its immunity for the purpose of any proceedings or by the terms of any contract.

Section 4. Immunity from other action

Property and assets of the Fund, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation or any other form of seizure by executive or legislative action.

Section 5. Immunity of archives

The archives of the Fund shall be inviolable.

Section 6. Freedom of assets from restrictions

To the extent necessary to carry out the operations provided for in this Agreement, all property and assets of the Fund shall be free from restrictions, regulations, controls and moratoria of any nature.

Section 7. Privilege for communications

The official communications of the Fund shall be accorded by members the same treatment as the official communications of other members.

Section 8. Immunities and privileges of officers and employees

All governors, executive directors, alternates, officers and employees of the Fund

- (i) shall be immune from legal process with respect to acts performed by them in their official capacity except when the Fund waives this immunity.
- (ii) Not being local nationals, shall be granted the same immunities from immigration restrictions, alien registration requirements and national service obligations and the same facilities as regards exchange restrictions as are accorded by members to the representatives, officials, and employees of comparable rank of other members.
- (iii) shall be granted the same treatment in respect of traveling facilities as is accorded by members to representatives, officials and employees of comparable rank of other members.

Section 9. Immunities from taxation

(a) The Fund, its assets, property, income and its operations and transactions authorized by this Agreement, shall be immune from all taxation and from all customs duties. The Fund shall also be immune from liability for the collection or payment of any tax or duty.

(b) No tax shall be levied on or in respect of salaries and emoluments paid by the Fund to executive directors, alternates, officers or employees of the Fund who are not local citizens, local subjects, or other local nationals.

(c) No taxation of any kind shall be levied on any obligation or security issued by the Fund, including any dividend or interest thereon, by whomsoever held

- (i) which discriminates against such obligation or security solely because of its origin; or
- (ii) if the sole jurisdictional basis for such taxation is the place or currency in which it is issued, made payable or paid, or the location of any office or place of business maintained by the Fund.

Section 10. Application of Article

Each member shall take such action as is necessary in its own territories for the purpose of making effective in terms of its own law the principles set forth in this Article and shall inform the Fund of the detailed action which it has taken.

ARTICLE X

RELATIONS WITH OTHER INTERNATIONAL
ORGANIZATIONS

The Fund shall cooperate within the terms of this Agreement with any general international organization and with public international organizations having specialized responsibilities in related fields. Any arrangements for such cooperation which would involve a modification of any provision of this Agreement may be effected only after amendment to this Agreement under Article XVII.

Post, p. 1423.

ARTICLE XI

RELATIONS WITH NON-MEMBER COUNTRIES

Section 1. *Undertakings regarding relations with non-member countries*

Each member undertakes:

- (i) Not to engage in, nor to permit any of its fiscal agencies referred to in Article V, Section 1, to engage in, any transactions with a non-member or with persons in a non-member's territories which would be contrary to the provisions of this Agreement or the purposes of the Fund;
- (ii) Not to cooperate with a non-member or with persons in a non-member's territories in practices which would be contrary to the provisions of this Agreement or the purposes of the Fund; and
- (iii) To cooperate with the Fund with a view to the application in its territories of appropriate measures to prevent transactions with non-members or with persons in their territories which would be contrary to the provisions of this Agreement or the purposes of the Fund.

Art., p. 1406.

Section 2. *Restrictions on transactions with non-member countries*

Nothing in this Agreement shall affect the right of any member to impose restrictions on exchange transactions with non-members or with persons in their territories unless the Fund finds that such restrictions prejudice the interests of members and are contrary to the purposes of the Fund.

ARTICLE XII

ORGANIZATION AND MANAGEMENT

Section 1. *Structure of the Fund*

The Fund shall have a Board of Governors, Executive Directors, a Managing Director and a staff.

Section 2. *Board of Governors*

(a) All powers of the Fund shall be vested in the Board of Governors, consisting of one governor and one alternate appointed by each member in such manner as it may determine. Each governor and each alternate shall serve for five years, subject to the pleasure of the member appointing him, and may be reappointed. No alternate may vote except in the absence of his principal. The Board shall select one of the governors as chairman.

Board of Governors.
Delegation of powers;
exceptions.

(b) The Board of Governors may delegate to the Executive Directors authority to exercise any powers of the Board, except the power to:

- (i) Admit new members and determine the conditions of their admission.
- (ii) Approve a revision of quotas.
- (iii) Approve a uniform change in the par value of the currencies of all members.
- (iv) Make arrangements to cooperate with other international organizations (other than informal arrangements of a temporary or administrative character).
- (v) Determine the distribution of the net income of the Fund.
- (vi) Require a member to withdraw.
- (vii) Decide to liquidate the Fund.
- (viii) Decide appeals from interpretations of this Agreement given by the Executive Directors.

Meetings.

(c) The Board of Governors shall hold an annual meeting and such other meetings as may be provided for by the Board or called by the Executive Directors. Meetings of the Board shall be called by the Directors whenever requested by five members or by members having one quarter of the total voting power.

Quorum.

(d) A quorum for any meeting of the Board of Governors shall be a majority of the governors exercising not less than two-thirds of the total voting power.

Post, p. 1418.

(e) Each governor shall be entitled to cast the number of votes allotted under Section 5 of this Article to the member appointing him.

(f) The Board of Governors may by regulation establish a procedure whereby the Executive Directors, when they deem such action to be in the best interests of the Fund, may obtain a vote of the governors on a specific question without calling a meeting of the Board.

Rules and regulations.

(g) The Board of Governors, and the Executive Directors to the extent authorized, may adopt such rules and regulations as may be necessary or appropriate to conduct the business of the Fund.

Compensation.

(h) Governors and alternates shall serve as such without compensation from the Fund, but the Fund shall pay them reasonable expenses incurred in attending meetings.

(i) The Board of Governors shall determine the remuneration to be paid to the Executive Directors and the salary and terms of the contract of service of the Managing Director.

Section 3. *Executive Directors*

(a) The Executive Directors shall be responsible for the conduct of the general operations of the Fund, and for this purpose shall exercise all the powers delegated to them by the Board of Governors.

(b) There shall be not less than twelve directors who need not be governors, and of whom

- (i) Five shall be appointed by the five members having the largest quotas;

- (ii) Not more than two shall be appointed when the provisions of (c) below apply;
- (iii) Five shall be elected by the members not entitled to appoint directors, other than the American Republics; and
- (iv) Two shall be elected by the American Republics not entitled to appoint directors.

For the purposes of this paragraph, members means governments of countries whose names are set forth in Schedule A, whether they become members in accordance with Article XX or in accordance with Article II, Section 2. When governments of other countries become members, the Board of Governors may, by a four-fifths majority of the total voting power, increase the number of directors to be elected.

Members.
Post, p. 1432.
Post, p. 1425.
Ante, p. 1402.

(c) If, at the second regular election of directors and thereafter, the members entitled to appoint directors under (b) (i) above do not include the two members, the holdings of whose currencies by the Fund have been, on the average over the preceding two years, reduced below their quotas by the largest absolute amounts in terms of gold as a common denominator, either one or both of such members, as the case may be, shall be entitled to appoint a director.

(d) Subject to Article XX, Section 3(b) elections of elective directors shall be conducted at intervals of two years in accordance with the provisions of Schedule C, supplemented by such regulations as the Fund deems appropriate. Whenever the Board of Governors increases the number of directors to be elected under (b) above, it shall issue regulations making appropriate changes in the proportion of votes required to elect directors under the provisions of Schedule C.

Post, p. 1426.
Post, p. 1434.

(e) Each director shall appoint an alternate with full power to act for him when he is not present. When the directors appointing them are present, alternates may participate in meetings but may not vote.

Alternates.

(f) Directors shall continue in office until their successors are appointed or elected. If the office of an elected director becomes vacant more than ninety days before the end of his term, another director shall be elected for the remainder of the term by the members who elected the former director. A majority of the votes cast shall be required for election. While the office remains vacant, the alternate of the former director shall exercise his powers, except that of appointing an alternate.

Term of office of directors.

(g) The Executive Directors shall function in continuous session at the principal office of the Fund and shall meet as often as the business of the Fund may require.

Meetings.

(h) A quorum for any meeting of the Executive Directors shall be a majority of the directors representing not less than one-half of the voting power.

Quorum.

(i) Each appointed director shall be entitled to cast the number of votes allotted under Section 5 of this Article to the member appointing him. Each elected director shall be entitled to cast the number of votes which counted towards his election. When the provisions of Section 5 (b) of this Article are applicable, the votes which a director would otherwise be entitled to cast shall be increased or decreased

Post, p. 1418.

correspondingly. All the votes which a director is entitled to cast shall be cast as a unit.

(j) The Board of Governors shall adopt regulations under which a member not entitled to appoint a director under (b) above may send a representative to attend any meeting of the Executive Directors when a request made by, or a matter particularly affecting, that member is under consideration.

Committees.

(k) The Executive Directors may appoint such committees as they deem advisable. Membership of committees need not be limited to governors or directors or their alternates.

Section 4. *Managing Director and staff*

(a) The Executive Directors shall select a Managing Director who shall not be a governor or an executive director. The Managing Director shall be chairman of the Executive Directors, but shall have no vote except a deciding vote in case of an equal division. He may participate in meetings of the Board of Governors, but shall not vote at such meetings. The Managing Director shall cease to hold office when the Executive Directors so decide.

(b) The Managing Director shall be chief of the operating staff of the Fund and shall conduct, under the direction of the Executive Directors, the ordinary business of the Fund. Subject to the general control of the Executive Directors, he shall be responsible for the organization, appointment and dismissal of the staff of the Fund.

(c) The Managing Director and the staff of the Fund, in the discharge of their functions, shall owe their duty entirely to the Fund and to no other authority. Each member of the Fund shall respect the international character of this duty and shall refrain from all attempts to influence any of the staff in the discharge of his functions.

(d) In appointing the staff the Managing Director shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of recruiting personnel on as wide a geographical basis as possible.

Section 5. *Voting*

(a) Each member shall have two hundred fifty votes plus one additional vote for each part of its quota equivalent to one hundred thousand United States dollars.

Ante, pp. 1406, 1407.

(b) Whenever voting is required under Article V, Section 4 or 5, each member shall have the number of votes to which it is entitled under (a) above, adjusted:

- (i) by the addition of one vote for the equivalent of each four hundred thousand United States dollars of net sales of its currency up to the date when the vote is taken, or
- (ii) by the subtraction of one vote for the equivalent of each four hundred thousand United States dollars of its net purchases of the currencies of other members up to the date when the vote is taken

provided, that neither net purchases nor net sales shall be deemed at any time to exceed an amount equal to the quota of the member involved.

(c) For the purpose of all computations under this Section, United States dollars shall be deemed to be of the weight and fineness in effect on July 1, 1944, adjusted for any uniform change under Article IV, Section 7, if a waiver is made under Section 8 (d) of that Article.

Ante, p. 1405.

(d) Except as otherwise specifically provided, all decisions of the fund shall be made by a majority of the votes cast.

Section 6. *Distribution of net income*

(a) The Board of Governors shall determine annually what part of the Fund's net income shall be placed to reserve and what part, if any, shall be distributed.

(b) If any distribution is made, there shall first be distributed a two percent non-cumulative payment to each member on the amount by which seventy-five percent of its quota exceeded the Fund's average holdings of its currency during that year. The balance shall be paid to all members in proportion to their quotas. Payments to each member shall be made in its own currency.

Section 7. *Publication of reports*

(a) The Fund shall publish an annual report containing an audited statement of its accounts, and shall issue, at intervals of three months or less, a summary statement of its transactions and its holdings of gold and currencies of members.

(b) The Fund may publish such other reports as it deems desirable for carrying out its purposes.

Section 8. *Communication of views to members*

The Fund shall at all times have the right to communicate its views informally to any member on any matter arising under this Agreement. The Fund may, by a two-thirds majority of the total voting power, decide to publish a report made to a member regarding its monetary or economic conditions and developments which directly tend to produce a serious disequilibrium in the international balance of payments of members. If the member is not entitled to appoint an executive director, it shall be entitled to representation in accordance with Section 3 (j) of this Article. The Fund shall not publish a report involving changes in the fundamental structure of the economic organization of members.

Reports.

Ante, p. 1418.

ARTICLE XIII

OFFICES AND DEPOSITORIES

Section 1. *Location of offices*

The principal office of the Fund shall be located in the territory of the member having the largest quota, and agencies or branch offices may be established in the territories of other members.

Section 2. *Depositories*

(a) Each member country shall designate its central bank as a depository for all the Fund's holdings of its currency, or if it has no central bank it shall designate such other institution as may be acceptable to the Fund.

Other assets in designated depositories.

(b) The Fund may hold other assets, including gold, in the depositories designated by the five members having the largest quotas and in such other designated depositories as the Fund may select. Initially, at least one-half of the holdings of the Fund shall be held in the depository designated by the member in whose territories the Fund has its principal office and at least forty percent shall be held in the depositories designated by the remaining four members referred to above. However, all transfers of gold by the Fund shall be made with due regard to the costs of transport and anticipated requirements of the Fund. In an emergency the Executive Directors may transfer all or any part of the Fund's gold holdings to any place where they can be adequately protected.

Transfers of gold.

Section 3. *Guarantee of the Fund's assets*

Each member guarantees all assets of the Fund against loss resulting from failure or default on the part of the depository designated by it.

ARTICLE XIV

TRANSITIONAL PERIOD

Section 1. *Introduction*

The Fund is not intended to provide facilities for relief or reconstruction or to deal with international indebtedness arising out of the war.

Section 2. *Exchange restrictions*

In the post-war transitional period members may, notwithstanding the provisions of any other articles of this Agreement, maintain and adapt to changing circumstances (and, in the case of members whose territories have been occupied by the enemy, introduce where necessary) restrictions on payments and transfers for current international transactions. Members shall, however, have continuous regard in their foreign exchange policies to the purposes of the fund; and, as soon as conditions permit, they shall take all possible measures to develop such commercial and financial arrangements with other members as will facilitate international payments and the maintenance of exchange stability. In particular, members shall withdraw restrictions maintained or imposed under this Section as soon as they are satisfied that they will be able, in the absence of such restrictions, to settle their balance of payments in a manner which will not unduly encumber their access to the resources of the Fund.

Section 3. *Notification to the Fund*

Each member shall notify the Fund before it becomes eligible under Article XX, Section 4 (c) or (d), to buy currency from the Fund, whether it intends to avail itself of the transitional arrangements in

Section 2 of this Article, or whether it is prepared to accept the obligations of Article VIII, Sections 2, 3, and 4. A member availing itself of the transitional arrangements shall notify the Fund as soon thereafter as it is prepared to accept the above-mentioned obligations.

Ante, p. 1411.

Section 4. Action of the Fund relating to restrictions

Not later than three years after the date on which the Fund begins operations and in each year thereafter, the Fund shall report on the restrictions still in force under Section 2 of this Article. Five years after the date on which the Fund begins operations, and in each year thereafter, any member still retaining any restrictions inconsistent with Article VIII, Sections 2, 3, or 4, shall consult the Fund as to their further retention. The Fund may, if it deems such action necessary in exceptional circumstances, make representations to any member that conditions are favorable for the withdrawal of any particular restriction, or for the general abandonment of restrictions, inconsistent with the provisions of any other articles of this Agreement. The member shall be given a suitable time to reply to such representations. If the Fund finds that the member persists in maintaining restrictions which are inconsistent with the purposes of the Fund, the member shall be subject to Article XV, Section 2 (a).

Ante, p. 1411.

Section 5. Nature of transitional period

In its relations with members, the Fund shall recognize that the post-war transitional period will be one of change and adjustment and in making decisions on requests occasioned thereby which are presented by any member it shall give the member the benefit of any reasonable doubt.

ARTICLE XV

WITHDRAWAL FROM MEMBERSHIP

Section 1. Right of members to withdraw

Any member may withdraw from the Fund at any time by transmitting a notice in writing to the Fund at its principal office. Withdrawal shall become effective on the date such notice is received.

Section 2. Compulsory withdrawal

(a) If a member fails to fulfill any of its obligations under this Agreement, the Fund may declare the member ineligible to use the resources of the Fund. Nothing in this Section shall be deemed to limit the provisions of Article IV, Section 6, Article V, Section 5, or Article VI, Section 1.

Ante, pp. 1405, 1407, 1409.

(b) If, after the expiration of a reasonable period the member persists in its failure to fulfill any of its obligations under this Agreement, or a difference between a member and the Fund under Article IV, Section 6, continues, that member may be required to withdraw from membership in the Fund by a decision of the Board of Governors carried by a majority of the governors representing a majority of the total voting power.

Ante, p. 1405.

(c) Regulations shall be adopted to ensure that before action is taken against any member under (a) or (b) above, the member shall

be informed in reasonable time of the complaint against it and given an adequate opportunity for stating its case, both orally and in writing.

Section 3. *Settlement of accounts with members withdrawing*

When a member withdraws from the Fund, normal transactions of the Fund in its currency shall cease and settlement of all accounts between it and the Fund shall be made with reasonable despatch by agreement between it and the Fund. If agreement is not reached promptly, the provisions of Schedule D shall apply to the settlement of accounts.

Post, p. 1435.

ARTICLE XVI

EMERGENCY PROVISIONS

Section 1. *Temporary suspension*

(a) In the event of an emergency or the development of unforeseen circumstances threatening the operations of the Fund, the Executive Directors by unanimous vote may suspend for a period of not more than one hundred twenty days the operation of any of the following provisions:

- (i) Article IV, Sections 3 and 4 (b)
- (ii) Article V, Sections 2, 3, 7, 8 (a) and (f)
- (iii) Article VI, Section 2
- (iv) Article XI, Section 1

Ante, p. 1404.

Ante, pp. 1406, 1407, 1408.

Ante, p. 1409.

Ante, p. 1415.

(b) Simultaneously with any decision to suspend the operation of any of the foregoing provisions, the Executive Directors shall call a meeting of the Board of Governors for the earliest practicable date.

Extension of suspension.

(c) The Executive Directors may not extend any suspension beyond one hundred twenty days. Such suspension may be extended, however, for an additional period of not more than two hundred forty days, if the Board of Governors by a four-fifths majority of the total voting power so decides, but it may not be further extended except by amendment of this Agreement pursuant to Article XVII.

Termination.

(d) The Executive Directors may, by a majority of the total voting power, terminate such suspension at any time.

Section 2. *Liquidation of the Fund*

(a) The Fund may not be liquidated except by decision of the Board of Governors. In an emergency, if the Executive Directors decide that liquidation of the Fund may be necessary, they may temporarily suspend all transactions, pending decision by the Board.

(b) If the Board of Governors decides to liquidate the Fund, the Fund shall forthwith cease to engage in any activities except those incidental to the orderly collection and liquidation of its assets and the settlement of its liabilities, and all obligations of members under this Agreement shall cease except those set out in this Article, in Article XVIII, paragraph (c), in Schedule D, paragraph 7, and in Schedule E.

Post, pp. 1423, 1436.

(c) Liquidation shall be administered in accordance with the provisions of Schedule E.

ARTICLE XVII

AMENDMENTS

(a) Any proposal to introduce modifications in this Agreement, whether emanating from a member, a governor or the Executive Directors, shall be communicated to the chairman of the Board of Governors who shall bring the proposal before the Board. If the proposed amendment is approved by the Board the Fund shall, by circular letter or telegram, ask all members whether they accept the proposed amendment. When three-fifths of the members, having four-fifths of the total voting power, have accepted the proposed amendment, the Fund shall certify the fact by a formal communication addressed to all members.

(b) Notwithstanding (a) above, acceptance by all members is required in the case of any amendment modifying

- (i) the right to withdraw from the Fund (Article XV, Section 1); *Ante*, p. 1421.
- (ii) the provision that no change in a member's quota shall be made without its consent (Article III, Section 2); *Ante*, p. 1402.
- (iii) the provision that no change may be made in the par value of a member's currency except on the proposal of that member (Article IV, Section 5 (b)). *Ante*, p. 1404.

(c) Amendments shall enter into force for all members three months after the date of the formal communication unless a shorter period is specified in the circular letter or telegram.

ARTICLE XVIII

INTERPRETATION

(a) Any question of interpretation of the provisions of this Agreement arising between any member and the Fund or between any members of the Fund shall be submitted to the Executive Directors for their decision. If the question particularly affects any member not entitled to appoint an executive director it shall be entitled to representation in accordance with Article XII, Section 3 (j). *Ante*, p. 1418.

(b) In any case where the Executive Directors have given a decision under (a) above, any member may require that the question be referred to the Board of Governors, whose decision shall be final. Pending the result of the reference to the Board the Fund may, so far as it deems necessary, act on the basis of the decision of the Executive Directors.

(c) Whenever a disagreement arises between the Fund and a member which has withdrawn, or between the Fund and any member during liquidation of the Fund, such disagreement shall be submitted to arbitration by a tribunal of three arbitrators, one appointed by the Fund, another by the member or withdrawing member and an umpire who, unless the parties otherwise agree, shall be appointed by the President of the Permanent Court of International Justice or such other authority as may have been prescribed by regulation adopted

Submittal of disagreement to arbitration.

by the Fund. The umpire shall have full power to settle all questions of procedure in any case where the parties are in disagreement with respect thereto.

ARTICLE XIX

EXPLANATION OF TERMS

In interpreting the provisions of this Agreement the Fund and its members shall be guided by the following:

- Monetary reserves.** (a) A member's monetary reserves means its net official holdings of gold, of convertible currencies of other members, and of the currencies of such non-members as the Fund may specify.
- Official holdings.** (b) The official holdings of a member means central holdings (that is, the holdings of its Treasury, central bank, stabilization fund, or similar fiscal agency).
- (c) The holdings of other official institutions or other banks within its territories may, in any particular case, be deemed by the Fund, after consultation with the member, to be official holdings to the extent that they are substantially in excess of working balances; provided that for the purpose of determining whether, in a particular case, holdings are in excess of working balances, there shall be deducted from such holdings amounts of currency due to official institutions and banks in the territories of members or non-members specified under (d) below.
- Convertible currencies.** (d) A member's holdings of convertible currencies means its holdings of the currencies of other members which are not availing themselves of the transitional arrangements under Article XIV, Section 2, together with its holdings of the currencies of such non-members as the Fund may from time to time specify. The term currency for this purpose includes without limitation coins, paper money, bank balances, bank acceptances, and government obligations issued with a maturity not exceeding twelve months.
- Ante*, p. 1420.
- Currency.** (e) A member's monetary reserves shall be calculated by deducting from its central holdings the currency liabilities to the Treasuries, central banks, stabilization funds, or similar fiscal agencies of other members or non-members specified under (d) above, together with similar liabilities to other official institutions and other banks in the territories of members, or non-members specified under (d) above. To these net holdings shall be added the sums deemed to be official holdings of other official institutions and other banks under (c) above.
- Calculation of monetary reserves.** (f) The Fund's holdings of the currency of a member shall include any securities accepted by the Fund under Article III, Section 5.
- Ante*, p. 1403.
- (g) The Fund, after consultation with a member which is availing itself of the transitional arrangements under Article XIV, Section 2, may deem holdings of the currency of that member which carry specified rights of conversion into another currency or into gold to be holdings of convertible currency for the purpose of the calculation of monetary reserves.
- Ante*, p. 1420.

(h) For the purpose of calculating gold subscriptions under Article III, Section 3, a member's net official holdings of gold and United States dollars shall consist of its official holdings of gold and United States currency after deducting central holdings of its currency by other countries and holdings of its currency by other official institutions and other banks if these holdings carry specified rights of conversion into gold or United States currency.

Ante, p. 1402.

(i) Payments for current transactions means payments which are not for the purpose of transferring capital, and includes, without limitation:

Payments for current transactions.

- (1) All payments due in connection with foreign trade, other current business, including services, and normal short-term banking and credit facilities;
- (2) Payments due as interest on loans and as net income from other investments;
- (3) Payments of moderate amount for amortization of loans or for depreciation of direct investments;
- (4) Moderate remittances for family living expenses.

The Fund may, after consultation with the members concerned, determine whether certain specific transactions are to be considered current transactions or capital transactions.

ARTICLE XX

FINAL PROVISIONS

Section 1. *Entry into force*

This Agreement shall enter into force when it has been signed on behalf of governments having sixty-five percent of the total of the quotas set forth in Schedule A and when the instruments referred to in Section 2(a) of this Article have been deposited on their behalf, but in no event shall this Agreement enter into force before May 1, 1945.

Post, p. 1432.

Section 2. *Signature*

(a) Each government on whose behalf this Agreement is signed shall deposit with the Government of the United States of America an instrument setting forth that it has accepted this Agreement in accordance with its law and has taken all steps necessary to enable it to carry out all of its obligations under this Agreement.^[1]

Deposit of instruments of acceptance.

¹ [Instruments of acceptance have been deposited with the Department of State by the following countries: Belgium on Dec. 27, 1945; Bolivia on Dec. 27, 1945; Brazil on Jan. 14, 1946; Canada on Dec. 27, 1945; Chile on Dec. 31, 1945; China on Dec. 26, 1945; Colombia on Dec. 27, 1945; Costa Rica on Jan. 8, 1946; Czechoslovakia on Dec. 26, 1945; Dominican Republic on Dec. 28, 1945; Ecuador on Dec. 28, 1945; Egypt on Dec. 26, 1945; Ethiopia on Dec. 12, 1945; France on Dec. 27, 1945; Greece on Dec. 26, 1945; Guatemala on Dec. 28, 1945; Honduras on Dec. 26, 1945; Iceland on Dec. 27, 1945; India on Dec. 27, 1945; Iran on Dec. 29, 1945; Iraq on Dec. 26, 1945; Luxembourg on Dec. 26, 1945; Mexico on Dec. 31, 1945; Netherlands on Dec. 26, 1945; Norway on Dec. 27, 1945; Paraguay on Dec. 28, 1945; Peru on Dec. 31, 1945; Philippine Commonwealth on Dec. 21, 1945; Poland on Jan. 10, 1946; Union of South Africa on Dec. 26, 1945; United Kingdom of Great Britain and Northern Ireland on Dec. 27, 1945; United States of America on Dec. 20, 1945; Yugoslavia on Dec. 26, 1945.]

(b) Each government shall become a member of the Fund as from the date of the deposit on its behalf of the instrument referred to in (a) above, except that no government shall become a member before this Agreement enters into force under Section 1 of this Article.

(c) The Government of the United States of America shall inform the governments of all countries whose names are set forth in Schedule A, and all governments whose membership is approved in accordance with Article II, Section 2, of all signatures of this Agreement and of the deposit of all instruments referred to in (a) above.

Post, p. 1432.

Ante, p. 1402.

Transmittal of funds for administrative purposes.

(d) At the time this Agreement is signed on its behalf, each government shall transmit to the Government of the United States of America one one-hundredth of one percent of its total subscription in gold or United States dollars for the purpose of meeting administrative expenses of the Fund. The Government of the United States of America shall hold such funds in a special deposit account and shall transmit them to the Board of Governors of the Fund when the initial meeting has been called under Section 3 of this Article. If this Agreement has not come into force by December 31, 1945, the Government of the United States of America shall return such funds to the governments that transmitted them.

(e) This Agreement shall remain open for signature at Washington on behalf of the governments of the countries whose names are set forth in Schedule A until December 31, 1945.

Post, p. 1432.

(f) After December 31, 1945, this Agreement shall be open for signature on behalf of the government of any country whose membership has been approved in accordance with Article II, Section 2.

Ante, p. 1402.

(g) By their signature of this Agreement, all governments accept it both on their own behalf and in respect of all their colonies, overseas territories, all territories under their protection, suzerainty, or authority and all territories in respect of which they exercise a mandate.

Enemy occupation.

(h) In the case of governments whose metropolitan territories have been under enemy occupation, the deposit of the instrument referred to in (a) above may be delayed until one hundred eighty days after the date on which these territories have been liberated. If, however, it is not deposited by any such government before the expiration of this period the signature affixed on behalf of that government shall become void and the portion of its subscription paid under (d) above shall be returned to it.

(i) Paragraphs (d) and (h) shall come into force with regard to each signatory government as from the date of its signature.

Section 3. *Inauguration of the Fund*

(a) As soon as this Agreement enters into force under Section 1 of this Article, each member shall appoint a governor and the member having the largest quota shall call the first meeting of the Board of Governors.

Provisional executive directors.

(b) At the first meeting of the Board of Governors, arrangements shall be made for the selection of provisional executive directors. The governments of the five countries for which the largest quotas

are set forth in Schedule A shall appoint provisional executive directors. If one or more of such governments have not become members, the executive directorships they would be entitled to fill shall remain vacant until they become members, or until January 1, 1946, whichever is the earlier. Seven provisional executive directors shall be elected in accordance with the provisions of Schedule C and shall remain in office until the date of the first regular election of executive directors which shall be held as soon as practicable after January 1, 1946.

Post, p. 1432.

(c) The Board of Governors may delegate to the provisional executive directors any powers except those which may not be delegated to the Executive Directors.

Post, p. 1434.

Section 4. *Initial determination of par values*

(a) When the Fund is of the opinion that it will shortly be in a position to begin exchange transactions, it shall so notify the members and shall request each member to communicate within thirty days the par value of its currency based on the rates of exchange prevailing on the sixtieth day before the entry into force of this Agreement. No member whose metropolitan territory has been occupied by the enemy shall be required to make such a communication while that territory is a theater of major hostilities or for such period thereafter as the Fund may determine. When such a member communicates the par value of its currency the provisions of (d) below shall apply.

(b) The par value communicated by a member whose metropolitan territory has not been occupied by the enemy shall be the par value of that member's currency for the purposes of this Agreement unless, within ninety days after the request referred to in (a) above has been received, (i) the member notifies the Fund that it regards the par value as unsatisfactory, or (ii) the Fund notifies the member that in its opinion the par value cannot be maintained without causing recourse to the Fund on the part of that member or others on a scale prejudicial to the Fund and to members. When notification is given under (i) or (ii) above, the Fund and the member shall, within a period determined by the Fund in the light of all relevant circumstances, agree upon a suitable par value for that currency. If the Fund and the member do not agree within the period so determined, the member shall be deemed to have withdrawn from the Fund on the date when the period expires.

(c) When the par value of a member's currency has been established under (b) above, either by the expiration of ninety days without notification, or by agreement after notification, the member shall be eligible to buy from the Fund the currencies of other members to the full extent permitted in this Agreement, provided that the Fund has begun exchange transactions.

(d) In the case of a member whose metropolitan territory has been occupied by the enemy, the provisions of (b) above shall apply, subject to the following modifications:

Territory occupied
by enemy.

- (i) The period of ninety days shall be extended so as to end on a date to be fixed by agreement between the Fund and the member.
- (ii) Within the extended period the member may, if the Fund has begun exchange transactions, buy from the Fund with its currency the currencies of other members, but only under such conditions and in such amounts as may be prescribed by the Fund.
- (iii) At any time before the date fixed under (i) above, changes may be made by agreement with the Fund in the par value communicated under (a) above.

(e) If a member whose metropolitan territory has been occupied by the enemy adopts a new monetary unit before the date to be fixed under (d) (i) above, the par value fixed by that member for the new unit shall be communicated to the Fund and the provisions of (d) above shall apply.

Ante, p. 1404.

(f) Changes in par values agreed with the Fund under this Section shall not be taken into account in determining whether a proposed change falls within (i), (ii), or (iii) of Article IV, Section 5 (c).

Ante, p. 1426.

(g) A member communicating to the Fund a par value for the currency of its metropolitan territory shall simultaneously communicate a value, in terms of that currency, for each separate currency, where such exists, in the territories in respect of which it has accepted this Agreement under Section 2 (g) of this Article, but no member shall be required to make a communication for the separate currency of a territory which has been occupied by the enemy while that territory is a theater of major hostilities or for such period thereafter as the Fund may determine. On the basis of the par value so communicated, the Fund shall compute the par value of each separate currency. A communication or notification to the Fund under (a), (b) or (d) above regarding the par value of a currency, shall also be deemed, unless the contrary is stated, to be a communication or notification regarding the par value of all the separate currencies referred to above. Any member may, however, make a communication or notification relating to the metropolitan or any of the separate currencies alone. If the member does so, the provisions of the preceding paragraphs (including (d) above, if a territory where a separate currency exists has been occupied by the enemy) shall apply to each of these currencies separately.

Beginning of exchange transactions.

Post, p. 1432.

(h) The Fund shall begin exchange transactions at such date as it may determine after members having sixty-five percent of the total of the quotas set forth in Schedule A have become eligible, in accordance with the preceding paragraphs of this Section, to purchase the currencies of other members, but in no event until after major hostilities in Europe have ceased.

(i) The Fund may postpone exchange transactions with any member if its circumstances are such that, in the opinion of the Fund, they would lead to use of the resources of the Fund in a manner

contrary to the purposes of this Agreement or prejudicial to the Fund or the members.

(j) The par values of the currencies of governments which indicate their desire to become members after December 31, 1945, shall be determined in accordance with the provisions of Article II, Section 2.

Ante, p. 1402.

DONE at Washington, in a single copy which shall remain deposited in the archives of the Government of the United States of America, which shall transmit certified copies to all governments whose names are set forth in Schedule A and to all governments whose membership is approved in accordance with Article II, Section 2.

FOR AUSTRALIA:

FOR BELGIUM:

L. A. GOFFIN. *december 27. 1945*

FOR BOLIVIA:

V ANDRADE

December 27, 1945

FOR BRAZIL:

FERNANDO LOBO

27 dec 1945

FOR CANADA:

LESTER B PEARSON

Dec 27/45

FOR CHILE:

MARCIAL MORA M

Dec. 31 1945.-

FOR CHINA:

WEI TAO-MING

December 27, 1945

FOR COLOMBIA:

C. S. DE SANTAMARÍA

december 27th 1945.

FOR COSTA RICA:

F GUTIERREZ

December 27 - 1945

FOR CUBA:

GMO BELT

December 31, 1945

FOR CZECHOSLOVAKIA:

V. S. HURBAN

Dec. 27-1945

FOR THE DOMINICAN REPUBLIC:

EMILIO G GODOY

December 28-45.

FOR ECUADOR:

GALO PLAZA.

December 27. 45

FOR EGYPT:

ANIS AZER

December 27, 1945

FOR EL SALVADOR:

FOR ETHIOPIA:

G. TESEMMA.

Dec. 27, 1945

FOR FRANCE:

H BONNET

27 Decembre 1945

FOR GREECE:

C. P. DIAMANTOPOULOS

December 27. 1945

FOR GUATEMALA:

JORGE GARCÍA GRANADOS

27 de diciembre de 1945

FOR HAITI:

FOR HONDURAS:

JULIÁN R CÁCERES

December 27, 1945

FOR ICELAND:

THOR THORS

December 27, 1945

FOR INDIA:

G. S. BAJPAL.

27. 12. '45

FOR IRAN:

HUSSEIN ALA

December 28th 1945.

FOR IRAQ:

ALI JAWDAT *Dec 27-1945*

FOR LIBERIA:

FOR LUXEMBOURG:

HUGUES LE GALLAIS

December 27th 1945

FOR MEXICO:

A ESPINOSA DE LOS MONTEROS. *Dec 31st, 1945.*

FOR THE NETHERLANDS:

A. LOUDON *Dec. 27th 1945*

FOR NEW ZEALAND:

FOR NICARAGUA:

FOR NORWAY:

W. MUNTHE MORGENSTIERNE
December 27th 1945

FOR PANAMA:

FOR PARAGUAY:

CELSO R. VELÁZQUEZ
December 27, 1945

FOR PERU:

H FERNÁNDEZ DÁVILA
Dec 31, 1945-

FOR THE PHILIPPINE COMMONWEALTH:

CARLOS P. ROMULO
December 27, 1945

FOR POLAND:

OSKAR LANGE
December 27, 1945.

FOR THE UNION OF SOUTH AFRICA:

H T ANDREWS
December 27 1945-

FOR THE UNION OF SOVIET SOCIALIST
REPUBLICS:

FOR THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND:
HALIFAX. *Dec. 27. 1945.*

FOR THE UNITED STATES OF AMERICA:

FRED M. VINSON
Dec 27, 1945

FOR URUGUAY:

CÉSAR MONTERO B
Dec 27 1945

FOR VENEZUELA:

FOR YUGOSLAVIA:

STANOJE SIMIC *27 XII 1945*

SCHEDULE A

Quotas

	(In millions of United States dollars)
Australia	200
Belgium	225
Bolivia	10
Brazil	150
Canada	300
Chile	50
China	550
Colombia	50
Costa Rica	5
Cuba	50
Czechoslovakia	125
Denmark*	(*)
Dominican Republic	5
Ecuador	5
Egypt	45
El Salvador	2.5
Ethiopia	6
France	450
Greece	40
Guatemala	5
Haiti	5
Honduras	2.5
Iceland	1
India	400
Iran	25
Iraq	8
Liberia	.5
Luxembourg	10
Mexico	90
Netherlands	275
New Zealand	50
Nicaragua	2
Norway	50
Panama	.5
Paraguay	2
Peru	25
Philippine Commonwealth	15
Poland	125
Union of South Africa	100
Union of Soviet Socialist Republics	1200

*The quota of Denmark shall be determined by the Fund after the Danish Government has declared its readiness to sign this Agreement but before signature takes place.

Quotas—Continued

	(In millions of United States dollars)
United Kingdom	1300
United States	2750
Uruguay	15
Venezuela	15
Yugoslavia	60

SCHEDULE B

*Provisions With Respect to Repurchase
by a Member of Its Currency Held by the Fund*

1. In determining the extent to which repurchase of a member's currency from the Fund under Article V, Section 7 (b) shall be made with each type of monetary reserve, that is, with gold and with each convertible currency, the following rule, subject to 2 below, shall apply:

Ante, p. 1407.

- (a) If the member's monetary reserves have not increased during the year, the amount payable to the Fund shall be distributed among all types of reserves in proportion to the member's holdings thereof at the end of the year.
- (b) If the member's monetary reserves have increased during the year, a part of the amount payable to the Fund equal to one-half of the increase shall be distributed among those types of reserves which have increased in proportion to the amount by which each of them has increased. The remainder of the sum payable to the Fund shall be distributed among all types of reserves in proportion to the member's remaining holdings thereof.
- (c) If after all the repurchases required under Article V, Section 7 (b), had been made, the result would exceed any of the limits specified in Article V, Section 7 (c), the Fund shall require such repurchases to be made by the members proportionately in such manner that the limits will not be exceeded.

Ante, p. 1408.

2. The Fund shall not acquire the currency of any non-member under Article V, Section 7 (b) and (c).

3. In calculating monetary reserves and the increase in monetary reserves during any year for the purpose of Article V, Section 7 (b) and (c), no account shall be taken, unless deductions have otherwise been made by the member for such holdings, of any increase in those monetary reserves which is due to currency previously inconvertible having become convertible during the year; or to holdings which are the proceeds of a long-term or medium-term loan contracted during the year; or to holdings which have been transferred or set aside for repayment of a loan during the subsequent year.

Monetary reserves.
Ante, pp. 1407, 1408.

4. In the case of members whose metropolitan territories have been occupied by the enemy, gold newly produced during the five years after the entry into force of this Agreement from mines located within their metropolitan territories shall not be included in computations of their monetary reserves or of increases in their monetary reserves.

Newly mined gold.

SCHEDULE C

Election of Executive Directors

1. The election of the elective executive directors shall be by ballot of the governors eligible to vote under Article XII, Section 3 (b) (iii) and (iv).

Ante, p. 1416.

2. In balloting for the five directors to be elected under Article XII, Section 3 (b) (iii), each of the governors eligible to vote shall cast for one person all of the votes to which he is entitled under Article XII, Section 5 (a). The five persons receiving the greatest number of votes shall be directors, provided that no person who received less than nineteen percent of the total number of votes that can be cast (eligible votes) shall be considered elected.

Ante, p. 1418.

3. When five persons are not elected in the first ballot, a second ballot shall be held in which the person who received the lowest number of votes shall be ineligible for election and in which there shall vote only (a) those governors who voted in the first ballot for a person not elected, and (b) those governors whose votes for a person elected are deemed under 4 below to have raised the votes cast for that person above twenty percent of the eligible votes.

4. In determining whether the votes cast by a governor are to be deemed to have raised the total of any person above twenty percent of the eligible votes the twenty percent shall be deemed to include, first, the votes of the governor casting the largest number of votes for such person, then the votes of the governor casting the next largest number, and so on until twenty percent is reached.

5. Any governor part of whose votes must be counted in order to raise the total of any person above nineteen percent shall be considered as casting all of his votes for such person even if the total votes for such person thereby exceed twenty percent.

6. If, after the second ballot, five persons have not been elected, further ballots shall be held on the same principles until five persons have been elected, provided that after four persons are elected, the fifth may be elected by a simple majority of the remaining votes and shall be deemed to have been elected by all such votes.

7. The directors to be elected by the American Republics under Article XII, Section 3 (b) (iv) shall be elected as follows:

Ante, p. 1417.

- (a) Each of the directors shall be elected separately.
- (b) In the election of the first director, each governor representing an American Republic eligible to participate in the election shall cast for one person all the votes to which he is entitled. The person receiving the largest number of votes shall be elected provided that he has received not less than forty-five percent of the total votes.
- (c) If no person is elected on the first ballot, further ballots shall be held, in each of which the person receiving the lowest number of votes shall be eliminated, until one person received a number of votes sufficient for election under (b) above.

Votes cast by governor.

- (d) Governors whose votes contributed to the election of the first director shall take no part in the election of the second director.
- (e) Persons who did not succeed in the first election shall not be ineligible for election as the second director.
- (f) A majority of the votes which can be cast shall be required for election of the second director. If at the first ballot no person receives a majority, further ballots shall be held in each of which the person receiving the lowest number of votes shall be eliminated, until some person obtains a majority.
- (g) The second director shall be deemed to have been elected by all the votes which could have been cast in the ballot securing his election.

SCHEDULE D

Settlement of Accounts With Members Withdrawing

1. The Fund shall be obligated to pay to a member withdrawing an amount equal to its quota, plus any other amounts due to it from the Fund, less any amounts due to the Fund, including charges accruing after the date of its withdrawal; but no payment shall be made until six months after the date of withdrawal. Payments shall be made in the currency of the withdrawing member.

2. If the Fund's holdings of the currency of the withdrawing member are not sufficient to pay the net amount due from the Fund, the balance shall be paid in gold, or in such other manner as may be agreed. If the Fund and the withdrawing member do not reach agreement within six months of the date of withdrawal, the currency in question held by the Fund shall be paid forthwith to the withdrawing member. Any balance due shall be paid in ten half-yearly installments during the ensuing five years. Each such installment shall be paid, at the option of the Fund, either in the currency of the withdrawing member acquired after its withdrawal or by the delivery of gold.

3. If the Fund fails to meet any installment which is due in accordance with the preceding paragraphs, the withdrawing member shall be entitled to require the Fund to pay the installment in any currency held by the Fund with the exception of any currency which has been declared scarce under Article VII, Section 3.

4. If the Fund's holdings of the currency of a withdrawing member exceed the amount due to it, and if agreement on the method of settling accounts is not reached within six months of the date of withdrawal, the former member shall be obligated to redeem such excess currency in gold or, at its option, in the currencies of members which at the time of redemption are convertible. Redemption shall be made at the parity existing at the time of withdrawal from the Fund. The withdrawing member shall complete redemption within five years of the date of withdrawal, or within such longer period as may be fixed by the Fund, but shall not be required to redeem in any half-yearly period more than one-tenth of the Fund's excess holdings of its currency at

the date of withdrawal plus further acquisitions of the currency during such half-yearly period. If the withdrawing member does not fulfill this obligation, the Fund may in an orderly manner liquidate in any market the amount of currency which should have been redeemed.

5. Any member desiring to obtain the currency of a member which has withdrawn shall acquire it by purchase from the Fund, to the extent that such member has access to the resources of the Fund and that such currency is available under 4 above.

6. The withdrawing member guarantees the unrestricted use at all times of the currency disposed of under 4 and 5 above for the purchase of goods or for payment of sums due to it or to persons within its territories. It shall compensate the Fund for any loss resulting from the difference between the par value of its currency on the date of withdrawal and the value realized by the Fund on disposal under 4 and 5 above.

7. In the event of the Fund going into liquidation under Article XVI, Section 2, within six months of the date on which the member withdraws, the account between the Fund and that government shall be settled in accordance with Article XVI, Section 2, and Schedule E.

Ante, p. 1422.

SCHEDULE E

Administration of Liquidation

1. In the event of liquidation the liabilities of the Fund other than the repayment of subscriptions shall have priority in the distribution of the assets of the Fund. In meeting each such liability the Fund shall use its assets in the following order:

- (a) the currency in which the liability is payable;
- (b) gold;
- (c) all other currencies in proportion, so far as may be practicable, to the quotas of the members.

2. After the discharge of the Fund's liabilities in accordance with 1 above, the balance of the Fund's assets shall be distributed and apportioned as follows:

- (a) The Fund shall distribute its holdings of gold among the members whose currencies are held by the Fund in amounts less than their quotas. These members shall share the gold so distributed in the proportions of the amounts by which their quotas exceed the Fund's holdings of their currencies.
- (b) The Fund shall distribute to each member one-half the Fund's holdings of its currency but such distribution shall not exceed fifty percent of its quota.
- (c) The Fund shall apportion the remainder of its holdings of each currency among all the members in proportion to the amounts due to each member after the distributions under (a) and (b) above.

Distribution of balance.

3. Each member shall redeem the holdings of its currency apportioned to other members under 2 (c) above, and shall agree with the Fund within three months after a decision to liquidate upon an orderly procedure for such redemption.

Currency apportioned to other members.

4. If a member has not reached agreement with the Fund within the three-month period referred to in 3 above, the Fund shall use the currencies of other members apportioned to that member under 2 (c) above to redeem the currency of that member apportioned to other members. Each currency apportioned to a member which has not reached agreement shall be used, so far as possible, to redeem its currency apportioned to the members which have made agreements with the Fund under 3 above.

5. If a member has reached agreement with the Fund in accordance with 3 above, the Fund shall use the currencies of other members apportioned to that member under 2 (c) above to redeem the currency of that member apportioned to other members which have made agreements with the Fund under 3 above. Each amount so redeemed shall be redeemed in the currency of the member to which it was apportioned.

6. After carrying out the preceding paragraphs, the Fund shall pay to each member the remaining currencies held for its account.

7. Each member whose currency has been distributed to other members under 6 above shall redeem such currency in gold or, at its option, in the currency of the member requesting redemption, or in such other manner as may be agreed between them. If the members involved do not otherwise agree, the member obligated to redeem shall complete redemption within five years of the date of distribution, but shall not be required to redeem in any half-yearly period more than one-tenth of the amount distributed to each other member. If the member does not fulfill this obligation, the amount of currency which should have been redeemed may be liquidated in an orderly manner in any market.

8. Each member whose currency has been distributed to other members under 6 above guarantees the unrestricted use of such currency at all times for the purchase of goods or for payment of sums due to it or to persons in its territories. Each member so obligated agrees to compensate other members for any loss resulting from the difference between the par value of its currency on the date of the decision to liquidate the Fund and the value realized by such members on disposal of its currency.

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December 27, 1945
[T. I. A. S. 1502]

Articles of agreement between the United States of America and other powers respecting the International Bank for Reconstruction and Development. Formulated at the United Nations Monetary and Financial Conference, Bretton Woods, New Hampshire, July 1 to July 22, 1944; signed at Washington December 27, 1945; instrument of acceptance by the United States of America deposited December 20, 1945; effective December 27, 1945.

ARTICLES OF AGREEMENT
OF THE INTERNATIONAL BANK
FOR RECONSTRUCTION AND DEVELOPMENT

59 Stat. 512.

The Governments on whose behalf the present Agreement is signed agree as follows:

INTRODUCTORY ARTICLE

The International Bank for Reconstruction and Development is established and shall operate in accordance with the following provisions:

ARTICLE I

PURPOSES

The purposes of the Bank are:

- (i) To assist in the reconstruction and development of territories of members by facilitating the investment of capital for productive purposes, including the restoration of economies destroyed or disrupted by war, the reconversion of productive facilities to peacetime needs and the encouragement of the development of productive facilities and resources in less developed countries.
- (ii) To promote private foreign investment by means of guarantees or participations in loans and other investments made by private investors; and when private capital is not available on reasonable terms, to supplement private investment by providing, on suitable conditions, finance for productive purposes out of its own capital, funds raised by it and its other resources.
- (iii) To promote the long-range balanced growth of international trade and the maintenance of equilibrium in balances of payments by encouraging international investment for the development of the productive resources of members, thereby assisting in raising productivity, the standard of living and conditions of labor in their territories.
- (iv) To arrange the loans made or guaranteed by it in relation to international loans through other channels so that the more useful and urgent projects, large and small alike, will be dealt with first.

- (v) To conduct its operations with due regard to the effect of international investment on business conditions in the territories of members and, in the immediate post-war years, to assist in bringing about a smooth transition from a wartime to a peacetime economy.

The Bank shall be guided in all its decisions by the purposes set forth above.

ARTICLE II

MEMBERSHIP IN AND CAPITAL OF THE BANK

Section 1. *Membership*

(a) The original members of the Bank shall be those members of the International Monetary Fund which accept membership in the Bank before the date specified in Article XI, Section 2 (e).

Post, p. 1461.

(b) Membership shall be open to other members of the Fund, at such times and in accordance with such terms as may be prescribed by the Bank.

Section 2. *Authorized capital*

(a) The authorized capital stock of the Bank shall be \$10,000,000,000, in terms of United States dollars of the weight and fineness in effect on July 1, 1944. The capital stock shall be divided into 100,000 shares having a par value of \$100,000 each, which shall be available for subscription only by members.

(b) The capital stock may be increased when the Bank deems it advisable by a three-fourths majority of the total voting power.

Increase in capital stock.

Section 3. *Subscription of shares*

(a) Each member shall subscribe shares of the capital stock of the Bank. The minimum number of shares to be subscribed by the original members shall be those set forth in Schedule A. The minimum number of shares to be subscribed by other members shall be determined by the Bank, which shall reserve a sufficient portion of its capital stock for subscription by such members.

Post, p. 1466.

(b) The Bank shall prescribe rules laying down the conditions under which members may subscribe shares of the authorized capital stock of the Bank in addition to their minimum subscriptions.

(c) If the authorized capital stock of the Bank is increased, each member shall have a reasonable opportunity to subscribe, under such conditions as the Bank shall decide, a proportion of the increase of stock equivalent to the proportion which its stock theretofore subscribed bears to the total capital stock of the Bank, but no member shall be obligated to subscribe any part of the increased capital.

Section 4. *Issue price of shares*

Shares included in the minimum subscriptions of original members shall be issued at par. Other shares shall be issued at par unless the Bank by a majority of the total voting power decides in special circumstances to issue them on other terms.

Section 5. *Division and calls of subscribed capital*

The subscription of each member shall be divided into two parts as follows:

- (i) twenty percent shall be paid or subject to call under Section 7 (i) of this Article as needed by the Bank for its operations;
- (ii) the remaining eighty percent shall be subject to call by the Bank only when required to meet obligations of the Bank created under Article IV, Sections 1 (a) (ii) and (iii).

Post, p. 1445.

Calls on unpaid subscriptions shall be uniform on all shares.

Section 6. *Limitation on liability*

Liability on shares shall be limited to the unpaid portion of the issue price of the shares.

Section 7. *Method of payment of subscriptions for shares*

Payment of subscriptions for shares shall be made in gold or United States dollars and in the currencies of the members as follows:

- (i) under Section 5 (i) of this Article, two percent of the price of each share shall be payable in gold or United States dollars, and, when calls are made, the remaining eighteen percent shall be paid in the currency of the member;
- (ii) when a call is made under Section 5 (ii) of this Article, payment may be made at the option of the member either in gold, in United States dollars or in the currency required to discharge the obligations of the Bank for the purpose for which the call is made;
- (iii) when a member makes payments in any currency under (i) and (ii) above, such payments shall be made in amounts equal in value to the member's liability under the call. This liability shall be a proportionate part of the subscribed capital stock of the Bank as authorized and defined in Section 2 of this Article.

Section 8. *Time of payment of subscriptions*

(a) The two percent payable on each share in gold or United States dollars under Section 7 (i) of this Article, shall be paid within sixty days of the date on which the Bank begins operations, provided that

- (i) any original member of the Bank whose metropolitan territory has suffered from enemy occupation or hostilities during the present war shall be granted the right to postpone payment of one-half percent until five years after that date;
- (ii) an original member who cannot make such a payment because it has not recovered possession of its gold reserves which are still seized or immobilized as a result of the war may postpone all payment until such date as the Bank shall decide.

(b) The remainder of the price of each share payable under Section 7 (i) of this Article shall be paid as and when called by the Bank, provided that

- (i) the Bank shall, within one year of its beginning operations, call not less than eight percent of the price of the share in addition to the payment of two percent referred to in (a) above;

- (ii) not more than five percent of the price of the share shall be called in any period of three months.

Section 9. *Maintenance of value of certain currency holdings of the Bank*

(a) Whenever (i) the par value of a member's currency is reduced, or (ii) the foreign exchange value of a member's currency has, in the opinion of the Bank, depreciated to a significant extent within that member's territories, the member shall pay to the Bank within a reasonable time an additional amount of its own currency sufficient to maintain the value, as of the time of initial subscription, of the amount of the currency of such member which is held by the Bank and derived from currency originally paid in to the Bank by the member under Article II, Section 7 (i), from currency referred to in Article IV, Section 2 (b), or from any additional currency furnished under the provisions of the present paragraph, and which has not been repurchased by the member for gold or for the currency of any member which is acceptable to the Bank.

Reduction in par value.

Post, p. 1445.

(b) Whenever the par value of a member's currency is increased, the Bank shall return to such member within a reasonable time an amount of that member's currency equal to the increase in the value of the amount of such currency described in (a) above.

Increase in par value.

(c) The provisions of the preceding paragraphs may be waived by the Bank when a uniform proportionate change in the par values of the currencies of all its members is made by the International Monetary Fund.

Section 10. *Restriction on disposal of shares*

Shares shall not be pledged or encumbered in any manner whatever and they shall be transferable only to the Bank.

ARTICLE III

GENERAL PROVISIONS RELATING TO LOANS AND GUARANTEES

Section 1. *Use of resources*

(a) The resources and the facilities of the Bank shall be used exclusively for the benefit of members with equitable consideration to projects for development and projects for reconstruction alike.

(b) For the purpose of facilitating the restoration and reconstruction of the economy of members whose metropolitan territories have suffered great devastation from enemy occupation or hostilities, the Bank, in determining the conditions and terms of loans made to such members, shall pay special regard to lightening the financial burden and expediting the completion of such restoration and reconstruction.

Section 2. *Dealings between members and the Bank*

Each member shall deal with the Bank only through its Treasury, central bank, stabilization fund or other similar fiscal agency, and the Bank shall deal with members only by or through the same agencies.

Section 3. *Limitations on guarantees and borrowings of the Bank*

The total amount outstanding of guarantees, participations in loans and direct loans made by the Bank shall not be increased at any time,

if by such increase the total would exceed one hundred percent of the unimpaired subscribed capital, reserves and surplus of the Bank.

Section 4. *Conditions on which the Bank may guarantee or make loans*

The Bank may guarantee, participate in, or make loans to any member or any political sub-division thereof and any business, industrial, and agricultural enterprise in the territories of a member, subject to the following conditions:

- (i) When the member in whose territories the project is located is not itself the borrower, the member or the central bank or some comparable agency of the member which is acceptable to the Bank, fully guarantees the repayment of the principal and the payment of interest and other charges on the loan.
- (ii) The Bank is satisfied that in the prevailing market conditions the borrower would be unable otherwise to obtain the loan under conditions which in the opinion of the Bank are reasonable for the borrower.
- (iii) A competent committee, as provided for in Article V, Section 7, has submitted a written report recommending the project after a careful study of the merits of the proposal.
- (iv) In the opinion of the Bank the rate of interest and other charges are reasonable and such rate, charges and the schedule for repayment of principal are appropriate to the project.
- (v) In making or guaranteeing a loan, the Bank shall pay due regard to the prospects that the borrower, and, if the borrower is not a member, that the guarantor, will be in position to meet its obligations under the loan; and the Bank shall act prudently in the interests both of the particular member in whose territories the project is located and of the members as a whole.
- (vi) In guaranteeing a loan made by other investors, the Bank receives suitable compensation for its risk.
- (vii) Loans made or guaranteed by the Bank shall, except in special circumstances, be for the purpose of specific projects of reconstruction or development.

Section 5. *Use of loans guaranteed, participated in or made by the Bank*

(a) The Bank shall impose no conditions that the proceeds of a loan shall be spent in the territories of any particular member or members.

(b) The Bank shall make arrangements to ensure that the proceeds of any loan are used only for the purposes for which the loan was granted, with due attention to considerations of economy and efficiency and without regard to political or other non-economic influences or considerations.

(c) In the case of loans made by the Bank, it shall open an account in the name of the borrower and the amount of the loan shall be credited to this account in the currency or currencies in which the loan is made. The borrower shall be permitted by the Bank to draw on this

account only to meet expenses in connection with the project as they are actually incurred.

ARTICLE IV

OPERATIONS

Section 1. *Methods of making or facilitating loans*

(a) The Bank may make or facilitate loans which satisfy the general conditions of Article III in any of the following ways:

Ante, p. 1443.

(i) By making or participating in direct loans out of its own funds corresponding to its unimpaired paid-up capital and surplus and, subject to Section 6 of this Article, to its reserves.

Post, p. 1448.

(ii) By making or participating in direct loans out of funds raised in the market of a member, or otherwise borrowed by the Bank.

(iii) By guaranteeing in whole or in part loans made by private investors through the usual investment channels.

(b) The Bank may borrow funds under (a) (ii) above or guarantee loans under (a) (iii) above only with the approval of the member in whose markets the funds are raised and the member in whose currency the loan is denominated, and only if those members agree that the proceeds may be exchanged for the currency of any other member without restriction.

Section 2. *Availability and transferability of currencies*

(a) Currencies paid into the Bank under Article II, Section 7 (i), shall be loaned only with the approval in each case of the member whose currency is involved; provided, however, that if necessary, after the Bank's subscribed capital has been entirely called, such currencies shall, without restriction by the members whose currencies are offered, be used or exchanged for the currencies required to meet contractual payments of interest, other charges or amortization on the Bank's own borrowings, or to meet the Bank's liabilities with respect to such contractual payments on loans guaranteed by the Bank.

Ante, p. 1442.

(b) Currencies received by the Bank from borrowers or guarantors in payment on account of principal of direct loans made with currencies referred to in (a) above shall be exchanged for the currencies of other members or reloaned only with the approval in each case of the members whose currencies are involved; provided, however, that if necessary, after the Bank's subscribed capital has been entirely called, such currencies shall, without restriction by the members whose currencies are offered, be used or exchanged for the currencies required to meet contractual payments of interest, other charges or amortization on the Bank's own borrowings, or to meet the Bank's liabilities with respect to such contractual payments on loans guaranteed by the Bank.

Currencies received from borrowers or guarantors.

(c) Currencies received by the Bank from borrowers or guarantors in payment on account of principal of direct loans made by the Bank under Section 1 (a) (ii) of this Article, shall be held and used, without restriction by the members, to make amortization payments, or to

anticipate payment of or repurchase part or all of the Bank's own obligations.

Other available currencies.

(d) All other currencies available to the Bank, including those raised in the market or otherwise borrowed under Section 1 (a) (ii) of this Article, those obtained by the sale of gold, those received as payments of interest and other charges for direct loans made under Sections 1 (a) (i) and (ii), and those received as payments of commissions and other charges under Section 1 (a) (iii), shall be used or exchanged for other currencies or gold required in the operations of the Bank without restriction by the members whose currencies are offered.

(e) Currencies raised in the markets of members by borrowers on loans guaranteed by the Bank under Section 1 (a) (iii) of this Article, shall also be used or exchanged for other currencies without restriction by such members.

Section 3. *Provision of currencies for direct loans*

Ante, p. 1445.

The following provisions shall apply to direct loans under Sections 1 (a) (i) and (ii) of this Article:

(a) The Bank shall furnish the borrower with such currencies of members, other than the member in whose territories the project is located, as are needed by the borrower for expenditures to be made in the territories of such other members to carry out the purposes of the loan.

(b) The Bank may, in exceptional circumstances when local currency required for the purposes of the loan cannot be raised by the borrower on reasonable terms, provide the borrower as part of the loan with an appropriate amount of that currency.

(c) The Bank, if the project gives rise indirectly to an increased need for foreign exchange by the member in whose territories the project is located, may in exceptional circumstances provide the borrower as part of the loan with an appropriate amount of gold or foreign exchange not in excess of the borrower's local expenditure in connection with the purposes of the loan.

(d) The Bank may, in exceptional circumstances, at the request of a member in whose territories a portion of the loan is spent, repurchase with gold or foreign exchange a part of that member's currency thus spent but in no case shall the part so repurchased exceed the amount by which the expenditure of the loan in those territories gives rise to an increased need for foreign exchange.

Section 4. *Payment provisions for direct loans*

Ante, p. 1445.

Loan contracts under Section 1 (a) (i) or (ii) of this Article shall be made in accordance with the following payment provisions:

Interest and amortization payments, etc.

(a) The terms and conditions of interest and amortization payments, maturity and dates of payment of each loan shall be determined by the Bank. The Bank shall also determine the rate and any other terms and conditions of commission to be charged in connection with such loan.

In the case of loans made under Section 1 (a) (ii) of this Article during the first ten years of the Bank's operations, this rate of commission shall be not less than one percent per annum and not greater than one and one-half percent per annum, and shall be charged on the outstanding portion of any such loan. At the end of this period of ten years, the rate of commission may be reduced by the Bank with respect both to the outstanding portions of loans already made and to future loans, if the reserves accumulated by the Bank under Section 6 of this Article and out of other earnings are considered by it sufficient to justify a reduction. In the case of future loans the Bank shall also have discretion to increase the rate of commission beyond the above limit, if experience indicates that an increase is advisable.

Ante, p. 1445.

(b) All loan contracts shall stipulate the currency or currencies in which payments under the contract shall be made to the Bank. At the option of the borrower, however, such payments may be made in gold, or subject to the agreement of the Bank, in the currency of a member other than that prescribed in the contract.

Currency in which payments shall be made to Bank.

(i) In the case of loans made under Section 1 (a) (i) of this Article, the loan contracts shall provide that payments to the Bank of interest, other charges and amortization shall be made in the currency loaned, unless the member whose currency is loaned agrees that such payments shall be made in some other specified currency or currencies. These payments, subject to the provisions of Article II, Section 9 (c), shall be equivalent to the value of such contractual payments at the time the loans were made, in terms of a currency specified for the purpose by the Bank by a three-fourths majority of the total voting power.

Ante, p. 1445.

Ante, p. 1443.

(ii) In the case of loans made under Section 1 (a) (ii) of this Article, the total amount outstanding and payable to the Bank in any one currency shall at no time exceed the total amount of the outstanding borrowings made by the Bank under Section 1 (a) (ii) and payable in the same currency.

Ante, p. 1445.

(c) If a member suffers from an acute exchange stringency, so that the service of any loan contracted by that member or guaranteed by it or by one of its agencies cannot be provided in the stipulated manner, the member concerned may apply to the Bank for a relaxation of the conditions of payment. If the Bank is satisfied that some relaxation is in the interests of the particular member and of the operations of the Bank and of its members as a whole, it may take action under either, or both, of the following paragraphs with respect to the whole, or part, of the annual service:

Relaxation of conditions of payment.

(i) The Bank may, in its discretion, make arrangements with the member concerned to accept service payments on the loan in the member's currency for periods not to exceed three years upon appropriate terms regarding the use of such currency and the maintenance of its foreign exchange value; and for the repurchase of such currency on appropriate terms.

- (ii) The Bank may modify the terms of amortization or extend the life of the loan, or both.

Section 5. *Guarantees*

Guarantee commis-
sion.

(a) In guaranteeing a loan placed through the usual investment channels, the Bank shall charge a guarantee commission payable periodically on the amount of the loan outstanding at a rate determined by the Bank. During the first ten years of the Bank's operations, this rate shall be not less than one percent per annum and not greater than one and one-half percent per annum. At the end of this period of ten years, the rate of commission may be reduced by the Bank with respect both to the outstanding portions of loans already guaranteed and to future loans if the reserves accumulated by the Bank under Section 6 of this Article and out of other earnings are considered by it sufficient to justify a reduction. In the case of future loans the Bank shall also have discretion to increase the rate of commission beyond the above limit, if experience indicates that an increase is advisable.

(b) Guarantee commissions shall be paid directly to the Bank by the borrower.

(c) Guarantees by the Bank shall provide that the Bank may terminate its liability with respect to interest if, upon default by the borrower and by the guarantor, if any, the Bank offers to purchase, at par and interest accrued to a date designated in the offer, the bonds or other obligations guaranteed.

(d) The Bank shall have power to determine any other terms and conditions of the guarantee.

Section 6. *Special reserve*

The amount of commissions received by the Bank under Sections 4 and 5 of this Article shall be set aside as a special reserve, which shall be kept available for meeting liabilities of the Bank in accordance with Section 7 of this Article. The special reserve shall be held in such liquid form, permitted under this Agreement, as the Executive Directors may decide.

Section 7. *Methods of meeting liabilities of the Bank in case of defaults*

In cases of default on loans made, participated in, or guaranteed by the Bank:

(a) The Bank shall make such arrangements as may be feasible to adjust the obligations under the loans, including arrangements under or analogous to those provided in Section 4 (c) of this Article.

(b) The payments in discharge of the Bank's liabilities on borrowings or guarantees under Section 1 (a) (ii) and (iii) of this Article shall be charged:

(i) first, against the special reserve provided in Section 6 of this Article.

(ii) then, to the extent necessary and at the discretion of the Bank, against the other reserves, surplus and capital available to the Bank.

(c) Whenever necessary to meet contractual payments of interest, other charges or amortization on the Bank's own borrowings, or to meet the Bank's liabilities with respect to similar payments on loans guaranteed by it, the Bank may call an appropriate amount of the unpaid subscriptions of members in accordance with Article II, Sections 5 and 7. Moreover, if it believes that a default may be of long duration, the Bank may call an additional amount of such unpaid subscriptions not to exceed in any one year one percent of the total subscriptions of the members for the following purposes:

Call of unpaid subscriptions of members.

Ante, p. 1442.

- (i) To redeem prior to maturity, or otherwise discharge its liability on, all or part of the outstanding principal of any loan guaranteed by it in respect of which the debtor is in default.
- (ii) To repurchase, or otherwise discharge its liability on, all or part of its own outstanding borrowings.

Section 8. *Miscellaneous operations*

In addition to the operations specified elsewhere in this Agreement, the Bank shall have the power:

Additional powers of bank.

- (i) To buy and sell securities it has issued and to buy and sell securities which it has guaranteed or in which it has invested, provided that the Bank shall obtain the approval of the member in whose territories the securities are to be bought or sold.
- (ii) To guarantee securities in which it has invested for the purpose of facilitating their sale.
- (iii) To borrow the currency of any member with the approval of that member.
- (iv) To buy and sell such other securities as the Directors by a three-fourths majority of the total voting power may deem proper for the investment of all or part of the special reserve under Section 6 of this Article.

In exercising the powers conferred by this Section, the Bank may deal with any person, partnership, association, corporation or other legal entity in the territories of any member.

Section 9. *Warning to be placed on securities*

Every security guaranteed or issued by the Bank shall bear on its face a conspicuous statement to the effect that it is not an obligation of any government unless expressly stated on the security.

Section 10. *Political activity prohibited*

The Bank and its officers shall not interfere in the political affairs of any member; nor shall they be influenced in their decisions by the political character of the member or members concerned. Only economic considerations shall be relevant to their decisions, and these considerations shall be weighed impartially in order to achieve the purposes stated in Article I.

Ante, p. 1440.

ARTICLE V

ORGANIZATION AND MANAGEMENT

Section 1. *Structure of the Bank*

The Bank shall have a Board of Governors, Executive Directors, a President and such other officers and staff to perform such duties as the Bank may determine.

Section 2. *Board of Governors*

Term of office.

(a) All the powers of the Bank shall be vested in the Board of Governors consisting of one governor and one alternate appointed by each member in such manner as it may determine. Each governor and each alternate shall serve for five years, subject to the pleasure of the member appointing him, and may be reappointed. No alternate may vote except in the absence of his principal. The Board shall select one of the governors as Chairman.

Board of Governors. Delegation of powers; exceptions.

(b) The Board of Governors may delegate to the Executive Directors authority to exercise any powers of the Board, except the power to:

- (i) Admit new members and determine the conditions of their admission;
- (ii) Increase or decrease the capital stock;
- (iii) Suspend a member;
- (iv) Decide appeals from interpretations of this Agreement given by the Executive Directors;
- (v) Make arrangements to cooperate with other international organizations (other than informal arrangements of a temporary and administrative character);
- (vi) Decide to suspend permanently the operations of the Bank and to distribute its assets;
- (vii) Determine the distribution of the net income of the Bank.

Meetings.

(c) The Board of Governors shall hold an annual meeting and such other meetings as may be provided for by the Board or called by the Executive Directors. Meetings of the Board shall be called by the Directors whenever requested by five members or by members having one-quarter of the total voting power.

Quorum.

(d) A quorum for any meeting of the Board of Governors shall be a majority of the Governors, exercising not less than two-thirds of the total voting power.

(e) The Board of Governors may by regulation establish a procedure whereby the Executive Directors, when they deem such action to be in the best interests of the Bank, may obtain a vote of the Governors on a specific question without calling a meeting of the Board.

Rules and regulations.

(f) The Board of Governors, and the Executive Directors to the extent authorized, may adopt such rules and regulations as may be necessary or appropriate to conduct the business of the Bank.

Compensation.

(g) Governors and alternates shall serve as such without compensation from the Bank, but the Bank shall pay them reasonable expenses incurred in attending meetings.

(h) The Board of Governors shall determine the remuneration to be paid to the Executive Directors and the salary and terms of the contract of service of the President.

Section 3. *Voting*

(a) Each member shall have two hundred fifty votes plus one additional vote for each share of stock held.

(b) Except as otherwise specifically provided, all matters before the Bank shall be decided by a majority of the votes cast.

Section 4. *Executive Directors*

(a) The Executive Directors shall be responsible for the conduct of the general operations of the Bank, and for this purpose, shall exercise all the powers delegated to them by the Board of Governors.

(b) There shall be twelve Executive Directors, who need not be governors, and of whom:

- (i) five shall be appointed, one by each of the five members having the largest number of shares;
- (ii) seven shall be elected according to Schedule B by all the Governors other than those appointed by the five members referred to in (i) above.

Post, p. 1467

For the purpose of this paragraph, "members" means governments of countries whose names are set forth in Schedule A, whether they are original members or become members in accordance with Article II, Section 1(b). When governments of other countries become members, the Board of Governors may, by a four-fifths majority of the total voting power, increase the total number of directors by increasing the number of directors to be elected.

"Members."

Post, p. 1466.

Ante, p. 1441.

Executive directors shall be appointed or elected every two years.

Term of office.

Alternates.

(c) Each executive director shall appoint an alternate with full power to act for him when he is not present. When the executive directors appointing them are present, alternates may participate in meetings but shall not vote.

(d) Directors shall continue in office until their successors are appointed or elected. If the office of an elected director becomes vacant more than ninety days before the end of his term, another director shall be elected for the remainder of the term by the governors who elected the former director. A majority of the votes cast shall be required for election. While the office remains vacant, the alternate of the former director shall exercise his powers, except that of appointing an alternate.

Vacancies.

(e) The Executive Directors shall function in continuous session at the principal office of the Bank and shall meet as often as the business of the Bank may require.

Meetings.

(f) A quorum for any meeting of the Executive Directors shall be a majority of the Directors, exercising not less than one-half of the total voting power.

Quorum.

(g) Each appointed director shall be entitled to cast the number of votes allotted under Section 3 of this Article to the member appointing him. Each elected director shall be entitled to cast the

Voting.

number of votes which counted toward his election. All the votes which a director is entitled to cast shall be cast as a unit.

(h) The Board of Governors shall adopt regulations under which a member not entitled to appoint a director under (b) above may send a representative to attend any meeting of the Executive Directors when a request made by, or a matter particularly affecting, that member is under consideration.

Committees.

(i) The Executive Directors may appoint such committees as they deem advisable. Membership of such committees need not be limited to governors or directors or their alternates.

Section 5. *President and staff*

(a) The Executive Directors shall select a President who shall not be a governor or an executive director or an alternate for either. The President shall be Chairman of the Executive Directors, but shall have no vote except a deciding vote in case of an equal division. He may participate in meetings of the Board of Governors, but shall not vote at such meetings. The President shall cease to hold office when the Executive Directors so decide.

Duties of President.

(b) The President shall be chief of the operating staff of the Bank and shall conduct, under the direction of the Executive Directors, the ordinary business of the Bank. Subject to the general control of the Executive Directors, he shall be responsible for the organization, appointment and dismissal of the officers and staff.

(c) The President, officers and staff of the Bank, in the discharge of their offices, owe their duty entirely to the Bank and to no other authority. Each member of the Bank shall respect the international character of this duty and shall refrain from all attempts to influence any of them in the discharge of their duties.

(d) In appointing the officers and staff the President shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of recruiting personnel on as wide a geographical basis as possible.

Section 6. *Advisory Council*

(a) There shall be an Advisory Council of not less than seven persons selected by the Board of Governors including representatives of banking, commercial, industrial, labor, and agricultural interests, and with as wide a national representation as possible. In those fields where specialized international organizations exist, the members of the Council representative of those fields shall be selected in agreement with such organizations. The Council shall advise the Bank on matters of general policy. The Council shall meet annually and on such other occasions as the Bank may request.

(b) Councillors shall serve for two years and may be reappointed. They shall be paid their reasonable expenses incurred on behalf of the Bank.

Section 7. *Loan committees*

The committees required to report on loans under Article III, Section 4, shall be appointed by the Bank. Each such committee shall

include an expert selected by the governor representing the member in whose territories the project is located and one or more members of the technical staff of the Bank.

Section 8. *Relationship to other international organizations*

(a) The Bank, within the terms of this Agreement, shall cooperate with any general international organization and with public international organizations having specialized responsibilities in related fields. Any arrangements for such cooperation which would involve a modification of any provision of this Agreement may be effected only after amendment to this Agreement under Article VIII.

Post, p. 1459.

(b) In making decisions on applications for loans or guarantees relating to matters directly within the competence of any international organization of the types specified in the preceding paragraph and participated in primarily by members of the Bank, the Bank shall give consideration to the views and recommendations of such organization.

Section 9. *Location of offices*

(a) The principal office of the Bank shall be located in the territory of the member holding the greatest number of shares.

(b) The Bank may establish agencies or branch offices in the territories of any member of the Bank.

Section 10. *Regional offices and councils*

(a) The Bank may establish regional offices and determine the location of, and the areas to be covered by, each regional office.

(b) Each regional office shall be advised by a regional council representative of the entire area and selected in such manner as the Bank may decide.

Section 11. *Depositories*

(a) Each member shall designate its central bank as a depository for all the Bank's holdings of its currency or, if it has no central bank, it shall designate such other institution as may be acceptable to the Bank.

(b) The Bank may hold other assets, including gold, in depositories designated by the five members having the largest number of shares and in such other designated depositories as the Bank may select. Initially, at least one-half of the gold holdings of the Bank shall be held in the depository designated by the member in whose territory the Bank has its principal office, and at least forty percent shall be held in the depositories designated by the remaining four members referred to above, each of such depositories to hold, initially, not less than the amount of gold paid on the shares of the member designating it. However, all transfers of gold by the Bank shall be made with due regard to the costs of transport and anticipated requirements of the Bank. In an emergency the Executive Directors may transfer all or any part of the Bank's gold holdings to any place where they can be adequately protected.

Other assets in designated depositories.

Transfers of gold.

Section 12. *Form of holdings of currency*

The Bank shall accept from any member, in place of any part of the member's currency, paid in to the Bank under Article II, Section 7 (i),

Act, p. 1462.

or to meet amortization payments on loans made with such currency, and not needed by the Bank in its operations, notes or similar obligations issued by the Government of the member or the depository designated by such member, which shall be non-negotiable, non-interest-bearing and payable at their par value on demand by credit to the account of the Bank in the designated depository.

Section 13. *Publication of reports and provision of information*

Annual report.

(a) The Bank shall publish an annual report containing an audited statement of its accounts and shall circulate to members at intervals of three months or less a summary statement of its financial position and a profit and loss statement showing the results of its operations.

Other reports.

(b) The Bank may publish such other reports as it deems desirable to carry out its purposes.

(c) Copies of all reports, statements and publications made under this section shall be distributed to members.

Section 14. *Allocation of net income*

(a) The Board of Governors shall determine annually what part of the Bank's net income, after making provision for reserves, shall be allocated to surplus and what part, if any, shall be distributed.

(b) If any part is distributed, up to two percent non-cumulative shall be paid, as a first charge against the distribution for any year, to each member on the basis of the average amount of the loans outstanding during the year made under Article IV, Section 1(a)(i), out of currency corresponding to its subscriptions. If two percent is paid as a first charge, any balance remaining to be distributed shall be paid to all members in proportion to their shares. Payments to each member shall be made in its own currency, or if that currency is not available in other currency acceptable to the member. If such payments are made in currencies other than the member's own currency, the transfer of the currency and its use by the receiving member after payment shall be without restriction by the members.

Ante, p. 1445.

ARTICLE VI

WITHDRAWAL AND SUSPENSION OF MEMBERSHIP: SUSPENSION OF OPERATIONS

Section 1. *Right of members to withdraw*

Any member may withdraw from the Bank at any time by transmitting a notice in writing to the Bank at its principal office. Withdrawal shall become effective on the date such notice is received.

Section 2. *Suspension of membership*

If a member fails to fulfill any of its obligations to the Bank, the Bank may suspend its membership by decision of a majority of the Governors, exercising a majority of the total voting power. The member so suspended shall automatically cease to be a member one year from the date of its suspension unless a decision is taken by the same majority to restore the member to good standing.

While under suspension, a member shall not be entitled to exercise any rights under this Agreement, except the right of withdrawal, but shall remain subject to all obligations.

Section 3. *Cessation of membership in International Monetary Fund*

Any member which ceases to be a member of the International Monetary Fund shall automatically cease after three months to be a member of the Bank unless the Bank by three-fourths of the total voting power has agreed to allow it to remain a member.

Section 4. *Settlement of accounts with governments ceasing to be members*

(a) When a government ceases to be a member, it shall remain liable for its direct obligations to the Bank and for its contingent liabilities to the Bank so long as any part of the loans or guarantees contracted before it ceased to be a member are outstanding; but it shall cease to incur liabilities with respect to loans and guarantees entered into thereafter by the Bank and to share either in the income or the expenses of the Bank.

(b) At the time a government ceases to be a member, the Bank shall arrange for the repurchase of its shares as a part of the settlement of accounts with such government in accordance with the provisions of (c) and (d) below. For this purpose the repurchase price of the shares shall be the value shown by the books of the Bank on the day the government ceases to be a member.

(c) The payment for shares repurchased by the Bank under this section shall be governed by the following conditions:

- (i) Any amount due to the government for its shares shall be withheld so long as the government, its central bank or any of its agencies remains liable, as borrower or guarantor, to the Bank and such amount may, at the option of the Bank, be applied on any such liability as it matures. No amount shall be withheld on account of the liability of the government resulting from its subscription for shares under Article II, Section 5 (ii). In any event, no amount due to a member for its shares shall be paid until six months after the date upon which the government ceases to be a member.
- (ii) Payments for shares may be made from time to time, upon their surrender by the government, to the extent by which the amount due as the repurchase price in (b) above exceeds the aggregate of liabilities on loans and guarantees in (c) (i) above until the former member has received the full repurchase price.
- (iii) Payments shall be made in the currency of the country receiving payment or at the option of the Bank in gold.
- (iv) If losses are sustained by the Bank on any guarantees, participations in loans, or loans which were outstanding on the date when the government ceased to be a member, and the amount of such losses exceeds the amount of the reserve provided against losses on the date when the government

Repurchase of
shares by Bank.

Conditions.

Ante, p. 1442.

ceased to be a member, such government shall be obligated to repay upon demand the amount by which the repurchase price of its shares would have been reduced, if the losses had been taken into account when the repurchase price was determined. In addition, the former member government shall remain liable on any call for unpaid subscriptions under Article II, Section 5 (ii), to the extent that it would have been required to respond if the impairment of capital had occurred and the call had been made at the time the repurchase price of its shares was determined.

Ante, p. 1442.

(d) If the Bank suspends permanently its operations under Section 5 (b) of this Article, within six months of the date upon which any government ceases to be a member, all rights of such government shall be determined by the provisions of Section 5 of this Article.

Section 5. Suspension of operations and settlement of obligations

(a) In an emergency the Executive Directors may suspend temporarily operations in respect of new loans and guarantees pending an opportunity for further consideration and action by the Board of Governors.

Suspension of new loans and guarantees.

(b) The Bank may suspend permanently its operations in respect of new loans and guarantees by vote of a majority of the Governors, exercising a majority of the total voting power. After such suspension of operations the Bank shall forthwith cease all activities, except those incident to the orderly realization, conservation, and preservation of its assets and settlement of its obligations.

(c) The liability of all members for uncalled subscriptions to the capital stock of the Bank and in respect of the depreciation of their own currencies shall continue until all claims of creditors, including all contingent claims, shall have been discharged.

Payment of claims.

(d) All creditors holding direct claims shall be paid out of the assets of the Bank, and then out of payments to the Bank on calls on unpaid subscriptions. Before making any payments to creditors holding direct claims, the Executive Directors shall make such arrangements as are necessary, in their judgment, to insure a distribution to holders of contingent claims ratably with creditors holding direct claims.

(e) No distribution shall be made to members on account of their subscriptions to the capital stock of the Bank until

- (i) all liabilities to creditors have been discharged or provided for, and
- (ii) a majority of the Governors, exercising a majority of the total voting power, have decided to make a distribution.

Distribution of assets.

(f) After a decision to make a distribution has been taken under (e) above, the Executive Directors may by a two-thirds majority vote make successive distributions of the assets of the Bank to members until all of the assets have been distributed. This distribution shall

be subject to the prior settlement of all outstanding claims of the Bank against each member.

(g) Before any distribution of assets is made, the Executive Directors shall fix the proportionate share of each member according to the ratio of its shareholding to the total outstanding shares of the Bank.

(h) The Executive Directors shall value the assets to be distributed as at the date of distribution and then proceed to distribute in the following manner:

- (i) There shall be paid to each member in its own obligations or those of its official agencies or legal entities within its territories, insofar as they are available for distribution, an amount equivalent in value to its proportionate share of the total amount to be distributed.
 - (ii) Any balance due to a member after payment has been made under (i) above shall be paid, in its own currency, insofar as it is held by the Bank, up to an amount equivalent in value to such balance.
 - (iii) Any balance due to a member after payment has been made under (i) and (ii) above shall be paid in gold or currency acceptable to the member, insofar as they are held by the Bank, up to an amount equivalent in value to such balance.
 - (iv) Any remaining assets held by the Bank after payments have been made to members under (i), (ii), and (iii) above shall be distributed *pro rata* among the members.
- (i) Any member receiving assets distributed by the Bank in accordance with (h) above, shall enjoy the same rights with respect to such assets as the Bank enjoyed prior to their distribution.

ARTICLE VII

STATUS, IMMUNITIES AND PRIVILEGES

Section 1. *Purposes of Article*

To enable the Bank to fulfill the functions with which it is entrusted, the status, immunities and privileges set forth in this Article shall be accorded to the Bank in the territories of each member.

Section 2. *Status of the Bank*

The Bank shall possess full juridical personality, and, in particular, the capacity:

- (i) to contract;
- (ii) to acquire and dispose of immovable and movable property;
- (iii) to institute legal proceedings.

Section 3. *Position of the Bank with regard to judicial process*

Actions may be brought against the Bank only in a court of competent jurisdiction in the territories of a member in which the Bank has an office, has appointed an agent for the purpose of accepting service or notice of process, or has issued or guaranteed securities. No actions

shall, however, be brought by members or persons acting for or deriving claims from members. The property and assets of the Bank shall, wheresoever located and by whomsoever held, be immune from all forms of seizure, attachment or execution before the delivery of final judgment against the Bank.

Section 4. *Immunity of assets from seizure*

Property and assets of the Bank, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation or any other form of seizure by executive or legislative action.

Section 5. *Immunity of archives*

The archives of the Bank shall be inviolable.

Section 6. *Freedom of assets from restrictions*

To the extent necessary to carry out the operations provided for in this Agreement and subject to the provisions of this Agreement, all property and assets of the Bank shall be free from restrictions, regulations, controls and moratoria of any nature.

Section 7. *Privilege for communications*

The official communications of the Bank shall be accorded by each member the same treatment that it accords to the official communications of other members.

Section 8. *Immunities and privileges of officers and employees*

All governors, executive directors, alternates, officers and employees of the Bank

- (i) shall be immune from legal process with respect to acts performed by them in their official capacity except when the Bank waives this immunity;
- (ii) not being local nationals, shall be accorded the same immunities from immigration restrictions, alien registration requirements and national service obligations and the same facilities as regards exchange restrictions as are accorded by members to the representatives, officials, and employees of comparable rank of other members;
- (iii) shall be granted the same treatment in respect of travelling facilities as is accorded by members to representatives, officials and employees of comparable rank of other members.

Section 9. *Immunities from taxation*

(a) The Bank, its assets, property, income and its operations and transactions authorized by this Agreement, shall be immune from all taxation and from all customs duties. The Bank shall also be immune from liability for the collection or payment of any tax or duty.

(b) No tax shall be levied on or in respect of salaries and emoluments paid by the Bank to executive directors, alternates, officials or employees of the Bank who are not local citizens, local subjects, or other local nationals.

(c) No taxation of any kind shall be levied on any obligation or security issued by the Bank (including any dividend or interest thereon) by whomsoever held—

- (i) which discriminates against such obligation or security solely because it is issued by the Bank; or
- (ii) if the sole jurisdictional basis for such taxation is the place or currency in which it is issued, made payable or paid, or the location of any office or place of business maintained by the Bank.

(d) No taxation of any kind shall be levied on any obligation or security guaranteed by the Bank (including any dividend or interest thereon) by whomsoever held—

- (i) which discriminates against such obligation or security solely because it is guaranteed by the Bank; or
- (ii) if the sole jurisdictional basis for such taxation is the location of any office or place of business maintained by the Bank.

Section 10. *Application of Article*

Each member shall take such action as is necessary in its own territories for the purpose of making effective in terms of its own law the principles set forth in this Article and shall inform the Bank of the detailed action which it has taken.

ARTICLE VIII

AMENDMENTS

(a) Any proposal to introduce modifications in this Agreement, whether emanating from a member, a governor or the Executive Directors, shall be communicated to the Chairman of the Board of Governors who shall bring the proposal before the Board. If the proposed amendment is approved by the Board the Bank shall, by circular letter or telegram, ask all members whether they accept the proposed amendment. When three-fifths of the members, having four-fifths of the total voting power, have accepted the proposed amendment, the Bank shall certify the fact by a formal communication addressed to all members.

(b) Notwithstanding (a) above, acceptance by all members is required in the case of any amendment modifying

- (i) the right to withdraw from the Bank provided in Article VI, Section 1; *Artc, p. 1454.*
- (ii) the right secured by Article II, Section 3 (c); *Artc, p. 1441.*
- (iii) the limitation on liability provided in Article II, Section 6. *Artc, p. 1442.*

(c) Amendments shall enter into force for all members three months after the date of the formal communication unless a shorter period is specified in the circular letter or telegram.

ARTICLE IX

INTERPRETATION

(a) Any question of interpretation of the provisions of this Agreement arising between any member and the Bank or between any members of the Bank shall be submitted to the Executive Directors for their decision. If the question particularly affects any member not entitled to appoint an executive director, it shall be entitled to representation in accordance with Article V, Section 4 (h).

Ante, p. 1452.

(b) In any case where the Executive Directors have given a decision under (a) above, any member may require that the question be referred to the Board of Governors, whose decision shall be final. Pending the result of the reference to the Board, the Bank may, so far as it deems necessary, act on the basis of the decision of the Executive Directors.

Submittal of disagreement to arbitration.

(c) Whenever a disagreement arises between the Bank and a country which has ceased to be a member, or between the Bank and any member during the permanent suspension of the Bank, such disagreement shall be submitted to arbitration by a tribunal of three arbitrators, one appointed by the Bank, another by the country involved and an umpire who, unless the parties otherwise agree, shall be appointed by the President of the Permanent Court of International Justice or such other authority as may have been prescribed by regulation adopted by the Bank. The umpire shall have full power to settle all questions of procedure in any case where the parties are in disagreement with respect thereto.

ARTICLE X

APPROVAL DEEMED GIVEN

Whenever the approval of any member is required before any act may be done by the Bank, except in Article VIII, approval shall be deemed to have been given unless the member presents an objection within such reasonable period as the Bank may fix in notifying the member of the proposed act.

Ante, p. 1459.

ARTICLE XI

FINAL PROVISIONS

Section 1. *Entry into force*

This Agreement shall enter into force when it has been signed on behalf of governments whose minimum subscriptions comprise not less than sixty-five percent of the total subscriptions set forth in Schedule A and when the instruments referred to in Section 2 (a) of this Article have been deposited on their behalf, but in no event shall this Agreement enter into force before May 1, 1945.

Post, p. 1466.

Section 2. *Signature*

(a) Each government on whose behalf this Agreement is signed shall deposit with the Government of the United States of America an instrument setting forth that it has accepted this Agreement in

Deposit of instruments of acceptance.

accordance with its law and has taken all steps necessary to enable it to carry out all of its obligations under this Agreement.^[1]

(b) Each government shall become a member of the Bank as from the date of the deposit on its behalf of the instrument referred to in (a) above, except that no government shall become a member before this Agreement enters into force under Section 1 of this Article.

(c) The Government of the United States of America shall inform the governments of all countries whose names are set forth in Schedule A, and all governments whose membership is approved in accordance with Article II, Section 1 (b), of all signatures of this Agreement and of the deposit of all instruments referred to in (a) above.

Post, p. 1466.

Ante, p. 1441.

(d) At the time this Agreement is signed on its behalf, each government shall transmit to the Government of the United States of America one one-hundredth of one percent of the price of each share in gold or United States dollars for the purpose of meeting administrative expenses of the Bank. This payment shall be credited on account of the payment to be made in accordance with Article II, Section 8 (a). The Government of the United States of America shall hold such funds in a special deposit account and shall transmit them to the Board of Governors of the Bank when the initial meeting has been called under Section 3 of this Article. If this Agreement has not come into force by December 31, 1945, the Government of the United States of America shall return such funds to the governments that transmitted them.

Transmittal of funds for administrative expenses.

Ante, p. 1442.

(e) This Agreement shall remain open for signature at Washington on behalf of the governments of the countries whose names are set forth in Schedule A until December 31, 1945.

Post, p. 1466.

(f) After December 31, 1945, this Agreement shall be open for signature on behalf of the government of any country whose membership has been approved in accordance with Article II, Section 1 (b).

Ante, p. 1441.

(g) By their signature of this Agreement, all governments accept it both on their own behalf and in respect of all their colonies, overseas territories, all territories under their protection, suzerainty, or authority and all territories in respect of which they exercise a mandate.

(h) In the case of governments whose metropolitan territories have been under enemy occupation, the deposit of the instrument

Enemy occupation.

¹ [Instruments of acceptance have been deposited with the Department of State by the following countries: Belgium on Dec. 27, 1945; Bolivia on Dec. 27, 1945; Brazil on Jan. 14, 1946; Canada on Dec. 27, 1945; Chile on Dec. 31, 1945; China on Dec. 26, 1945; Costa Rica on Jan. 8, 1946; Czechoslovakia on Dec. 26, 1945; Dominican Republic on Dec. 28, 1945; Ecuador on Dec. 28, 1945; Egypt on Dec. 26, 1945; Ethiopia on Dec. 12, 1945; France on Dec. 27, 1945; Greece on Dec. 26, 1945; Guatemala on Dec. 28, 1945; Honduras on Dec. 26, 1945; Iceland on Dec. 27, 1945; India on Dec. 27, 1945; Iran on Dec. 29, 1945; Iraq on Dec. 26, 1945; Luxembourg on Dec. 26, 1945; Mexico on Dec. 31, 1945; Netherlands on Dec. 26, 1945; Norway on Dec. 27, 1945; Paraguay on Dec. 28, 1945; Peru on Dec. 31, 1945; Philippine Commonwealth on Dec. 21, 1945; Poland on Jan. 10, 1946; Union of South Africa on Dec. 26, 1945; United Kingdom of Great Britain and Northern Ireland on Dec. 27, 1945; United States of America on Dec. 20, 1945; Yugoslavia on Dec. 26, 1945.]

referred to in (a) above may be delayed until one hundred and eighty days after the date on which these territories have been liberated. If, however, it is not deposited by any such government before the expiration of this period, the signature affixed on behalf of that government shall become void and the portion of its subscription paid under (d) above shall be returned to it.

(i) Paragraphs (d) and (h) shall come into force with regard to each signatory government as from the date of its signature.

Section 3. *Inauguration of the Bank*

(a) As soon as this Agreement enters into force under Section 1 of this Article, each member shall appoint a governor and the member to whom the largest number of shares is allocated in Schedule A shall call the first meeting of the Board of Governors.

Provisional execu-
tive directors.

(b) At the first meeting of the Board of Governors, arrangements shall be made for the selection of provisional executive directors. The governments of the five countries, to which the largest number of shares are allocated in Schedule A, shall appoint provisional executive directors. If one or more of such governments have not become members, the executive directorships which they would be entitled to fill shall remain vacant until they become members, or until January 1, 1946, whichever is the earlier. Seven provisional executive directors shall be elected in accordance with the provisions of Schedule B and shall remain in office until the date of the first regular election of executive directors which shall be held as soon as practicable after January 1, 1946.

Post, p. 1466.

Post, p. 1467.

(c) The Board of Governors may delegate to the provisional executive directors any powers except those which may not be delegated to the Executive Directors.

(d) The Bank shall notify members when it is ready to commence operations.

DONE at Washington, in a single copy which shall remain deposited in the archives of the Government of the United States of America, which shall transmit certified copies to all governments whose names are set forth in Schedule A and to all governments whose membership is approved in accordance with Article II, Section 1 (b).

Ante, p. 1441.

FOR AUSTRALIA:

FOR BELGIUM:

L. A. GOFFIN, *december 27. 1945*

FOR BOLIVIA:

V ANDRADE

December 27, 1945

FOR BRAZIL:

FERNANDO LOBO

27 Dec 1945

FOR CANADA:

LESTER B PEARSON

Dec 27/45.

FOR CHILE:

MARCIAL MORA M
Dec. 31 1945.—

FOR CHINA:

WEI TAO-MING
December 27, 1945

FOR COLOMBIA:

FOR COSTA RICA:

F GUTIERREZ
December 27 - 1945.

FOR CUBA:

GMO BELT
December 31, 1945

FOR CZECHOSLOVAKIA:

V. S. HURBAN
Dec 27 - 1945.

FOR THE DOMINICAN REPUBLIC:

EMILIO G GODOY
December 28 - 45.

FOR ECUADOR:

GALO PLAZA
December 27 - 45

FOR EGYPT:

ANIS AZER
December 27, 1945

FOR EL SALVADOR:

FOR ETHIOPIA:

G. TESEMMA
Dec. 27, 1945.

FOR FRANCE:

H BONNET
27 Decembre 1945

FOR GREECE:

C. P. DIAMANTOPOULOS
December 27. 1945.

FOR GUATEMALA:

JORGE GARCÍA GRANADOS
27 de Diciembre de 1945

FOR HAITI:

FOR HONDURAS:

JULLÁN R CÁCERES
December 27, 1945

FOR ICELAND:

THOR THORS
December 27, 1945

FOR INDIA:

G. S. BAJPAL.
27. 12. '45

FOR IRAN:

HUSSEIN ALA
December 28th 1945.

FOR IRAQ:

ALI JAWDAT *Dec 27 - 1945*

FOR LIBERIA:

FOR LUXEMBOURG:

HUGUES LE GALLAIS
December 27th 1945

FOR MEXICO:

A. ESPINOSA DE LOS MONTEROS, *Dec. 31st, 1945.*

FOR THE NETHERLANDS:

A. LOUDON
Dec. 27th 1945.-

FOR NEW ZEALAND:

FOR NICARAGUA:

FOR NORWAY:

W. MUNTHE MORGENSTIERNE
December 27th 1945.

FOR PANAMA:

FOR PARAGUAY:

CELSO R. VELÁZQUEZ
December 27, 1945-

FOR PERU:

H FERNÁNDEZ DÁVILA
Dec 31, 1945.-

FOR THE PHILIPPINE COMMONWEALTH:

CARLOS P. ROMULO
December 27, 1945

FOR POLAND:

OSKAR LANGE
December 27, 1945

FOR THE UNION OF SOUTH AFRICA:

H T ANDREWS
December 27 1945

FOR THE UNION OF SOVIET SOCIALIST
REPUBLICS:FOR THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND:

HALIFAX.
Dec. 27. 1945.

FOR THE UNITED STATES OF AMERICA:

FRED M. VINSON

Dec. 27, 1945

FOR URUGUAY:

CÉSAR MONTERO B.

Dec. 27 1945

FOR VENEZUELA:

FOR YUGOSLAVIA:

STANOJE SIMIC 27 XII. 1945.

SCHEDULE A

	<i>Subscriptions</i>	(millions of dollars)
Australia		200
Belgium		225
Bolivia		7
Brazil		105
Canada		325
Chile		35
China		600
Colombia		35
Costa Rica		2
Cuba		35
Czechoslovakia		125
*Denmark		
Dominican Republic		2
Ecuador		3.2
Egypt		40
El Salvador		1
Ethiopia		3
France		450
Greece		25
Guatemala		2
Haiti		2
Honduras		1
Iceland		1
India		400
Iran		24
Iraq		6
Liberia		.5
Luxembourg		10
Mexico		65
Netherlands		275
New Zealand		50
Nicaragua		.8
Norway		50
Panama		.2
Paraguay		.8
Peru		17.5
Philippine Commonwealth		15
Poland		125
Union of South Africa		100
Union of Soviet Socialist Republics		1200

* The quota of Denmark shall be determined by the Bank after Denmark accepts membership in accordance with these Articles of Agreement.

Subscriptions—Continued

	(millions of dollars)
United Kingdom	1300
United States	3175
Uruguay	10.5
Venezuela	10.5
Yugoslavia	40
Total	9100

SCHEDULE B

Election of Executive Directors

1. The election of the elective executive directors shall be by ballot of the Governors eligible to vote under Article V, Section 4 (b).
2. In balloting for the elective executive directors, each governor eligible to vote shall cast for one person all of the votes to which the member appointing him is entitled under Section 3 of Article V. The seven persons receiving the greatest number of votes shall be executive directors, except that no person who receives less than fourteen percent of the total of the votes which can be cast (eligible votes) shall be considered elected.
3. When seven persons are not elected on the first ballot, a second ballot shall be held in which the person who received the lowest number of votes shall be ineligible for election and in which there shall vote only (a) those governors who voted in the first ballot for a person not elected and (b) those governors whose votes for a person elected are deemed under 4 below to have raised the votes cast for that person above fifteen percent of the eligible votes.
4. In determining whether the votes cast by a governor are to be deemed to have raised the total of any person above fifteen percent of the eligible votes, the fifteen percent shall be deemed to include, first, the votes of the governor casting the largest number of votes for such person, then the votes of the governor casting the next largest number, and so on until fifteen percent is reached.
5. Any governor, part of whose votes must be counted in order to raise the total of any person above fourteen percent, shall be considered as casting all of his votes for such person even if the total votes for such person thereby exceed fifteen percent.
6. If, after the second ballot, seven persons have not been elected, further ballots shall be held on the same principles until seven persons have been elected, provided that after six persons are elected, the seventh may be elected by a simple majority of the remaining votes and shall be deemed to have been elected by all such votes.

Ante, p. 1451.*Ante*, p. 1451.

List of Articles and Sections

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SCHEDULE B. Election of Executive Directors

December 28, 1945
[T. I. A. S. 1503]

Agreement between the United States of America and Honduras respecting a military mission. Signed at Washington December 28, 1945; effective December 28, 1945.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF HONDURAS

ACUERDO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA Y EL GOBIERNO DE LA REPÚBLICA DE HONDURAS

In conformity with the request of the Government of the Republic of Honduras to the Government of the United States of America, the President of the United States of America has authorized the appointment of officers and enlisted men of the United States Army to constitute a Military Mission to the Republic of Honduras under the conditions specified below:

De conformidad con la solicitud del Gobierno de la República de Honduras al Gobierno de los Estados Unidos de América, el Presidente de los Estados Unidos de América ha autorizado el nombramiento de oficiales y personal subalterno del Ejército de los Estados Unidos que constituyan una Misión Militar en la República de Honduras de acuerdo con las condiciones estipuladas a continuación:

TITLE I

Purpose and Duration

ARTICLE 1. The purpose of this Mission is to cooperate with the Ministry of War, the Chief of Staff of the Republic of Honduras and with the personnel of the Honduran Army, with a view to enhancing the efficiency of the Honduran Army and Air Forces.

ARTICLE 2. This Mission shall continue for a period of four years from the date of the signing of this Agreement by the accredited representatives of the Government of the United States of America and the Government of the Republic of Honduras, unless previously terminated or extended as hereinafter provided. Any

TÍTULO I

Objeto y Duración

ARTÍCULO 1. El objeto de esta Misión es cooperar con el Ministerio de la Guerra, con el Jefe del Estado Mayor de la República de Honduras y con el personal del Ejército hondureño en el propósito de aumentar la eficiencia del Ejército y la Fuerza Aérea hondureños.

ARTÍCULO 2. Esta Misión continuará por un período de cuatro años a partir de la fecha de la firma de este Acuerdo por los representantes acreditados del Gobierno de los Estados Unidos de América y del Gobierno de la República de Honduras, a menos que se dé por terminado antes o se prorrogue en la forma que se

member of the Mission may be recalled by the Government of the United States of America after the expiration of two years of service, in which case another member shall be furnished to replace him.

ARTICLE 3. If the Government of the Republic of Honduras should desire that the services of the Mission be extended beyond the stipulated period, it shall make a written proposal to that effect six months before the expiration of this Agreement.

ARTICLE 4. This Agreement may be terminated before the expiration of the period of four years prescribed in Article 2, or before the expiration of the extension authorized in Article 3, in the following manner:

(a) By either of the Governments, subject to three months' written notice to the other Government;

(b) By the recall of the entire personnel of the Mission by the Government of the United States of America in the public interest of the United States of America, without necessity of compliance with provision (a) of this Article.

ARTICLE 5. This Agreement is subject to cancellation upon the initiative of either the Government of the United States of America or the Government of the Republic of Honduras at any time during a period when either Government is involved in domestic or foreign hostilities.

TITLE II

Composition and Personnel

ARTICLE 6. This Mission shall consist of such number of personnel of the United States Army and

establece más adelante. Cualquiera miembro de la Misión podrá ser retirado por el Gobierno de los Estados Unidos de América después de transcurridos dos años de servicio, y en tal caso se nombrará a otro en su lugar.

ARTÍCULO 3. Si el Gobierno de la República de Honduras deseara que se prorroguen los servicios de la Misión más allá del período estipulado, hará una propuesta por escrito con ese objeto seis meses antes de la expiración de este Acuerdo.

ARTÍCULO 4. Este Acuerdo podrá terminarse antes de la expiración del período de cuatro años prescrito en el Artículo 2, o antes de la expiración de la prórroga autorizada en el Artículo 3, de la manera siguiente:

(a) Por cualquiera de los dos Gobiernos, siempre que lo notifique por escrito al otro Gobierno con tres meses de anticipación;

(b) Al retirar el Gobierno de los Estados Unidos de América a todo el personal de la Misión en interés público de los Estados Unidos de América, sin necesidad de cumplir con el inciso (a) de este Artículo.

ARTÍCULO 5. Este Acuerdo está sujeto a cancelación por iniciativa del Gobierno de los Estados Unidos de América o del Gobierno de la República de Honduras en cualquier momento, durante un período en que cualquiera de los dos Gobiernos se vea envuelto en hostilidades internas o externas.

TÍTULO II

Composición y Personal

ARTÍCULO 6. Esta Misión consistirá del personal del Ejército y de la Fuerza Aérea de los Estados Unidos

Extension of services of Mission.

Termination of Agreement.

Cancellation in case of hostilities.

Air Force as may be agreed upon by the Minister of War of the Republic of Honduras through his authorized representative in Washington and by the War Department of the United States of America. The individuals to be assigned shall be those agreed upon by the Minister of War of the Republic of Honduras or his authorized representative and by the War Department of the United States of America or its authorized representative.

que convengan el Ministro de Guerra de la República de Honduras por conducto de su representante autorizado en Washington, y la Secretaría de Guerra de los Estados Unidos de América. Los oficiales que se asignen serán los que determinen por mutuo acuerdo el Ministro de la Guerra de la República de Honduras, o su representante autorizado, y la Secretaría de Guerra de los Estados Unidos de América o su representante autorizado.

TITLE III

Duties, Rank and Precedence

Tentative program.

ARTICLE 7. Prior to inception of operations by the Mission under this Agreement, a tentative program for the Mission will be informally agreed upon between the Ministry of War of the Republic of Honduras and representatives of the War and State Departments of the United States of America.

Any changes in this program which experience may demonstrate to be desirable shall be similarly agreed upon. The Mission shall carry out such duties as may be determined in pursuance of this Article and such other duties consistent with the purposes of this Agreement as set forth in Article 1 as may be assigned by the Ministry of War of the Republic of Honduras. The members of the Mission shall be responsible directly to the Ministry of War of the Republic of Honduras.

ARTICLE 8. Each member of the Mission shall serve on the Mission with the rank he holds in the United States Army or Air

TÍTULO III

Deberes, Rango y Precedencia

ARTÍCULO 7. Antes que la Misión dé comienzo a sus funciones de conformidad con este Acuerdo, el Ministerio de Guerra de la República de Honduras y representantes de las Secretarías de Guerra y Estado de los Estados Unidos de América convendrán extraoficialmente en un programa tentativo para la Misión.

En forma similar se determinarán cualesquier cambios en este programa que la experiencia demuestre que son convenientes. La Misión desempeñará los deberes que se determinen en cumplimiento de este Artículo y cualesquiera otros deberes consistentes con los propósitos de este Acuerdo, según se expresan en el Artículo 1, que le asigne el Ministerio de la Guerra de la República de Honduras. Los miembros de la Misión serán responsables directamente al Ministerio de la Guerra de la República de Honduras.

ARTÍCULO 8. Cada miembro de la Misión servirá en ella con el rango que tenga en el Ejército o en la Fuerza Aérea de los Estados

Force, and shall wear the uniform of his rank in the United States Army or Air Force, but shall have precedence over all Honduran officers of the same rank.

ARTICLE 9. Each member of the Mission shall be entitled to all benefits and privileges which the Regulations of the Honduran Army provide for Honduran officers and subordinate personnel of corresponding rank.

ARTICLE 10. The personnel of the Mission shall be governed by the disciplinary regulations of the United States War Department.

TITLE IV

Compensation and Perquisites

ARTICLE 11. Members of the Mission shall receive from the Government of the Republic of Honduras such net annual compensation as may be agreed upon between the Government of the United States of America and the Government of the Republic of Honduras for each member. This compensation shall be paid in twelve (12) equal monthly installments, each due and payable on the last day of the month. The compensation shall not be subject to any tax, now or hereafter in effect, of the Government of the Republic of Honduras or of any of its political or administrative subdivisions. Should there, however, at present or while this Agreement is in effect, be any taxes that might affect this compensation, such taxes shall be borne by the Government of the Republic of Honduras in order to comply with the provisions of this Article that the compensation agreed upon shall be net.

Unidos, y usará el uniforme correspondiente a su rango en el Ejército o la Fuerza Aérea de los Estados Unidos, pero tendrá precedencia sobre todos los oficiales hondureños de igual rango.

ARTÍCULO 9. Cada miembro de la Misión tendrá derecho a todos los beneficios y privilegios que los Reglamentos del Ejército hondureño proveen para los oficiales y el personal subalterno hondureños de rango correspondiente.

ARTÍCULO 10. El personal de la Misión se regirá por los reglamentos disciplinarios de la Secretaría de Guerra de los Estados Unidos.

TÍTULO IV

Remuneración y Obvenciones

ARTÍCULO 11. Los miembros de la Misión recibirán del Gobierno de la República de Honduras la remuneración neta anual que para cada miembro convengan el Gobierno de los Estados Unidos de América y el Gobierno de la República de Honduras. Esta remuneración se abonará en doce (12) mensualidades iguales, que vencen y deben pagarse el último día de cada mes. La remuneración no estará sujeta a impuesto alguno, ahora en vigor o que se imponga en el futuro, del Gobierno de la República de Honduras ni de ninguna de sus dependencias políticas o administrativas. Sin embargo, si al presente o durante la vigencia de este Acuerdo existieren impuestos que puedan afectar esta remuneración, dichos impuestos los sufragará el Gobierno de la República de Honduras a fin de cumplir con la estipulación de este Artículo de que la remuneración que se convenga será neta.

Benefits and privileges.

Disciplinary regulations.

Tax exemption.

ARTICLE 12. The compensation agreed upon as indicated in the preceding Article shall commence upon the date of departure from the United States of America, or by mutual agreement when departure is from a place other than the United States of America, of each member of the Mission, and, except as otherwise expressly provided in this Agreement, shall continue, following the termination of duty with the Mission, for the return voyage to the United States of America and thereafter for the period of any accumulated leave which may be due.

ARTÍCULO 12. La remuneración que se convenga según se indica en el Artículo anterior comenzará a devengarse desde la fecha en que cada miembro de la Misión parta de los Estados Unidos de América, o según se convenga cuando el miembro de la Misión salga de un lugar que no sea los Estados Unidos de América y, salvo lo que expresamente se dispone en contrario en este Acuerdo, continuará después de la terminación de sus servicios con la Misión, durante el viaje de regreso a los Estados Unidos de América y por el período que dure la licencia acumulada a que tenga derecho.

ARTICLE 13. The compensation due for the period of the return trip and accumulated leave shall be paid to a detached member of the Mission before his departure from the Republic of Honduras, and such payment shall be computed for travel by the shortest usually traveled route to the port of entry in the United States of America, regardless of the route and method of travel used by the member of the Mission.

ARTÍCULO 13. La remuneración que se adeude por el período que dure el viaje de regreso y por el de la licencia acumulada se le pagará al miembro de la Misión a quien se retire, antes de su partida de la República de Honduras, y el pago se calculará a base de viaje por la ruta regular más corta hasta el puerto de entrada a los Estados Unidos de América, no importa qué ruta o qué sistema de transporte utilice el miembro de la Misión.

ARTICLE 14. Each member of the Mission and each dependent member of his family shall be provided with first-class accommodations for travel required and performed under this Agreement by the shortest usually traveled route between the port of embarkation in the United States of America and his official residence in the Republic of Honduras and from his official residence in the Republic of Honduras to the port of debarkation in the United States of America. Each member of the Mission shall be reimbursed for the expenses of shipment

ARTÍCULO 14. A cada miembro de la Misión y a cada uno de sus familiares no emancipados se les proporcionará pasaje de primera clase por la ruta ordinaria más corta, para el viaje que se requiera y que se efectúe de conformidad con este Acuerdo entre el puerto de embarque en los Estados Unidos de América y su residencia oficial en la República de Honduras, y desde su residencia oficial en la República de Honduras hasta el puerto de desembarque en los Estados Unidos de América. Se reembolsará a cada miembro de la Misión los gastos

Travel accommodations.

Shipment of household effects, etc.

of his household effects and baggage; such reimbursement shall include all necessary expenses incident to unloading from the steamer upon arrival in the Republic of Honduras, cartage between the ship and the residence in the Republic of Honduras, and packing and loading on board the steamer upon departure from the Republic of Honduras. The cost of this transportation for members of the Mission, dependent members of their families, their household effects and baggage shall be borne by the Government of the United States of America. The transportation of such household effects and baggage shall be made in a single shipment and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise provided in this Agreement or when such shipments are necessitated by circumstances beyond their control. The provisions of this Article shall likewise apply to officers who are subsequently detailed to the Republic of Honduras for temporary duty, as additional personnel or replacements for members of the Mission. The expenses of shipment of automobiles of the members of the Mission shall be borne by the Government of the Republic of Honduras.

ARTICLE 15. The Government of the Republic of Honduras shall grant, upon request of the members of the Mission, exemption from customs duties on articles imported for the official use of the Mission or the personal use of the members thereof and of members of their families, provided that their request for free entry has received the approval of the Ambassador of the United States of

de transporte de sus efectos domésticos y equipaje; dicho reembolso incluirá todos los gastos inherentes a la descarga al llegar el barco a la República de Honduras, el acarreo desde el barco hasta la residencia en la República de Honduras, y el embalaje y embarque a bordo del barco al partir de la República de Honduras. El costo de este transporte de los miembros de la Misión, de sus familiares no emancipados, de sus efectos domésticos y equipaje, será pagado por el Gobierno de los Estados Unidos de América. El transporte de dichos efectos domésticos y equipaje se efectuará en un solo embarque, y todos los embarques sucesivos correrán por cuenta de los respectivos miembros de la Misión, excepto lo que se disponga en contrario en este Acuerdo, o cuando circunstancias ajenas a su voluntad hagan necesarios dichos embarques. Las disposiciones de este Artículo se aplicarán de igual forma a oficiales que subsiguientemente se destaquen para servicio temporal en la República de Honduras como personal adicional o como reemplazos de miembros de la Misión. Los gastos de embarque de automóviles de los miembros de la Misión los pagará el Gobierno de la República de Honduras.

ARTÍCULO 15. A solicitud de los miembros de la Misión, el Gobierno de la República de Honduras eximirá del pago de derechos de aduana los artículos que se importen para uso oficial de la Misión o para uso personal de los miembros de la misma o de miembros de su familia, siempre que su solicitud de entrada libre haya recibido la aprobación del Embajador de los Estados Unidos

Exemption from
customs duties.

America or of the Chargé de América o del Encargado de d'Affaires ad interim. Negocios ad interim.

Compensation for transportation and traveling expenses.

ARTICLE 16. Compensation for transportation and traveling expenses in the Republic of Honduras on official business of the Government of the Republic of Honduras shall be provided by the Government of the Republic of Honduras in accordance with the provisions of Article 9.

ARTÍCULO 16. El Gobierno de la República de Honduras proveerá compensación por gastos de transporte y de viaje en la República de Honduras cuando se trate de asuntos oficiales del Gobierno de la República de Honduras, de acuerdo con las estipulaciones del Artículo 9.

Ante, p. 1473.

Motor transportation, etc.

ARTICLE 17. Suitable motor transportation with chauffeur, shall on call be made available by the Government of the Republic of Honduras for use by the members of the Mission for the conduct of the official business of the Mission.

ARTÍCULO 17. El Gobierno de la República de Honduras, cuando se le solicite, proporcionará transporte adecuado en automóvil con chófer para uso de los miembros de la Misión en la tramitación de los asuntos oficiales de la misma.

Office space, etc.

ARTICLE 18. The Government of the Republic of Honduras shall provide suitable office space and facilities for the use of the members of the Mission.

ARTÍCULO 18. El Gobierno de la República de Honduras proporcionará una oficina adecuada, equipada debidamente, para uso de los miembros de la Misión.

TITLE V

TÍTULO V

Requisites and Conditions

Requisitos y Condiciones

Services of personnel of other foreign governments, restriction.

ARTICLE 19. So long as this Agreement, or any extension thereof, is in effect, the Government of the Republic of Honduras shall not engage the services of any personnel of any other foreign government for duties of any nature connected with the Honduran Army or Air Force, except by mutual agreement between the Government of the United States of America and the Government of the Republic of Honduras.

ARTÍCULO 19. Mientras esté en vigor este Acuerdo o cualquier prórroga del mismo, el Gobierno de la República de Honduras no contratará personal de ningún gobierno extranjero para prestar servicios de ninguna naturaleza relacionados con el Ejército o la Fuerza Aérea hondureños, excepto por acuerdo mutuo entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de Honduras.

Secrecy requirement.

ARTICLE 20. Each member of the Mission shall agree not to divulge or in any way disclose to any foreign government or to any person whatsoever any secret or confidential matter of which he may become cognizant in his ca-

ARTÍCULO 20. Cada miembro de la Misión se comprometerá a no divulgar, ni a revelar por ningún medio a gobierno extranjero alguno, o a persona alguna, ningún secreto ni asunto confidencial que puedan llegar a su conocimiento

capacity as a member of the Mission. This requirement shall continue in force after the termination of service with the Mission and after the expiration or cancellation of this Agreement or any extension thereof.

ARTICLE 21. Throughout this Agreement the term "family" is limited to mean wife and dependent children.

ARTICLE 22. Each member of the Mission shall be entitled to one month's annual leave with pay, or to a proportional part thereof with pay for any fractional part of a year. Unused portions of said leave shall be cumulative from year to year during service as a member of the Mission.

ARTICLE 23. The leave specified in the preceding Article may be spent in the Republic of Honduras, in the United States of America or in other countries, but the expense of travel and transportation not otherwise provided for in this Agreement shall be borne by the member of the Mission taking such leave. All travel time shall count as leave and shall not be in addition to the time authorized in the preceding Article.

ARTICLE 24. The leave specified in Article 22 may be spent in foreign countries, subject to the standing instructions of the War Department of the United States of America concerning visits abroad. In all cases the said leave or portions thereof, shall be taken by the officers only after consultation with the Ministry of

en su capacidad de miembro de la Misión. Este requisito continuará siendo obligatorio después de terminar el servicio con la Misión y después de la expiración o cancelación del presente Acuerdo o de cualquier prórroga del mismo.

ARTÍCULO 21. En todo este Acuerdo se entenderá que el término "familia" sólo comprende a la esposa y a los hijos no emancipados.

ARTÍCULO 22. Cada miembro de la Misión tendrá derecho anualmente a un mes de licencia con goce de sueldo, o a una parte proporcional de dicha licencia con sueldo por cualquier fracción de un año. Las partes de dicha licencia que no se usaren podrán acumularse de año en año mientras la persona preste servicio como miembro de la Misión.

ARTÍCULO 23. La licencia que se estipula en el Artículo anterior podrá disfrutarse en la República de Honduras, en los Estados Unidos de América o en otros países, pero los gastos de viaje y de transporte que no sean abonables según las disposiciones de este Acuerdo correrán por cuenta del miembro de la Misión que disfrute la licencia. Todo el tiempo que se emplee en viajar se contará como parte de la licencia, y no se añadirá al tiempo que se autoriza en el Artículo precedente.

ARTÍCULO 24. La licencia especificada en el Artículo 22 podrá disfrutarse en países extranjeros, sujeto a las instrucciones vigentes de la Secretaría de Guerra de los Estados Unidos de América respecto a viajes al extranjero. En todos los casos, los oficiales tomarán la referida licencia o cualesquier partes de la misma sólo

"Family."

Annual leave.

War of the Republic of Honduras with a view to ascertaining the mutual convenience of the Government of the Republic of Honduras and the officers in respect to this leave.

después de consultar con el Ministerio de la Guerra de la República de Honduras con el fin de determinar la conveniencia mutua del Gobierno de la República de Honduras y de los oficiales respecto a esta licencia.

Termination of services of replaced members.

ARTICLE 25. Members of the Mission that may be replaced shall terminate their services on the Mission only upon the arrival of their replacements, except when otherwise mutually agreed upon in advance by the respective Governments.

ARTÍCULO 25. Los miembros de la Misión a quienes se reemplacen terminarán sus servicios en la Misión solamente cuando lleguen sus reemplazos, excepto cuando los dos Gobiernos convengan de antemano en lo contrario.

Replacement in case of disability.

ARTICLE 26. Any member of the Mission unable to perform his duties with the Mission by reason of long continued physical disability shall be replaced.

ARTÍCULO 26. Se reemplazará a cualquier miembro de la Misión que no pueda desempeñar sus deberes en la misma por razón de prolongada inhabilidad física.

IN WITNESS WHEREOF, the undersigned, Dean Acheson, Acting Secretary of State of the United States of America, and Julián R. Cáceres, Ambassador Extraordinary and Plenipotentiary of the Republic of Honduras in Washington, duly authorized thereto, have signed this Agreement in duplicate, in the English and Spanish languages, at Washington this twenty-eighth day of December, one thousand nine hundred forty-five.

EN TESTIMONIO DE LO CUAL los infrascritos, Dean Acheson, Secretario de Estado Interino de los Estados Unidos de América, y Julián R. Cáceres, Embajador Extraordinario y Plenipotenciario de la República de Honduras en Washington, debidamente autorizados para ello, firman este Acuerdo en duplicado, en los idiomas inglés y español, en Washington, hoy día veintiocho de diciembre de mil novecientos cuarenta y cinco.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA:

[SEAL]

DEAN ACHESON

FOR THE GOVERNMENT OF THE REPUBLIC OF HONDURAS:
POR EL GOBIERNO DE LA REPUBLICA DE HONDURAS:

[SEAL]

JULIÁN R. CÁ CERES

Agreed declaration by the President of the United States of America, the Prime Minister of the United Kingdom, and the Prime Minister of Canada respecting atomic energy. Signed at Washington November 15, 1945.

November 15, 1945
[T. I. A. S. 1504]

ATOMIC ENERGY
AGREED DECLARATION BY

The President of the United States,
The Prime Minister of the United Kingdom, and
The Prime Minister of Canada.

THE PRESIDENT OF THE UNITED STATES, THE PRIME MINISTER OF THE UNITED KINGDOM, AND THE PRIME MINISTER OF CANADA, have issued the following statement.

1. We recognize that the application of recent scientific discoveries to the methods and practice of war has placed at the disposal of mankind means of destruction hitherto unknown, against which there can be no adequate military defence, and in the employment of which no single nation can in fact have a monopoly.

2. We desire to emphasize that the responsibility for devising means to ensure that the new discoveries shall be used for the benefit of mankind, instead of as a means of destruction, rests not on our nations alone, but upon the whole civilized world. Nevertheless, the progress that we have made in the development and use of atomic energy demands that we take an initiative in the matter, and we have accordingly met together to consider the possibility of international action :-

- (a) To prevent the use of atomic energy for destructive purposes
- (b) To promote the use of recent and future advances in scientific knowledge, particularly in the utilization of atomic energy, for peaceful and humanitarian ends.

3. We are aware that the only complete protection for the civilized world from the destructive use of scientific knowledge lies in the prevention of war. No system of safeguards that can be devised will of itself provide an effective guarantee against production of atomic weapons by a nation bent on aggression. Nor can we ignore the possibility of the development of other weapons, or of new methods of warfare, which may constitute as great a threat to civilization as the military use of atomic energy.

4. Representing as we do, the three countries which possess the knowledge essential to the use of atomic energy, we declare at the outset our willingness, as a first contribution, to proceed with the exchange of fundamental scientific information and the interchange of scientists and scientific literature for peaceful ends with any nation that will fully reciprocate.

5. We believe that the fruits of scientific research should be made available to all nations, and that freedom of investigation and free interchange of ideas are essential to the progress of knowledge. In pursuance of this policy, the basic scientific information essential to the development of atomic energy for peaceful purposes has already been made available to the world. It is our intention that all further information of this character that may become available from time

to time shall be similarly treated. We trust that other nations will adopt the same policy, thereby creating an atmosphere of reciprocal confidence in which political agreement and cooperation will flourish.

6. We have considered the question of the disclosure of detailed information concerning the practical industrial application of atomic energy. The military exploitation of atomic energy depends, in large part, upon the same methods and processes as would be required for industrial uses.

We are not convinced that the spreading of the specialized information regarding the practical application of atomic energy, before it is possible to devise effective, reciprocal, and enforceable safeguards acceptable to all nations, would contribute to a constructive solution of the problem of the atomic bomb. On the contrary we think it might have the opposite effect. We are, however, prepared to share, on a reciprocal basis with others of the United Nations, detailed information concerning the practical industrial application of atomic energy just as soon as effective enforceable safeguards against its use for destructive purposes can be devised.

7. In order to attain the most effective means of entirely eliminating the use of atomic energy for destructive purposes and promoting its widest use for industrial and humanitarian purposes, we are of the opinion that at the earliest practicable date a Commission should be set up under the United Nations Organization to prepare recommendations for submission to the Organization.

The Commission should be instructed to proceed with the utmost dispatch and should be authorized to submit recommendations from time to time dealing with separate phases of its work.

In particular the Commission should make specific proposals:

(a) For extending between all nations the exchange of basic scientific information for peaceful ends,

(b) For control of atomic energy to the extent necessary to ensure its use only for peaceful purposes,

(c) For the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction,

(d) For effective safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions.

8. The work of the Commission should proceed by separate stages, the successful completion of each one of which will develop the necessary confidence of the world before the next stage is undertaken. Specifically it is considered that the Commission might well devote its attention first to the wide exchange of scientists and scientific information, and as a second stage to the development of full knowledge concerning natural resources of raw materials.

9. Faced with the terrible realities of the application of science to destruction, every nation will realize more urgently than before the overwhelming need to maintain the rule of law among nations and to

banish the scourge of war from the earth. This can only be brought about by giving wholehearted support to the United Nations Organization, and by consolidating and extending its authority, thus creating conditions of mutual trust in which all peoples will be free to devote themselves to the arts of peace. It is our firm resolve to work without reservation to achieve these ends.

The City of Washington

THE WHITE HOUSE

November 15, 1945

HARRY S TRUMAN

President of the United States

C. R. ATTLEE.

Prime Minister of the United Kingdom

W L MACKENZIE KING.

Prime Minister of Canada

Agreement between the United States of America and Greece respecting commercial relations. Effected by exchange of notes signed at Washington January 2 and 11, 1946.

January 2, 11, 1946
[T. I. A. S. 1506]

The Greek Ambassador to the Secretary of State

ROYAL GREEK EMBASSY
WASHINGTON, D. C.

No. 5067

January 2, 1946

EXCELLENCY:

I have the honor to make the following statement of the understanding reached during our recent discussions:

1. With a view to promoting the expansion of production, employment, and the exchange and consumption of goods, the Government of the United States of America and the Greek Government hereby undertake that they will enter into negotiations at an appropriate date for the reaching of agreement between themselves and with other countries of like mind on mutually advantageous measures directed to the reduction of tariffs and trade barriers, and the elimination of all forms of discriminatory treatment in international commerce, payments and investments.

2. Pending the conclusion of negotiations envisaged in the foregoing paragraph, the Governments of the United States of America and Greece declare it to be their policy to avoid the adoption of new measures affecting international trade, payments or investments which would prejudice the objectives of such agreement. The two Governments shall afford each other an adequate opportunity for consultation regarding proposed measures falling within the scope of this paragraph.

Accept, Excellency, the renewed assurances of my highest consideration.

C. DIAMANTOPOULOS

His Excellency

MR. JAMES F. BYRNES

Secretary of State

Washington, D. C.

The Acting Secretary of State to the Greek Ambassador

DEPARTMENT OF STATE
WASHINGTON
January 11, 1946

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of January 2, 1946 concerning the understanding reached during our recent discussions in regard to promoting the expansion of production, employment and the exchange and consumption of goods, and hereby confirm your statement of the understanding reached as therein set out.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency

CIMON P. DIAMANTOPOULOS,
Ambassador of Greece.

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting the exchange of information on penicillin. Effected by exchange of notes signed at Washington January 25, 1946; effective December 1, 1943.

January 25, 1946
[T. I. A. S. 1506]

The Acting Secretary of State to the British Ambassador

DEPARTMENT OF STATE
WASHINGTON
January 25, 1946

EXCELLENCY:

Referring to the conversations which have been in progress between representatives of the Government of the United States of America and representatives of the Government of the United Kingdom of Great Britain and Northern Ireland with a view to the conclusion of an agreement between the two Governments on the principles applying to the exchange of information looking to the synthesis of penicillin, I have the honor to inform Your Excellency that the Government of the United States of America is prepared to enter into an agreement in accordance with the text enclosed herewith.

With particular reference to the provisions in Article II of the agreement, it is the understanding of the Government of the United States of America that the agreement is intended to and, when made effective, does confirm and formalize the terms on which, during the period December 1, 1943 to October 31, 1945, inclusive, scientific information pertaining to the purification, structure, or synthesis of penicillin, or a therapeutic equivalent, has been interchanged, to the same extent as though the agreement had been concluded and brought into force on the date of the commencement of that period.

Upon the receipt of a note from Your Excellency indicating that the agreement is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America will consider the agreement to be concluded and, in accordance with Article VI thereof, the agreement will be deemed to have become effective on December 1, 1943.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

Enclosure:
Text of agreement.

His Excellency
The Right Honorable the EARL OF HALIFAX, K. G.,
British Ambassador.

Post, p. 1428.

Post, p. 1430.

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES
AND OF THE UNITED KINGDOM ON THE PRINCIPLES APPLYING TO
THE EXCHANGE OF INFORMATION LOOKING TO THE SYNTHESIS OF
PENICILLIN -

WHEREAS, the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland, declare that they are engaged in a common undertaking to secure as promptly as possible the production of an adequate supply of high quality synthetic penicillin, or a therapeutic equivalent, at reasonable prices; and,

WHEREAS, in furtherance of this common undertaking, the Government of the United States has entered into contractual arrangements with academic, industrial or governmental research workers in the United States to secure the effective participation of skilled scientists in a coordinated and concentrated effort synthetically to produce penicillin, or a therapeutic equivalent, including an arrangement for the exchange among the participants of information on the purification, structure, and synthesis of penicillin, or a therapeutic equivalent; and,

WHEREAS, the Government of the United States under these arrangements has, with respect to discoveries and inventions made in the course of the work pursuant to these arrangements, secured (a) the right to determine the relative value of the scientific contributions made to such discoveries and inventions by its participants, (b) the right to allocate among its participants the title to, and any and all rights in and under, patents covering such discoveries and inventions in such a manner as equitably to recognize their relative scientific contributions thereto, (c) the right to require the patentee of such discoveries and inventions to grant to the Government of the United States a non-exclusive, royalty-free license under any such patents for certain governmental purposes, and (d) the right to require the patentee of such discoveries and inventions to grant to others as may be determined to be in the national interest non-exclusive licenses at reasonable royalties; and,

WHEREAS, the Government of the United Kingdom has, for the same purpose and as part of the common undertaking, entered into similar arrangements with research workers in the United Kingdom; and,

WHEREAS, the Government of the United States and the Government of the United Kingdom, in order to increase the effectiveness of their common undertaking, have begun, for transmission to their respective participants, the interchange of scientific information pertaining to the purification, structure, or synthesis of penicillin, or a therapeutic equivalent; and,

WHEREAS, the Government of the United States and the Government of the United Kingdom now desire to formalize the terms on which

such scientific information is being interchanged, and, in particular, desire both (a) to determine and recognize, in the allocation of the title to and rights in and under any and all patents covering discoveries or inventions relating to the purification, structure, or synthesis of penicillin, or a therapeutic equivalent, the relative value of the scientific contributions made to such inventions and discoveries by the participants of their respective Governments, and (b) to acquire, where deemed necessary to the national interest, the same right with regard to the other Government's participants as both Governments now have with regard to their own participants in the way of requiring the grant of licenses;

The two Governments have agreed as follows:

ARTICLE I

Definitions

For the purposes of this agreement, the following terms shall have the meaning herein given:

(a) "Penicillin" shall be deemed to mean any sulfur-containing anti-microbial compound, characterized by degradation to penicillamine, which may be obtained as a result of the growth of some strain of *Penicillium Notatum*.

"Penicillin."

(b) "Therapeutic equivalent" shall be deemed to mean any substance which exerts antimicrobial action, irrespective of the degree of its potency, substantially similar to that of penicillin, and which possesses a structure analogous to, homologous with, or derived from that of penicillin, or which on degradation can yield either (i) penicillamine or a homolog or an analog or a derivative thereof, or (ii) penaldic acid or a homolog or an analog or a derivative thereof.

"Therapeutic equivalent."

(c) "American Participants" shall be deemed to mean those juridical persons, including Government departments and agencies, which have participated, are now participating, or may hereafter participate under contract, or other arrangement, in the program of research on the purification, structure, or synthesis of penicillin, or a therapeutic equivalent thereof, sponsored by the Government of the United States, acting through the Office of Scientific Research and Development.

"American Participants."

(d) "British Participants" shall be deemed to mean those juridical persons, including Government departments, which have participated, are now participating, or may hereafter participate under contract, or other arrangement, in the program of research on the purification, structure, or synthesis of penicillin, or a therapeutic equivalent thereof, sponsored by the Government of the United Kingdom, acting through the Medical Research Council.

"British Participants."

(e) "Period of Exchange" shall be deemed to mean for the purposes of Article I (f) and Article II of this agreement the period beginning December 1, 1943, and ending October 31, 1945, both dates inclusive.

"Period of Exchange."

"Patents."

(f) "Patents" shall be deemed to mean those Letters Patent and/or applications therefor covering discoveries or inventions made during the Period of Exchange by the American Participants and/or the British Participants, as well as by their employees or other persons working under their direction, in furtherance of the program of research on the purification, structure, or synthesis of penicillin, or a therapeutic equivalent and subject to the contractual arrangements between said Participants and either the Government of the United States or the Government of the United Kingdom.

"U. S. Patents."

(g) "United States Patents" shall be deemed to mean all Letters Patent for which applications are made to or which are issued by the Government of the United States.

"British Patents."

(h) "British Patents" shall be deemed to mean all Letters Patent for which applications are made to or which are issued by the Government of the United Kingdom.

"Foreign Patents."

(i) "Foreign Patents" shall be deemed to mean all Letters Patent for which applications are made to or which are issued by Governments other than those of the United States and the United Kingdom.

ARTICLE II

Exchange of Information

(a) Each Government will, during the Period of Exchange, furnish to the other Government all information pertaining to the purification, structure, and synthesis of penicillin, and/or a therapeutic equivalent, obtained by it or its Participants during or prior to the said Period of Exchange. This information will be furnished once each month and more often as the discovery of new information may warrant.

(b) Each Government will, during the Period of Exchange, transmit such information to its own Participants.

(c) Neither Government will, during the Period of Exchange, transmit or permit the transmission of, such information to persons who have not conferred upon their respective Government rights and powers with regard to Patents comparable to those conferred upon the Government of the United States by the American Participants, as exemplified in the form of Agreement annexed hereto as "Appendix A".

Post, p. 1491.

Classification of information.

(d) Each Government will, during the Period of Exchange, classify all such information secret. After the Period of Exchange all and any information, whether patented or not, may be published at the desire of either Government, after consultation with the other Government, unless reasons satisfactory to both Governments against such a course are advanced by a Government or by a Participant in respect to any particular item or items of information.

(e) Each Government will make provision for maintaining in secrecy during the Period of Exchange any and all applications for Patents filed by its own Participants and will not permit such applications to be filed if secrecy cannot be maintained.

ARTICLE III

Disposition of Patents

(a) The Government of the United States will decide whether or not discoveries and inventions made by the American Participants shall be the subject of patent applications anywhere in the world.

Patent applications.

(b) The Government of the United Kingdom will decide whether or not discoveries and inventions made by the British Participants shall be the subject of completed patent applications in Great Britain or of patent applications in any other country.

(c) The Government of the United States will appraise and determine the value of the contributions made by both the American Participants and the British Participants to discoveries and inventions covered by United States Patents.

Determination of value of contributions.

(d) The Government of the United Kingdom will appraise and determine the value of the contributions made by both the American Participants and the British Participants to discoveries and inventions covered by British Patents.

(e) The Governments of the United States and the United Kingdom will jointly appraise and determine the value of the contributions made by both the American Participants and the British Participants to discoveries and inventions covered by Foreign Patents.

(f) The Government of the United States will, after consultation with the Government of the United Kingdom, determine as between all Participants, whether British or American, on the basis of the relative value of their contributions to discoveries and inventions covered by United States Patents, the disposition of the title to and the rights in and under any and all such United States Patents. The Government of the United Kingdom will accept these determinations as its own and take all such action as may be necessary to make these determinations fully effective with regard to British Participants.

Determination of disposition of title to and rights in patents.

(g) The Government of the United Kingdom will, after consultation with the Government of the United States, determine as between all Participants, whether British or American, on the basis of the relative value of their contributions to discoveries and inventions covered by British Patents, the disposition of the title to, and the rights in and under, any and all such British Patents. The Government of the United States will accept these determinations as its own and take all action that may be necessary to make these determinations fully effective with regard to American Participants.

(h) The Government of the United States and the Government of the United Kingdom will jointly determine as between all Participants, whether British or American, on the basis of the relative value of their contributions to discoveries and inventions covered by Foreign Patents, the disposition of the title to, and the rights in and under, any and all such Foreign Patents. It is recognized by both Governments that, to the extent consistent with the principles of disposition set forth in this agreement and in the contracts between the Government of the United States and the American Participants,

Post, p. 1401.

attached hereto as Appendix "A", and in comparable agreements between the Government of the United Kingdom and the British Participants, Foreign Patent rights should not be exercised to hinder export by any Participant to any Foreign Country of Synthetic Penicillin or a Therapeutic Equivalent.

(i) Except as provided in this agreement, each Government shall be the sole and final judge on all questions of fact which arise out of or pertain to any relations between it and its own Participants.

ARTICLE IV

Grant of Licenses

(a) The Government of the United Kingdom will, at the request of the Government of the United States, require British Participants owning or controlling United States Patents to grant a license upon appropriate terms to be determined by the Government of the United Kingdom and at a total royalty rate not in excess of 5% of the lowest net wholesale price of penicillin, or a therapeutic equivalent thereof, charged by the licensee, to persons or organizations designated by the Government of the United States.

(b) The Government of the United States will, at the request of the Government of the United Kingdom, require American Participants owning or controlling British Patents to grant a license upon appropriate terms to be determined by the Government of the United States and at a total royalty rate not in excess of 5% of the lowest net wholesale price of penicillin, or a therapeutic equivalent thereof, charged by the licensee, to persons or organizations designated by the Government of the United Kingdom.

ARTICLE V

Implementation

The Government of the United States and the Government of the United Kingdom will, jointly and severally, take such action, execute such documents, and make or obtain such assignments, transfers, and dispositions of such rights and property of every kind as may be necessary fully to effectuate this Agreement and to enable the Government of the United States and the Government of the United Kingdom to carry out the principles and further the objectives of this common undertaking.

ARTICLE VI

Duration

This agreement shall be deemed to have become effective on December 1, 1943, and the obligations of both Governments hereunder shall continue in full force and effect, except as herein otherwise specifically provided, until the last of the Patents herein referred to shall expire.

Effective date.

APPENDIX "A"

Contract No. OEMcmr-
Symbol No.

MEMORANDUM OF AGREEMENT made this _____ day of 1943, effective as of the 15th day of December, 1943, between THE UNITED STATES OF AMERICA (hereinafter called "the Government"), represented by the Director (hereinafter called "the Contracting Officer"), Office of Scientific Research and Development in the Office for Emergency Management, Executive Office of the President, and (hereinafter called "the Contractor").

WHEREAS, the adequate production of penicillin, a new drug derived from *Penicillium Notatum*, is essential to the effective prosecution of the war and the protection of the public health and welfare; and

WHEREAS, the present production of penicillin is limited because of the lack of adequate knowledge concerning (i) penicillin and (ii) the synthesis of penicillin or a therapeutic equivalent; and

WHEREAS, in order to prosecute the war effectively and protect adequately the public health and welfare it is necessary to increase the supply of penicillin, and to do so it is necessary, in the opinion of the Government, for the Government to (i) be informed of all presently known information regarding the purification and chemical structure of penicillin and (ii) coordinate or sponsor all research activities in the United States by public and private organizations looking toward the discovery of a method of synthesizing penicillin or a therapeutic equivalent; and

WHEREAS, the Contractor states that since it has been conducting studies and investigations concerning penicillin; and

WHEREAS, the parties desire that the Contractor continue to conduct studies and investigations, using, if necessary, penicillin made available under Government allocation orders, concerning the chemical structure of penicillin and the synthesis of penicillin or a therapeutic equivalent; and

WHEREAS, the Government intends to enter into agreements containing provisions substantially similar to those herein with other organizations which will conduct similar studies and investigations; and

WHEREAS, the Government desires to (i) make available to such organizations the information now possessed by the Contractor concerning the purification and chemical structure of penicillin, and (ii) provide for an interchange through the Government between the Contractor and such organizations of information hereafter discovered concerning purification and chemical structure of penicillin and the synthesis of penicillin or a therapeutic equivalent;

Now, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

"Penicillin."

"Therapeutic equivalent."

"Contracting Officer."

"Authorized representative."

Studies and experimental investigations.

Reports.

"The subject work."

Termination of subject work.

ARTICLE 1. *Definitions.* "Penicillin" refers to any sulfur-containing antimicrobial compound, characterized by degradation to penicillamine, which may be obtained as the result of the growth of some strain of *Penicillium Notatum*. "Therapeutic equivalent" refers to any substance which exerts antimicrobial action, irrespective of the degree of its potency, substantially similar to that of penicillin, and which possesses a structure analogous to, homologous with, or derived from that of penicillin, or which on degradation can yield either (i) penicillamine or a homolog or an analog or a derivative thereof, or (ii) penaldic acid or a homolog or an analog or a derivative thereof. "Contracting Officer" refers to the present Contracting Officer and his successors in office. An "authorized representative" can act hereunder only in the limited respects and to the extent specified in provisions of this contract wherein the term "authorized representative" is specifically used. "Authorized representative" refers to any person designated as such by the Contracting Office, who initially so designates: the Chairman of the Committee on Medical Research.

ARTICLE 2. (a) *Subject Work.* The Contractor shall, with the utmost dispatch, supply the necessary personnel and facilities for and conduct studies and experimental investigations in connection with (i) the chemical structure of penicillin and (ii) the synthesis of penicillin or a therapeutic equivalent. The Contractor shall also (iii) report to the Contracting Officer or an authorized representative immediately after the execution hereof its present knowledge concerning the purification and chemical structure of penicillin, including any such knowledge received under agreements with other organizations, (iv) report the progress of such studies and investigations on the 15th day of each month during the term hereof and from time to time upon discovering new information, (v) keep books and records showing the status of such studies and experimental investigations, and (vi) furnish to the Contracting Officer or an authorized representative a complete and final report of its findings and conclusions. Such reports shall be furnished in such quantity and form as may be required by the Contracting Officer or an authorized representative. The Contractor's undertakings under this paragraph are hereinafter called "the subject work."

(b) *Termination.* The subject work shall terminate either (i) on December 1, 1944, or (ii) upon the termination of the present hostilities between the Government and Germany and Japan, whichever period is longer, or (iii) upon the earlier satisfactory completion of the subject work, but the rights and obligations of the parties hereto with respect to patent rights governed hereby shall continue during the life of such patent rights.

(c) *Acceleration of Termination.* The Contracting Officer may at any time advance the date fixed under paragraph (b) by giving the Contractor thirty (30) days' notice in writing that the subject work shall terminate at a specified earlier date.

(d) *Inspections.* The Contracting Officer or his authorized representatives may inspect the subject work and records thereon at all reasonable times.

(e) *Subcontracts.* The Contractor shall not enter into subcontracts involving research or development in connection with the subject work without obtaining the written approval of the Contracting Officer as to the substance and form thereof. The Contractor shall refer each prospective subcontract which might involve such research and development to the Contracting Officer or an authorized representative, who shall determine whether or not such research and development is involved.

(f) *Exchange of Information.* The Contracting Officer or his authorized representative shall from time to time with the utmost dispatch disclose to the Contractor information theretofore disclosed to the Government concerning the progress of similar studies and experimental investigations made by or on behalf of (i) other Government contractors, (ii) Government agencies, and (iii) other Governments. The Contracting Officer or an authorized representative is hereby authorized to disclose the progress of the subject work hereunder to such other Government contractors, Government agencies and the Governments of countries the defense of which the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, as amended (hereinafter called "Lend-Lease Governments"); *Provided, That,* prior to making any such disclosures to such other Government contractors and Government agencies, the Government shall enter into agreements with them containing provisions substantially similar to those herein, and, prior to making any such disclosures to Lend-Lease Government, the Government shall obtain assurances therefrom to the effect that such information will not be further disclosed by such Lend-Lease Government prior to entering into an agreement with each recipient of such information to govern such disclosure containing provisions substantially similar to the provisions of Article 3 (b) hereof.

ARTICLE 3. *Patent Provisions.* (a) The Contracting Officer shall have the right to require the Contractor to grant, subject to the payment of royalties at reasonable rates to be determined by the Contractor but not in excess of five per cent (5%) of the lowest net wholesale price of penicillin or a therapeutic equivalent charged by the licensee, to persons, corporations or other organizations designated by the Contracting Officer, non-exclusive licenses to make, have made, use, sell or otherwise dispose of, material, substances, articles, or apparatus, and to use processes, embodying the subject matter of any or all United States and foreign patents or applications for patents owned or controlled by the Contractor covering patentable discoveries or inventions heretofore or hereafter made and concerned with or resulting from the subject work and not attributable in any way to information disclosed hereunder to the Contractor. The Contractor hereby grants to the Government a non-exclusive, irrevocable, royalty-free license, to make, have made, and use, for military, naval, and

55 Stat. 31.
22 U. S. C., Supp. V.
§§ 411-419.

Royalty rates.

national defense purposes, and to sell or otherwise dispose of in accordance with law, material, substances, articles, or apparatus, and to use processes, embodying the subject matter of any or all patent rights covered by this paragraph (a).

Inventions attributable to disclosed information.

(b) The Contracting Officer shall determine whether or not discoveries or inventions hereafter made are attributable in whole or in part to information disclosed hereunder to the Contractor. Whenever any patentable discovery or invention which is attributable in whole or in part to information disclosed hereunder to the Contractor is made by the Contractor, its employees, or other persons working under its direction, in the course of the subject work, the Contracting Officer shall have the sole power to determine whether or not a patent application shall be filed, and to determine, as between the Contractor and the persons, corporations or other organizations which contributed the information to which the patentable discovery or invention is attributable in whole or in part, the disposition of the title to and the rights, including without limitation licenses, royalty-free or otherwise, under any application or patent, United States or foreign, that may result; *Provided*, That the Government shall be granted a non-exclusive, irrevocable, royalty-free license, to make, have made, and use, for military, naval, and national defense purposes, and to sell or otherwise dispose of in accordance with law, material, substances, articles, or apparatus, and to use processes, embodying the subject matter of any or all patent rights covered by this paragraph (b); *Provided, further*, That the Contracting Officer shall retain the right to require the patentee to grant, subject to the payment of royalties at reasonable rates to be determined by the patentee but not in excess of five per cent (5%) of the lowest net wholesale price of penicillin or a therapeutic equivalent charged by the licensee, to persons, corporations or other organizations designated by the Contracting Officer, non-exclusive licenses to make, have made, use, sell or otherwise dispose of, material, substances, articles or apparatus, and to use processes, embodying the subject matter of any or all patent rights covered by this paragraph (b).

Granting of royalty-free license to Government.

Granting of licenses, subject to payment of royalties, to corporations, etc.

Finality of judgment of Contracting Officer.

(c) The judgment of the Contracting Officer on matters to be determined under this Article shall be accepted as final, and the Contractor, for itself, its employees, and other persons working under its direction, agrees that the inventor or inventors will execute all documents and do all things necessary or proper to carry out the judgment of the Contracting Officer.

Restriction on licenses.

(d) Any and all licenses granted under the provisions of this Article shall be restricted to the manufacture, use, sale or other disposition of penicillin or a therapeutic equivalent.

(e) The Contracting Officer shall recommend to the Commissioner of Patents any modification necessary to carry out the provisions of this Article of any secrecy orders issued against applications for patents covered by this Article.

Restriction on disclosure of information.

ARTICLE 4. Security Provisions. (a) During the continuance of the present unlimited National Emergency, the Contractor shall not disclose any information concerning this contract or obtained as a result

of the performance of its undertakings hereunder to any person, except employees assigned to such work, without the written consent of the Contracting Officer or an authorized representative. Subsequent to the termination of such Emergency, disclosure of such information shall be governed by the applicable laws and regulations governing the disclosure of classified information. Disclosure of information concerning this contract or such work to any person not entitled to receive it, or failure to safeguard all such classified matters within the Contractor's control, may subject the Contractor, its employees and subcontractors to criminal liability under the laws of the United States, including (i) 50 U.S.C. Chap. 4, (ii) 50 U.S.C. 45-45d, as supplemented by Executive Order 8381, dated March 22, 1940, and (iii) 35 U.S.C., 42c.

(b) The Contractor shall immediately submit a confidential report to the Contracting Officer whenever for any cause it has reason to believe that there is an active danger of espionage or sabotage affecting any of the subject work.

(c) The Contractor shall not employ any alien on or permit any alien to have access to the subject work or any plans, specifications or records relating to its undertakings hereunder without the written consent of the Contracting Officer as to each such alien.

(d) The Contractor, whenever requested by the Contracting Officer or an authorized representative, shall report to the Contracting Officer the citizenship, country of birth or alien status of any or all of its employees at the site of or having access to any of the subject work.

(e) The Contractor shall not employ or continue to employ on, and shall exclude from the site of, any of the subject work any person or persons designated in writing by the Contracting Officer or an authorized representative for cause as undesirable to have access to such work.

ARTICLE 5. Public Policy Provisions. (a) The Contractor warrants that it has not employed any person to solicit or secure this contract upon any agreement for a commission, percentage, brokerage or contingent fee. Breach of this warranty shall give the Government the right to annul the contract or, in its discretion, to deduct from the contract price or consideration the amount of such commission, percentage, brokerage or contingent fee. This warranty shall not apply to commissions payable by the Contractor upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business.

(b) No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this contract or any benefit that may arise therefrom, but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

(c) The Contractor shall not discriminate in any act performed hereunder against any person on the ground of race, creed, color or national origin, and shall include such provision in each subcontract.

40 Stat. 217; 52 Stat. 3.
50 U. S. C. § 46 note.
55 Stat. 657.
35 U. S. C., Supp. V, § 42c.
Espionage or sabotage.

Employment of aliens.

Warranty.

Restriction as to Members of Congress, etc.

ARTICLE 6. *Disputes.* All disputes concerning questions of fact arising hereunder shall be decided by the Contracting Officer, and his decisions and findings thereon shall be binding on the Contractor.

IN WITNESS WHEREOF, the Government and the Contractor have caused this contract to be signed and sealed, intending to be legally bound thereby.

THE UNITED STATES OF AMERICA

Witnesses:

By _____ (SEAL)

*Director, Office of Scientific
Research and Development.
(Contracting Officer)*

(Contractor)

By _____ (SEAL)

*The British Ambassador to the Acting Secretary of State*BRITISH EMBASSY,
WASHINGTON, D. C.

25th January, 1946

No. 62

SIR,

I have the honour to acknowledge your Note of today's date informing me that the Government of the United States of America is prepared to conclude with the Government of the United Kingdom of Great Britain and Northern Ireland an agreement on the principles applying to the exchange of information looking to the synthesis of penicillin, in accordance with the text enclosed therewith.

Ante, p. 1485.

2. On instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to state that the terms of agreement contained in the text enclosed with your Note are acceptable to the Government of the United Kingdom and that, in accordance with the suggestion made in the third paragraph of your Note, the Government of the United Kingdom considers the agreement as concluded between the two Governments on this date.

3. By virtue of Article VI thereof, the agreement is deemed to have become effective on December 1, 1943, and with particular reference to the provisions in Article II, it is the understanding of the Government of the United Kingdom that the agreement confirms and finalizes the terms on which, during the period December 1, 1943, to October 31, 1945, inclusive, scientific information pertaining to the purification, structure, or synthesis of penicillin, or a therapeutic equivalent, has been interchanged to the same extent as though the agreement had been concluded and brought into force on the date of the commencement of that period.

Ante, p. 1490.*Ante*, p. 1488.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble Servant,

HALIFAX

The Honourable DEAN ACHESON,
Acting Secretary of State of the United States,
Washington, D. C.

Air services agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland. Signed at Bermuda February 11, 1946; effective February 11, 1946. And Final Act of the Civil Aviation Conference held at Bermuda January 15 to February 11, 1946.

February 11, 1946
[T. I. A. S. 1507]

AGREEMENT
BETWEEN THE GOVERNMENT OF THE UNITED
STATES OF AMERICA AND THE GOVERNMENT
OF THE UNITED KINGDOM RELATING TO
AIR SERVICES BETWEEN THEIR RESPECTIVE
TERRITORIES.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Desiring to conclude an Agreement for the purpose of promoting direct air communications as soon as possible between their respective territories,

Have accordingly appointed authorised representatives for this purpose, who have agreed as follows:—

ARTICLE 1

Each Contracting Party grants to the other Contracting Party rights to the extent described in the Annex to this Agreement for the purpose of the establishment of air services described therein or as amended in accordance with Section IV of the Annex (hereinafter referred to as "the agreed services").

Post, p. 1510.

ARTICLE 2

Inauguration of agreed services.

(1) The agreed services may be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted, but not before (a) the Contracting Party to whom the rights have been granted has designated an air carrier or carriers for the specified route or routes, and (b) the Contracting Party granting the rights has given the appropriate operating permission to the air carrier or carriers concerned (which, subject to the provisions of paragraph (2) of this Article and of Article 6, it shall do without undue delay).

(2) The designated air carrier or carriers may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights that it or they is or are qualified to fulfil the conditions prescribed by or under the laws and regulations normally applied by those authorities to the operations of commercial air carriers.

(3) In areas of military occupation, or in areas affected thereby, such inauguration will continue to be subject, where necessary, to the approval of the competent military authorities.

ARTICLE 3

Charges.

(1) The charges which either of the Contracting Parties may impose, or permit to be imposed, on the designated air carrier or carriers of the other Contracting Party for the use of airports and other facilities shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international air services.

(2) Fuel, lubricating oils and spare parts introduced into, or taken on board aircraft in, the territory of one Contracting Party by, or on behalf of, a designated air carrier of the other Contracting Party and

intended solely for use by the aircraft of such carrier shall be accorded, with respect to customs duties, inspection fees or other charges imposed by the former Contracting Party, treatment not less favourable than that granted to national air carriers engaged in international air services or such carriers of the most favoured nation.

(3) Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of a designated air carrier of one Contracting Party shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees or similar duties or charges, even though such supplies be used by such aircraft on flights within that territory.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party and still in force shall be recognised as valid by the other Contracting Party for the purpose of operation of the agreed services. Each Contracting Party reserves the right, however, to refuse to recognise for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

Certificates of airworthiness, etc.

ARTICLE 5

(1) The laws and regulations of one Contracting Party relating to entry into or departure from its territory of aircraft engaged in international air navigation or to the operation and navigation of such aircraft while within its territory shall apply to aircraft of the designated air carrier or carriers of the other Contracting Party.

Laws and regulations.

(2) The laws and regulations of one Contracting Party relating to the entry into or departure from its territory of passengers, crew, or cargo of aircraft (such as regulations relating to entry, clearance, immigration, passports, customs and quarantine) shall be applicable to the passengers, crew or cargo of the aircraft of the designated air carrier or carriers of the other Contracting Party while in the territory of the first Contracting Party.

ARTICLE 6

Each Contracting Party reserves the right to withhold or revoke the exercise of the rights specified in the Annex to this Agreement by a carrier designated by the other Contracting Party in the event that it is not satisfied that substantial ownership and effective control of such carrier are vested in nationals of either Contracting Party, or in case of failure by that carrier to comply with the laws and regulations referred to in Article 5 hereof, or otherwise to fulfil the conditions under which the rights are granted in accordance with this Agreement and its Annex.

Withholding or revocation of rights.

ARTICLE 7

This Agreement shall be registered with the Provisional International Civil Aviation Organisation set up by the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944.

Registry of Agreement.

59 Stat. 1516.

ARTICLE 8

Request for consultation.

Except as otherwise provided in this Agreement or its Annex, if either of the Contracting Parties considers it desirable to modify the terms of the Annex to this Agreement, it may request consultation between the aeronautical authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities agree on modifications to the Annex, these modifications will come into effect when they have been confirmed by an Exchange of Notes through the diplomatic channel.

ARTICLE 9

Disputes.

Except as otherwise provided in this Agreement or in its Annex, any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its Annex which cannot be settled through consultation shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organisation (in accordance with the provisions of Article III Section 6 (8) of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944) or its successor.

59 Stat. 1521.

ARTICLE 10

Prior agreements.

The terms and conditions of operating rights which may have been granted previously by either Contracting Party to the other Contracting Party or to an air carrier of such other Contracting Party shall not be abrogated by the present Agreement. Except as may be modified by the present Agreement, the general principles of the air navigation arrangement between the two Contracting Parties, which was effected by an Exchange of Notes dated March 28 and April 5, 1935, shall continue in force in so far as they are applicable to scheduled international air services, until otherwise agreed by the Contracting Parties.

49 Stat. 3720.

ARTICLE 11

If a general multilateral air Convention enters into force in relation to both Contracting Parties, the present Agreement shall be amended so as to conform with the provisions of such Convention.

ARTICLE 12

For the purposes of this Agreement and its Annex, unless the context otherwise requires:

"Aeronautical authorities."

(a) The term "aeronautical authorities" shall mean, in the case of the United States, the Civil Aeronautics Board and any person or body authorised to perform the functions presently exercised by the Board or similar functions, and, in the case of the United Kingdom, the Minister of Civil Aviation for the time being, and any person or body authorised to perform any functions presently exercised by the said Minister or similar functions.

"Designated air carriers."

(b) The term "designated air carriers" shall mean the air transport enterprises which the aeronautical authorities of one of the Contracting Parties have notified in writing to the aeronautical authorities

of the other Contracting Party as the air carriers designated by it in accordance with Article 2 of this Agreement for the routes specified in such notification.

Ante, p. 1500.

(c) The term "territory" shall have the meaning assigned to it by Article 2 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944. [1]

"Territory."

(d) The definitions contained in paragraphs (a), (b) and (d) of Article 96 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944 shall apply.

ARTICLE 13

Either Contracting Party may at any time request consultation with the other with a view to initiating any amendments of this Agreement or its Annex which may be desirable in the light of experience. Pending the outcome of such consultation, it shall be open to either Party at any time to give notice to the other of its desire to terminate this Agreement. Such notice shall be simultaneously communicated to the Provisional International Civil Aviation Organisation or its successor. If such notice is given, this Agreement shall terminate twelve calendar months after the date of receipt of the notice by the other Contracting Party, unless the notice to terminate is withdrawn by agreement before the expiry of this period. In the absence of acknowledgment of receipt by the other Contracting Party notice shall be deemed to have been received fourteen days after the receipt of the notice by the Provisional International Civil Aviation Organisation or its successor.

Amendments.

Termination.

ARTICLE 14

This Agreement, including the provisions of the Annex hereto, will come into force on the day it is signed.

Entry into force.

IN WITNESS whereof the undersigned, being duly authorised thereto by their respective Governments, have signed the present Agreement.

DONE in duplicate this eleventh day of February Nineteen-hundred-and-forty-six at Bermuda.

For the Government of the United States of America

GEORGE P. BAKER
HARLEE BRANCH
STOKELEY W. MORGAN
GARRISON NORTON
L. WELCH POGUE
OSWALD RYAN.

For the Government of the United Kingdom of Great Britain and Northern Ireland

A. H. SELF
W. P. HILDRED
W J BIGG.
L. J. DUNNETT
PETER G. MASEFIELD

¹[*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282, p. 59.]

ANNEX

I

For the purposes of operating air services on the routes specified below in Section III of this Annex or as amended in accordance with Section IV hereof, the designated air carriers of one of the Contracting Parties shall be accorded in the territory of the other Contracting Party the use on the said routes at each of the places specified therein of all the airports (being airports designated for international air services), together with ancillary facilities and rights of transit, of stops for non-traffic purposes and of commercial entry and departure for international traffic in passengers, cargo and mail in full accord and compliance with the principles recited and agreed in the Final Act of the Conference on Civil Aviation held between the Governments of the United States and of the United Kingdom at Bermuda from January 15 to February 11, 1946, and subject to the provisions of Sections II and V of this Annex.

Post, p. 1507.

Post, p. 1510.

Post, p. 1512.

Post, p. 1511.

II

Rates.

(a) Rates to be charged by the air carriers of either Contracting Party between points in the territory of the United States and points in the territory of the United Kingdom referred to in this Annex shall be subject to the approval of the Contracting Parties within their respective constitutional powers and obligations. In the event of disagreement the matter in dispute shall be handled as provided below.

"IATA."

(b) The Civil Aeronautics Board of the United States having announced its intention to approve the rate conference machinery of the International Air Transport Association (hereinafter called "IATA"), as submitted, for a period of one year beginning in February, 1946, any rate agreements concluded through this machinery during this period and involving United States air carriers will be subject to approval by the Board.

Proposed new rates.

(c) Any new rate proposed by the air carrier or carriers of either Contracting Party shall be filed with the aeronautical authorities of both Contracting Parties at least thirty days before the proposed date of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both Contracting Parties.

(d) The Contracting Parties hereby agree that where:

- (1) during the period of the Board's approval of the IATA rate conference machinery, either any specific rate agreement is not approved within a reasonable time by either Contracting Party or a conference of IATA is unable to agree on a rate, or
- (2) at any time no IATA machinery is applicable, or

(3) either Contracting Party at any time withdraws or fails to renew its approval of that part of the IATA rate conference machinery relevant to this provision,

the procedure described in paragraphs (e), (f) and (g) hereof shall apply.

(e) In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States, each of the Contracting Parties shall thereafter exercise its authority in such manner as to prevent any rate or rates proposed by one of its carriers for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party from becoming effective, if, in the judgment of the aeronautical authorities of the Contracting Party whose air carrier or carriers is or are proposing such rate, that rate is unfair or uneconomic. If one of the Contracting Parties on receipt of the notification referred to in paragraph (c) above is dissatisfied with the new rate proposed by the air carrier or carriers of the other Contracting Party, it shall so notify the other Contracting Party prior to the expiry of the first fifteen of the thirty days referred to, and the Contracting Parties shall endeavour to reach agreement on the appropriate rate. In the event that such agreement is reached each Contracting Party will exercise its statutory powers to give effect to such agreement. If agreement has not been reached at the end of the thirty day period referred to in paragraph (c) above, the proposed rate may, unless the aeronautical authorities of the country of the air carrier concerned see fit to suspend its operation, go into effect provisionally pending the settlement of any dispute in accordance with the procedure outlined in paragraph (g) below.

Unfair or uneconomic rates.

Dissatisfaction with proposed new rate.

(f) Prior to the time when such power may be conferred by law upon the aeronautical authorities of the United States, if one of the Contracting Parties is dissatisfied with any new rate proposed by the air carrier or carriers of either Contracting Party for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party, it shall so notify the other prior to the expiry of the first fifteen of the thirty day period referred to in paragraph (c) above, and the Contracting Parties shall endeavour to reach agreement on the appropriate rate. In the event that such agreement is reached each Contracting Party will use its best efforts to cause such agreed rate to be put into effect by its air carrier or carriers. It is recognised that if no such agreement can be reached prior to the expiry of such thirty days, the Contracting Party raising the objection to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

Advisory report.

(g) When in any case under paragraphs (e) and (f) above the aeronautical authorities of the two Contracting Parties cannot agree within a reasonable time upon the appropriate rate after consultation initiated by the complaint of one Contracting Party concerning the proposed rate or an existing rate of the air carrier or carriers of the other Contracting Party, upon the request of either, both Contracting Parties shall submit the question to the Provisional International Civil Aviation Organisation or to its successor for an advisory report, and each Party will use its best efforts under the powers available to it to put into effect the opinion expressed in such report.

Rates to be fixed at reasonable levels.

(h) The rates to be agreed in accordance with the above paragraphs shall be fixed at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit and the rates charged by any other air carriers.

(j) The Executive Branch of the Government of the United States agrees to use its best efforts to secure legislation empowering the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States.

III

(a) ROUTES TO BE SERVED BY AIR CARRIERS OF THE UNITED KINGDOM

(In both directions; stops for non-traffic purposes omitted)

POINT OF DEPARTURE (Any one or more of the following)	INTERMEDIATE POINTS (Any one or more of the following, if desired)	DESTINATION IN U. S. TERRITORY (Any one or more of the following, if desired)	POINTS BEYOND (Any one or more of the following, if desired)
1. London		New York	San Francisco and the points on Route 7.
2. London Prestwick	Shannon Iceland Azores Bermuda Gander Montreal	New York Chicago Detroit Philadelphia Washington Baltimore Boston	
3.*London Prestwick	Shannon Iceland Azores Bermuda Gander Montreal	New York	(a) New Orleans Mexico City (b) Cuba Jamaica Panama A point in Colombia A point in Ecuador Lima Santiago
4. Bermuda		Baltimore Washington New York	Montreal
5.*Trinidad British Guiana Jamaica British Honduras	Tobago Barbados Grenada St. Vincent St. Lucia Antigua St. Kitts St. Thomas San Juan Ciudad Trujillo Port au Prince Jamaica Cuba Nassau Bermuda	Miami	
6. Nassau Cat Cay		Miami Palm Beach	
7. Singapore Hong Kong	Manila Guam Wake Midway Honolulu	San Francisco	

*Notice will be given by the aeronautical authorities of the United Kingdom to the aeronautical authorities of the United States of the route service patterns according to which services will be inaugurated on these routes.

(b) ROUTES TO BE SERVED BY AIR CARRIERS OF THE UNITED STATES

(In both directions; stops for non-traffic purposes omitted)

POINT OF DEPARTURE (Any one or more of the following)	INTERMEDIATE POINTS (Any one or more of the following, if desired)	DESTINATION IN U. K. TERRITORY (Any one or more of the following, if desired)	POINTS BEYOND (Any one or more of the following, if desired)
1.*Chicago Detroit Washington Philadelphia New York Boston Baltimore	Gander Greenland Iceland Shannon	London Prestwick	Amsterdam Helsinki Copenhagen Stavanger Oslo Stockholm Warsaw Berlin Frankfurt Moscow Leningrad Points in the Baltic countries
2.*New York Chicago Philadelphia Baltimore Washington Boston Detroit	Gander Greenland Iceland Shannon	London Prestwick	Brussels Munich Prague Vienna Budapest Belgrade Bucharest Istanbul Ankara A point in Iran Beirut A point in Syria A point in Iraq A point in Afghanistan Karachi Delhi Calcutta
3.*Chicago Detroit Washington New York Boston Baltimore Philadelphia	Gander Shannon Greenland Iceland Paris A point in Switzerland Rome Athens Cairo	Lydda	A point in Iraq Dhahran Bombay Calcutta A point in Burma A point in Siam A point or points in Indo-China A point or points in China
4. Chicago Detroit Washington New York Boston Baltimore Philadelphia	Gander Azores Lisbon (a) (b) Algiers Tunis Tripoli Benghazi Cairo	Lydda	From Lydda to points beyond as described in Route 3.

*Notice will be given by the aeronautical authorities of the United States to the aeronautical authorities of the United Kingdom of the route service patterns according to which services will be inaugurated on these routes.

POINT OF DEPARTURE (Any one or more of the following)	INTERMEDIATE POINTS (Any one or more of the following, if desired)	DESTINATION IN U. K. TERRITORY (Any one or more of the following, if desired)	POINTS BEYOND (Any one or more of the following, if desired)
5. New York Chicago Detroit Washington Philadelphia Boston Baltimore	Gander Bermuda Azores	London	(From the Azores) Lisbon Barcelona Marseilles
6.*San Francisco Los Angeles	Honolulu Midway Wake Guam Manila A point or points in Indo-China	Hong Kong	Macao A point or points in China A point or points in Indo-China A point or points in Siam A point or points in Burma Calcutta
7.*San Francisco Los Angeles	Honolulu Midway Wake Guam Manila A point or points in Indo-China	Singapore	Batavia
8. New York Washington Baltimore		Bermuda	
9. Miami Palm Beach		Cat Cay Nassau	
10. Miami	Points in Cuba	Jamaica	(a) Baranquilla via South American points to Balboa (b) Baranquilla via South American points to Trinidad
11. New Orleans Houston	Points in Cuba	Jamaica	Aruba South American points
12. New York Miami	Camaguey Port au Prince Cuidad Trujillo San Juan Saint Thomas Point a Pitre Fort de France	Antigua St. Lucia Trinidad British Guiana	Via South American points to Buenos Aires

*Notice will be given by the aeronautical authorities of the United States to the aeronautical authorities of the United Kingdom of the route service patterns according to which services will be inaugurated on these routes.

POINT OF DEPARTURE (Any one or more of the following)	INTERMEDIATE POINTS (Any one or more of the following, if desired)	DESTINATION IN U. K. TERRITORY (Any one or more of the following, if desired)	POINTS BEYOND (Any one or more of the following, if desired)
13. New York	(a) Azores Dakar Monrovia (b) San Juan Trinidad British Guiana Belem Natal Monrovia Ascension Is- land	Accra or Lagos	Leopoldville Johannesburg

IV

Amendments to routes.
Ante, p. 1507.

Ante, p. 1502.

(a) Amendments made by either Contracting Party to the routes described in Section III of this Annex which change the points served in the territory of the other Contracting Party will be made only after consultation in accordance with the provisions of Article 8 of this Agreement.

Post, p. 1515.

Ante, p. 1504.

(b) Other route changes desired by either Contracting Party may be made and put into effect at any time, prompt notice to that effect being given by the aeronautical authorities of the Contracting Party concerned to the aeronautical authorities of the other Contracting Party. If such other Contracting Party finds that, having regard to the principles set forth in paragraph (6) of the Final Act of the Conference referred to in Section I of this Annex, the interests of its air carrier or carriers are prejudiced by the carriage by the air carrier or carriers of the first Contracting Party of traffic between the territory of the second Contracting Party and the new point in the territory of a third country it shall so inform the first Contracting Party. If agreement cannot be reached by consultation between the Contracting Parties, it shall be open to the Contracting Party whose air carrier or carriers is or are affected to invoke the provisions of Article 9 of this Agreement.

Ante, p. 1502.

Exchange of information.

(c) The Contracting Parties will, as soon as possible after the execution of this Agreement and from time to time thereafter, exchange information concerning the authorisations extended to their respective designated air carriers to render service to, through and from the territory of the other Contracting Party. This will include copies of current certificates and authorisations for service on the routes which are the subject of this Agreement, and for the future such new certificates and authorisations as may be issued, together with amendments, exemption orders and authorised service patterns.

V

(a) Where the onward carriage of traffic by an aircraft of different size from that employed on the earlier stage of the same route (hereinafter referred to as "change of gauge") is justified by reason of economy of operation, such change of gauge at a point in the territory of the United Kingdom or the territory of the United States shall not be made in violation of the principles set forth in the Final Act of the Conference on Civil Aviation held at Bermuda from January 15 to February 11, 1946 and, in particular, shall be subject to there being an adequate volume of through traffic.

"Change of gauge."

Post, p. 1512.

(b) Where a change of gauge is made at a point in the territory of the United Kingdom or in the territory of the United States, the smaller aircraft will operate only in connection with the larger aircraft arriving at the point of change, so as to provide a connecting service which will thus normally wait on the arrival of the larger aircraft, for the primary purpose of carrying onward those passengers who have travelled to United Kingdom or United States territory in the larger aircraft to their ultimate destination in the smaller aircraft. Where there are vacancies in the smaller aircraft such vacancies may be filled with passengers from United Kingdom or United States territory respectively. It is understood however that the capacity of the smaller aircraft shall be determined with primary reference to the traffic travelling in the larger aircraft normally requiring to be carried onward.

(c) It is agreed that the arrangements under any part of the preceding paragraphs (a) and (b) shall be governed by and in no way restrictive of the standards set forth in paragraph (6) of the Final Act.

A. H. S.
W J B.
W. P. H.
L. J. D.
P. G. M

G. P. B.
H. B. OR
S M.
G. N.
L W P

FINAL ACT OF THE CIVIL AVIATION CONFERENCE, HELD AT BERMUDA,
15TH JANUARY TO 11TH FEBRUARY, 1946.

Bermuda, 11th February, 1946.

THE Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland,

Having decided to hold between themselves a Conference on Civil Aviation,

Appointed their respective delegates who are listed below:—

United States of America.

George P. Baker (Chairman of Delegation), Director, Office of Transport and Communications Policy, Department of State.
Harlee Branch, Member, Civil Aeronautics Board.

John D. Hickerson, Deputy Director, Office of European Affairs, Department of State.

Josh B. Lee, Member, Civil Aeronautics Board.

Stokeley W. Morgan, Chief, Aviation Division, Department of State.

George C. Neal, General Counsel, Civil Aeronautics Board.

Garrison Norton, Deputy Director, Office of Transport and Communications Policy, Department of State.

L. Welch Pogue, Chairman, Civil Aeronautics Board.

Oswald Ryan, Member, Civil Aeronautics Board.

John Sherman, Liaison Consultant, Civil Aeronautics Board.

United Kingdom.

Sir Henry Self, K.C.M.G., K.B.E., C.B., (Chairman of Delegation), Director-General designate of Civil Aviation, Ministry of Civil Aviation.

Sir William P. Hildred, Kt., C.B., O.B.E., Director-General of Civil Aviation, Ministry of Civil Aviation.

W. J. Bigg, Colonial Office.

N. J. A. Cheetham, Foreign Office.

L. J. Dunnett, Ministry of Civil Aviation.

Peter G. Masefield, Civil Air Attaché, British Embassy, Washington.

Who met in Bermuda on the 15th January, 1946.

At the first plenary session, Sir Henry Self was elected Chairman of the Conference and the Conference was divided into two Committees. The members of the Committees and of the Sub-Committees, appointed by the respective Chairmen of the Delegations, are listed below:—

COMMITTEE I.

RATES AND TRAFFIC.

Chairman : Sir Henry Self (United Kingdom).

*Members:**United States.**Delegates.*

George P. Baker.
Harlee Branch.
Josh B. Lee.
Stokeley W. Morgan.
George C. Neal.
L. Welch Pogue.
Oswald Ryan.

Advisers.

Colonel S. E. Gates.
W. John Kenney.
Major-General L. S. Kuter.
Livingston Satterthwaite.

Consultants.

Harold Bixby.
Terrell Drinkwater.
Julius C. Holmes.
John Leslie.
John E. Slater.
James H. Smith, Jun.

*United Kingdom.**Delegates.*

Sir William Hildred.
N. J. A. Cheetham.
L. J. Dunnett.
P. G. Masefield.

Advisers.

M. E. Bathurst.
Major J. R. McCrindle.
Vernon Crudge.

SUB-COMMITTEE 1.—POLICY.

Chairman : Sir Henry Self (United Kingdom).

*Members:**Delegates.*

George P. Baker.
Stokeley W. Morgan.
L. Welch Pogue.

Delegate.

Sir William Hildred.

SUB-COMMITTEE 2.—DRAFTING.

Chairman : Stokeley W. Morgan (United States).

*Members:**Delegate.*

George C. Neal.

Delegates.

L. J. Dunnett.
P. G. Masefield.

Adviser.

Colonel S. E. Gates.

Adviser.

M. E. Bathurst.

SUB-COMMITTEE 3.—ROUTES.

Chairman : L. Welch Pogue (United States).*Members:**Delegates.*

Harllee Branch.
 Josh B. Lee.
 Stokeley W. Morgan.
 George C. Neal.
 Oswald Ryan.
 John Sherman.

Delegates.

W. J. Bigg.
 N. J. A. Cheetham.
 L. J. Dunnett.
 P. G. Masefield.

Advisers.

William Fleming.
 Colonel S. E. Gates.
 Major-General L. S. Kuter.
 Commander S. Jurika.
 Livingston Satterthwaite.

Advisers.

M. E. Bathurst.
 Major J. R. McCrindle.
 Vernon Crudge.

Consultants.

Harold Bixby.
 Terrell Drinkwater.
 Julius C. Holmes.
 John Leslie.
 John E. Slater.
 James H. Smith, Jun.

COMMITTEE II.

AD HOC.

Chairman : L. J. Dunnett (United Kingdom).*Delegates.*

John D. Hickerson.
 Stokeley W. Morgan.

Delegate.

N. J. A. Cheetham.

The Final Plenary Session was held on the 11th February, 1946.

As a result of the deliberations of the Conference there was formulated an Agreement between the Government of the United Kingdom and the Government of the United States relating to air services between their respective territories, and Annex thereto. (Attached hereto as Appendix I.)

Ante, p. 1800.

The following resolution was adopted:—

Whereas representatives of the two Governments have met together in Bermuda to discuss Civil Aviation matters outstanding between them and have reached agreement thereon,

Whereas the two Governments have to-day concluded an Agreement relating to air services between their respective territories (hereinafter called "the Agreement"),

And whereas the two Governments have reached agreement on the procedure to be followed in the settlement of other matters in the field of Civil Aviation,

Now therefore the representatives of the two Governments in Conference resolve and agree as follows:—

(1) That the two Governments desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a means of promoting friendly understanding and good will among peoples and ensuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

(2) That the two Governments reaffirm their adherence to the principles and purposes set out in the preamble to the Convention on International Civil Aviation signed at Chicago on the 7th December, 1944.

(3) That the air transport facilities available to the travelling public should bear a close relationship to the requirements of the public for such transport.

(4) That there shall be a fair and equal opportunity for the carriers of the two nations to operate on any route between their respective territories (as defined in the Agreement) covered by the Agreement and its Annex.

(5) That, in the operation by the air carriers of either Government of the trunk services described in the Annex to the Agreement, the interest of the air carriers of the other Government shall be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same routes.

(6) That it is the understanding of both Governments that services provided by a designated air carrier under the Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such air carrier is a national and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the routes specified in the Annex to the Agreement shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity should be related:

- (a) to traffic requirements between the country of origin and the countries of destination;
- (b) to the requirements of through airline operation; and
- (c) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

(7) That, in so far as the air carrier or carriers of one Government may be temporarily prevented through difficulties arising from the War from taking immediate advantage of the opportunity referred to in paragraph (4) above, the situation shall be reviewed between the Governments with the object of facilitating the necessary development, as soon as the air carrier or carriers of the first Government is or are in a position increasingly to make their proper contribution to the service.

(8) That duly authorised United States civil air carriers will enjoy non-discriminatory "Two Freedom" privileges and the exercise (in accordance with the Agreement or any continuing or subsequent agreement) of commercial traffic rights at airports located in territory of the United Kingdom which have been constructed in whole or in part with United States funds and are designated for use by international civil air carriers.

(9) That it is the intention of both Governments that there should be regular and frequent consultation between their respective aeronautical authorities (as defined in the Agreement) and that there should thereby be close collaboration in the observance of the principles and the implementation of the provisions outlined herein and in the Agreement and its Annex.

In witness whereof the following Delegates sign the present Final Act.

Done at Bermuda the eleventh day of February, 1946.

This Final Act shall be deposited in the Archives of the Government of the United Kingdom and a certified copy shall be transmitted by that Government to the Government of the United States of America.

United States of America.

GEORGE P. BAKER.
 HARLEE BRANCH.
 STOKELEY W. MORGAN.
 GEORGE C. NEAL.
 GARRISON NORTON.
 L. WELCH POGUE.
 OSWALD RYAN.
 JOHN SHERMAN.

United Kingdom.

A. H. SELF.
 WM. P. HILDRED.
 W. J. BIGG.
 L. J. DUNNETT.
 PETER G. MASEFIELD.

*Agreement between the United States of America and other powers
respecting a European Coal Organization. Signed at London January
4, 1946; effective January 1, 1946.*

January 4, 1946
[T. I. A. S. 1508]

AGREEMENT FOR THE ESTABLISHMENT OF THE EUROPEAN COAL ORGANISATION.

THE Governments of Belgium, Denmark, France, Greece, Luxembourg, the Netherlands, Norway, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America, being convinced that, during the present period of general shortage of coal and of certain types of coal-mining supplies and equipment, effective co-ordination of the demand for and supply of these commodities in Europe will continue to be necessary, have agreed as follows:—

ARTICLE 1.

Establishment of a European Coal Organisation.

The European Coal Organisation, hereinafter referred to as the "Organisation," is hereby formally established.

ARTICLE 2.

Membership of the Organisation.

The members of the Organisation shall be the Governments on whose behalf this Agreement is signed and those other Governments which accede to the Agreement at the invitation of the Council provided for in Article 3.

ARTICLE 3.

Structure of the Organisation.

- | | |
|------------------------------------|---|
| Council. | 1. The Organisation shall consist of a Council and a Full-time Staff. |
| Rules of procedure;
committees. | 2. The Council shall be composed of representatives of the member Governments. Each Government shall appoint one representative and may appoint an alternate representative and technical advisers. |
| Full-time Staff. | 3. The Council shall draw up its own rules of procedure and may establish such committees or other subordinate bodies as may be desirable. |
| | 4. The Full-time Staff shall consist of a Chairman, who shall preside in the Council, a Secretary-General, both appointed by the Council, and other necessary staff appointed by the Chairman with the approval of the Council and in accordance with conditions to be prescribed by the Council. |

ARTICLE 4.

Purpose of the Organisation.

- | | |
|---------------------------------------|---|
| Supply and dis-
tribution of coal. | 1. The purpose of the Organisation is to promote the supply and equitable distribution of coal and scarce items of coal-mining supplies and equipment while safeguarding, as far as possible, the interests |
|---------------------------------------|---|

ACCORD RELATIF À LA CONSTITUTION DU COMITÉ EUROPÉEN DU CHARBON.

Les Gouvernements de Belgique, du Danemark, des États-Unis d'Amérique, de la République Française, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, de la Grèce, du Luxembourg, de Norvège, des Pays-Bas, et de la Turquie, convaincus de la nécessité tant que durera la pénurie générale du charbon et de certains types de matériels et de fournitures de mines, d'une coordination effective des demandes et des ressources dont peut disposer l'Europe, sont convenus de ce qui suit:

ARTICLE 1^{er}.

Création d'un Comité Européen du Charbon.

Le présent Accord crée formellement le Comité Européen du Charbon, désigné ci-après sous le nom de "Comité."

ARTICLE 2.

Admission au Comité.

Sont membres du Comité les Gouvernements signataires du présent Accord et tous autres Gouvernements qui y adhéreront à l'invitation du Conseil tel qu'il est prévu à l'article 3.

ARTICLE 3.

Organisation du Comité.

1° Le Comité se compose d'un Conseil et d'un Secrétariat.

2° Le Conseil est composé des représentants des Gouvernements membres; chaque Gouvernement désigne un représentant titulaire et peut nommer un délégué suppléant et des conseillers techniques.

3° Le Conseil règle lui-même sa procédure et peut créer tels commissions ou autres organismes subordonnés qu'il lui paraît nécessaire d'établir.

4° Le Secrétariat se compose d'un Président, qui préside également le Conseil, et d'un Secrétaire Général, tous deux nommés par le Conseil, et de tout autre personnel nécessaire nommé par le Président avec l'approbation du Conseil et aux conditions fixées par celui-ci.

ARTICLE 4.

Fonctions du Comité.

1° L'objet du Comité est de faciliter l'approvisionnement et la répartition équitable du charbon ainsi que du matériel et des fournitures de mines tout en sauvegardant à la fois les intérêts des produc-

of both producers and consumers. With this object the Council shall keep itself constantly acquainted with and, when necessary, discuss the situation in regard to such supply and distribution, disseminate information in regard thereto, and make appropriate recommendations to the Governments concerned and to any other competent authorities.

2. To these ends the member Governments shall—

- (a) provide the Organisation, at its request, with all relevant information, in particular, information regarding production, imports, exports, consumption, stocks and requirements of coal and of coal-mining supplies and equipment, and
- (b) give their full co-operation to the Organisation in the accomplishment of its task.

ARTICLE 5.

Headquarters.

The Headquarters of the Organisation shall be in London or such other place as the Council may from time to time decide.

ARTICLE 6.

Relations with other Organisations, Authorities and Agencies.

1. The Organisation may establish relations with national and international organisations, authorities and agencies.

2. After the establishment of the Economic and Social Council of the United Nations, the Organisation shall communicate with that Council with the view of determining what relationship should be created between it and the Council and, in particular, whether its functions can and should be taken over by the Council.

Economic and
Social Council of
United Nations.

ARTICLE 7.

Administrative Expenses.

The Council shall consider and approve a budget covering the necessary administrative expenses of the Organisation. Administrative expenses shall be apportioned between and borne by the member Governments in a manner to be determined by the Council. Each member Government undertakes, subject to the requirements of its constitutional procedure, to contribute to the Organisation promptly its share of the administrative expenses so determined.

ARTICLE 8.

Privileges and immunities.

1. The Organisation shall enjoy in the territories of the member Governments such privileges and immunities as are necessary for the fulfilment of its purpose.

2. Representatives of the member Governments and officials of the Organisation shall likewise enjoy in those territories such privileges

teurs et des consommateurs dans toute la mesure du possible. A cette fin, le Conseil se tient constamment au courant de la situation des ressources et de leur distribution, en discute en temps utile, diffuse les informations recueillies et fait les recommandations nécessaires aux Gouvernements intéressés et aux autres autorités compétentes.

2° A cet effet, les Gouvernements membres:

- (a) Fournissent au Comité, sur sa demande, toutes les informations utiles et particulièrement celles relatives à la production, aux importations, aux exportations, à la consommation, aux stocks et aux besoins en charbon et matériels et fournitures de mines;
- (b) Collaborent pleinement avec le Comité pour lui permettre de s'acquitter de ses fonctions.

ARTICLE 5.

Siège du Comité.

Le siège du Comité est à Londres ou dans toute autre ville qui pourrait être choisie par le Conseil.

ARTICLE 6.

Relations avec les autres Comités, Autorités et Organisations.

1° Le Comité peut établir des liaisons avec tous comités, autorités ou organisations, de caractère national ou international.

2° Quand le Conseil Économique et Social de l'Organisation des Nations Unies sera entré en fonction, le Comité se mettra en rapport avec lui en vue de préciser la relation à établir entre eux et en particulier d'étudier si les fonctions du Comité peuvent et doivent être reprises par le Conseil Économique et Social.

ARTICLE 7.

Budget.

Le Conseil examinera et approuvera le budget couvrant les dépenses administratives nécessaires au fonctionnement du Comité. Les dépenses administratives seront réparties entre les Gouvernements membres et supportées par eux suivant une proportion et des règles à fixer par le Conseil. Chaque Gouvernement membre s'engage, sous réserve de la législation de ses finances publiques qui lui est propre, à verser promptement sa part des dépenses administratives ainsi déterminée.

ARTICLE 8.

Privilèges et Immunités.

1° Le Comité jouira dans tous les territoires des Gouvernements membres des privilèges et immunités qui seraient nécessaires pour l'accomplissement de sa tâche.

2° Les représentants des Gouvernements membres et le personnel du Comité jouiront de même dans ces territoires des privilèges et

and immunities as are necessary for the independent exercise of their functions.

ARTICLE 9.

Definitions.

For the purposes of this Agreement:

“Coal.”

The word “coal” shall mean all coal (whether anthracite, bituminous brown coal, lignite or other species), coke (whether produced at gas works or coke ovens), briquettes or other manufactured solid fuel and pitch for use in the manufacture of solid fuel.

“Coal-mining supplies and equipment.”

The expression “coal-mining supplies and equipment” shall mean such articles, including machinery and parts thereof, as are used in the production and treatment of coal.

ARTICLE 10.

Entry into force and duration of the Agreement.

Entry into force.

This Agreement, which is drawn up in French and English, both texts being equally authoritative, shall enter into force on the 1st January, 1946, for an initial period of one year. The member Governments (or some of them) may prolong its operation for such further period as they may determine. On or after the 1st October, 1946, any member Government may give in writing to the Government of the United Kingdom notice of withdrawal from the Organisation and the Agreement shall terminate in respect of any Government by whom such notice has been given three months after the date of the receipt of the notice by the Government of the United Kingdom.

Termination.

immunités qui seraient nécessaires pour l'exercice indépendant de leurs fonctions.

ARTICLE 9.

Définitions.

Dans le texte du présent Accord le mot "charbon" couvre toutes espèces de charbons (anthracite, charbon bitumineux, lignite, etc.), cokes (de gaz ou de fours à coke), agglomérés (briquettes, boulets, etc.) et brais destinés à l'agglomération.

L'expression "matériel et fourniture de mine" couvre tous articles ou fournitures, machines ou parties de machines, utilisés à la production et à la préparation du charbon.

ARTICLE 10.

Entrée en vigueur et durée de l'Accord.

Cet Accord, rédigé en français et en anglais, les deux textes faisant également foi, entrera en vigueur le 1^{er} janvier 1946 pour une durée initiale d'une année. Les Gouvernements membres, ou quelques-uns d'entre eux, pourront le reconduire pour telle durée qu'ils décideront. Tout Gouvernement membre peut toutefois, à partir du 1^{er} octobre 1946, notifier par écrit au Gouvernement du Royaume-Uni son intention de se retirer du Comité; le présent Accord prendra fin, en ce qui concerne ce Gouvernement, trois mois après réception de ce préavis par le Gouvernement du Royaume-Uni.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Agreement.

En foi de quoi les soussignés, dûment autorisés par leur Gouvernement respectif, ont signé le présent Accord.

Done in London on the 4th January, 1946, in a single copy which shall be deposited with the Government of the United Kingdom and of which certified copies shall be communicated to all signatory or acceding Governments.

Fait à Londres, le 4 janvier 1946, en un seul exemplaire qui sera déposé dans les archives du Gouvernement du Royaume-Uni, qui en remettra des copies certifiées conformes à tous les Gouvernements signataires ou admis ultérieurement.

For the Government of Belgium:

Pour le Gouvernement de Belgique:

M. T. BUYSE.

For the Government of Denmark:

Pour le Gouvernement du Danemark:

ANTHON VESTBIRK

For the Government of France:

Pour le Gouvernement de la République Française:

GUERONIK.

For the Government of Greece:

Pour le Gouvernement de la Grèce:

J. ROMANOS.

For the Government of Luxembourg:

Pour le Gouvernement du Luxembourg:

LEO A. CLASEN.

For the Government of the Netherlands:

Pour le Gouvernement des Pays-Bas:

J. LOOMAN.

For the Government of Norway:

Pour le Gouvernement de Norvège:

JOHAN MELANDER.

For the Government of Turkey:

Pour le Gouvernement de la Turquie:

CEMAL SAIT BARK.

For the Government of the United Kingdom:

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:

J. EATON GRIFFITH.

For the Government of the United States:

Pour le Gouvernement des États-Unis d'Amérique:

THOMAS C. BLAISDELL, Jr.

Certified a true copy.

[SEAL]

LONDON

28 Jan 1946

HUGH K GREY.

Acting Librarian and Keeper of the Papers for the Secretary of State for Foreign Affairs.

Agreements between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting a mutual aid settlement. Signed at Washington March 27, 1946. Together with joint statement dated December 6, 1945.

March 27, 1946
[T. I. A. S. 1509]

MEMORANDUM PURSUANT TO JOINT STATEMENT OF
DECEMBER 6, 1945, REGARDING SETTLEMENT
FOR LEND-LEASE, RECIPROCAL AID,
SURPLUS WAR PROPERTY, AND CLAIMS

1. The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland announced in a Joint Statement of December 6, 1945 that they had reached an understanding for the settlement of lend-lease and reciprocal aid, for the acquisition of United States Army and Navy surplus property, and the United States interest in installations, located in the United Kingdom, and for the final settlement of the financial claims of each Government against the other arising out of the conduct of the war. It was therein stated that specific agreements necessary to implement that understanding, setting forth the terms in detail, and consistent with the Joint Statement were in the course of preparation. These have now been completed.

Post, p. 1564.

2. These specific agreements, which are annexed hereto, are as follows:

- I. Agreement on Lend-Lease and Reciprocal Aid Pipelines and Offsetting Arrangement. Post, p. 1527.
- II. Agreement on Settlement of Intergovernmental Claims. Post, p. 1534.
- III. Agreement relating to Civilian Holdings. Post, p. 1537.
- IV. Agreement relating to Military Holdings. Post, p. 1539.
- V. Agreement on Lend-Lease Aircraft (Non-Combat) and Spares. Post, p. 1543.
- VI. Agreement relating to Petroleum. Post, p. 1547.
- VII. Agreement on Lend-Lease and Reciprocal Aid Installations. Post, p. 1559.
- VIII. Agreement relating to United States Army and Navy Surplus Property and Surplus Installations in the United Kingdom. Post, p. 1561.
- IX. Agreement relating to Tort Claims. Post, p. 1563.

3. With the exception of certain small craft specifically covered by these Agreements, vessels furnished under lend-lease and reciprocal aid are subject to return to the supplying Government in accordance with the terms upon which they were furnished or with detailed arrangements agreed or to be agreed between the two Governments. Consequently no separate agreement relating to such vessels is included among these Agreements.

Vessels.

Southern Rhodesia.

4. Insofar as provisions of these Agreements relate to British Colonial Dependencies, they are to be regarded as relating also to Southern Rhodesia.

5. The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland hereby signify their acceptance of the terms of the Agreements annexed hereto.

DONE in Washington in duplicate this twenty-seventh day of March, 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

DEAN ACHESON

*Acting Secretary of State
of the United States of America*

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND:

HALIFAX.

*His Majesty's Ambassador Extraordinary
and Plenipotentiary at Washington*

I

AGREEMENT ON LEND-LEASE AND RECIPROCAL AID PIPE-
LINES AND OFFSETTING ARRANGEMENT

In accordance with their JOINT STATEMENT REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY AND CLAIMS, dated December 6, 1945, the Governments of the United States and of the United Kingdom have reached agreement as set forth below regarding settlement for articles and services furnished after September 1, 1945 to either Government through lend-lease and reciprocal aid channels and regarding other matters covered by the offsetting arrangement described in paragraph 3 (a) of the Joint Statement. In general this agreement covers certain articles and services which were intended for supply through mutual aid channels but which, on September 2, 1945, had not been made available to the recipient Government.

Post, p. 1564.

A. PROVISION OF CERTAIN MILITARY AND NAVAL SUPPLIES
AND SERVICES AS BETWEEN ARMED FORCES

1. Straight mutual aid between the Governments of the United States and of the United Kingdom was terminated generally on September 2, 1945; with certain exceptions (which include the provision of military and naval supplies and services referred to in paragraph 2 of this section).

2. In accordance with standing directives, the United States War and Navy Departments have had discretion, in the period after September 2, 1945, to continue to make supplies and services available to the United Kingdom Armed Forces on a straight lend-lease basis in certain specified circumstances. Similarly United Kingdom military and air commanders in the areas under the South East Asia Command and under the United States Army Forces in the Pacific Theatre, and United Kingdom naval commanders in all theatres, have had discretion to make supplies and services available to United States Armed Forces on a straight reciprocal aid basis in similar circumstances. Supplies and services furnished on the above basis are excepted from the arrangements outlined below.

3. It has been agreed that accounts will be rendered in due course for supplies and services (other than any furnished on a straight lend-lease or reciprocal aid basis) furnished by the United States and United Kingdom Armed Forces to each other during the period from September 2, 1945 to December 31, 1945, inclusive, and that such accounts will be settled under the offsetting arrangement referred to in section E of this Agreement. Any such supplies and services furnished after December 31, 1945 (other than any furnished on a straight lend-lease or reciprocal aid basis or covered under section B of this Agreement) will be for cash settlement between the two Governments. Petroleum products designated for withdrawal by either Government from its share of stocks held by the other Government under the Agreement relating to Petroleum concluded this day (No. VI) are not covered by this paragraph.

Accounts.

Petroleum products.

Post, p. 1547.

Composition of
lend-lease pipeline.

B. LEND-LEASE

1. The lend-lease pipeline consists of such of the following articles as the Government of the United Kingdom selected for transfer to it after September 1, 1945 as evidenced by a designation duly made by representatives of the Government of the United Kingdom, together with the services specified below:

(a) Articles and services covered by United Kingdom requisitions filed with the Foreign Economic Administration or its successor (other than articles under procurement through the United States Department of Agriculture covered by subparagraph (b) hereof) which were under contract, or were completed, but had not been transferred on September 2, 1945.

(b) Foodstuffs, services and other materials under procurement through the United States Department of Agriculture to the extent of

(i) all firm allocations, emergency allocations, and tentative fourth quarter 1945 allocations in effect as of August 18, 1945 for United Kingdom programs;

(ii) the shares which, after August 18, 1945, were apportioned to the United Kingdom programs out of the quantities for which the Foreign Economic Administration had theretofore incurred procurement obligations but had not made sub-allocations to claimants; and

(iii) the quantities under United Kingdom requisitions, determined to have been active as of August 18, 1945, for commodities not controlled by United States allocation.

(c) (i) Naval supplies available in inventory or under contract which, as of September 2, 1945, were covered by formal United Kingdom requisitions or earmarked against approved requirements placed directly with the United States Navy Department.

(ii) Military supplies available in United States War Department inventories which, as of September 2, 1945, were covered by formal requisitions or earmarked against approved requirements placed directly with the War Department.

(iii) Military and naval maintenance spares issued against requisitions placed during the period from September 2, 1945 to December 31, 1945, inclusive, with the United States War or Navy Department by the Government of the United Kingdom under standing United States Government directives (other than spares issued under section A, paragraph 2 of this Agreement).

(d) Inland transportation, storage, handling and services incidental thereto, furnished in the United States during the period from September 2, 1945 to December 31, 1945, inclusive, with respect to certain materials under the control of the Government of the United Kingdom, to the extent such services were originally requisitioned by that Government prior to September 2, 1945, as modified by later requisition.

(e) Transportation provided out of lend-lease funds for United Kingdom personnel or cargo on United States flag civilian airlines

during the period from September 2, 1945 to December 31, 1945, inclusive.

(f) Shipping services and supplies described in part I of the Annex to this Agreement.

Post, p. 1531.

(g) Petroleum products in accordance with the Agreement relating to Petroleum concluded this day (No. VI).

Post, p. 1547.

2. (a) The Government of the United States agrees to complete as early as possible the transfer of articles in the lend-lease pipeline (both civilian and military), in the quantities and according to the specifications and other conditions, except as to time of delivery, set forth in the requisitions or comparable documents submitted by the Government of the United Kingdom, to the extent that such articles are or will be available to the Government of the United States for transfer to the Government of the United Kingdom and subject to the conditions set forth in this Agreement. The Government of the United States may, however, in exceptional cases, decline to complete the transfer of articles in the lend-lease pipeline, when it determines that such transfer would be contrary to its national interests. The Government of the United Kingdom agrees to accept the transfer of articles in the lend-lease pipeline (both civilian and military) and to settle for such articles under the offsetting arrangement. The Government of the United Kingdom may, however, in exceptional cases, decline to accept articles which it has designated for transfer, but agrees in that event to settle under the offsetting arrangement for the costs (including costs of contract cancellations) incurred by the Government of the United States in connection with such articles, less the value of such articles to the Government of the United States or the proceeds realized from their disposal.

Transfer of articles
in lend-lease pipeline.

(b) Unless otherwise provided by mutual agreement, transfer of articles in the lend-lease pipeline shall be deemed to have taken place immediately upon loading of the articles on board ocean vessel in a United States port, or on board aircraft preparatory to flight from the United States, and title to such articles shall pass at the time of such loading; provided that risk of loss not recoverable from the supplier, carrier or other third party shall be assumed by the Government of the United Kingdom

(i) with respect to articles specifically contracted for under United Kingdom requisitions, upon shipment from the factory or other premises of the supplier;

(ii) with respect to articles covered by paragraph 1(b) of this section, upon delivery f. a. s.; and (iii) with respect to all other articles, upon shipment from warehouse or United States Government depot.

Any articles that shall not have been transferred as provided in this paragraph prior to midnight on December 31, 1946 or 6 months after receipt by the Government of the United Kingdom of notice of availability, whichever is later, shall be deemed to have been transferred as of such later date.

3. The amount which the Government of the United Kingdom agrees to pay by means of the offsetting arrangement for articles and

Amount of payment
to be made by United
Kingdom.

services in the lend-lease pipeline (other than (a) shipping services and supplies, which for this purpose will be dealt with in accordance with part I of the Annex to this Agreement, and (b) petroleum products, which for this purpose will be dealt with in accordance with the Agreement relating to Petroleum concluded this day (No. VI)) will be the amount determined by the Government of the United States as the cost to it of such articles and services. The general basis of costing by the Government of the United States has been the subject of full consultation with the appropriate United Kingdom authorities.

Post, p. 1531.

Post, p. 1547.

C. RECIPROCAL AID

Settlement for certain supplies and services.

1. (a) Certain supplies and services of types which before V-J Day were made available to the Government of the United States under reciprocal aid have continued to be furnished without current payment, and settlement for such supplies and services furnished during the period from September 2, 1945 to December 31, 1945, inclusive, (other than any furnished on a straight reciprocal aid basis under section A, paragraph 2 of this Agreement) will be made under the offsetting arrangement. Any services rendered or supplies made available after midnight on December 31, 1945 (other than any furnished on a straight reciprocal aid basis under section A paragraph 2 of this Agreement) will be for cash settlement.

Ante, p. 1527.

(b) In the case of bulk commodities for import into the United States on a "Government-to-Government" basis the offsetting arrangement will apply to all such commodities of types which before V-J Day were made available to the Government of the United States on reciprocal aid, entered on ocean bill of lading during the period from September 2, 1945 to December 31, 1945, inclusive. All commodities entered on ocean bill of lading after the latter date will be for cash settlement. Transfer to the Government of the United States shall be deemed to have taken place immediately upon loading of the articles on board ocean vessel. Title and risk of loss with respect to such articles shall pass at the time of such loading.

(c) In the case of bulk commodities for import into the United States for which the Government of the United States itself makes payment in the first instance, the offsetting arrangement will not apply, and the Government of the United Kingdom will not reimburse the Government of the United States for any such commodities entered on ocean bill of lading after midnight on September 1, 1945. The Government of the United Kingdom will reimburse the Government of the United States in cash for commodities covered by approved requisitions for reimbursement under reciprocal aid entered on ocean bill of lading prior to midnight on September 1, 1945 in accordance with the practice previously followed.

Amount of payment to be made by U. S.

2. The amount which the Government of the United States agrees to pay by means of the offsetting arrangement for articles and services in the reciprocal aid pipeline (other than (a) shipping services and supplies, which for this purpose will be dealt with in accordance

with Part II of the Annex to this Agreement, and (b) petroleum products, which for this purpose will be dealt with in accordance with the Agreement relating to Petroleum concluded this day (No. VI) will be the amount determined by the Government of the United Kingdom as the cost to it of such articles and services. The general basis of costing by the Government of the United Kingdom has been the subject of full consultation with the appropriate United States authorities.

Post, p. 1533.

Post, p. 1547.

D. TORT CLAIMS

The amounts paid by the Governments of the United States and of the United Kingdom in settlement of certain claims described in the Agreement relating to Tort Claims concluded this day (No. IX) shall be included in the offsetting arrangement.

Post, p. 1563.

E. OFFSETTING ARRANGEMENT

The Joint Statement of December 6, 1945 contemplated that the total amounts due for certain supplies and services furnished after September 1, 1945 through lend-lease and reciprocal aid channels to the Governments of the United Kingdom and of the United States respectively, would be offset in order finally to compute the net sum due from the Government of the United Kingdom to the Government of the United States in accordance with paragraph 3 of the Joint Statement. The sum of \$118,000,000 appearing in paragraph 3 (a) of the Joint Statement represented the best estimate then obtainable of the net amount which would be due to the Government of the United States under paragraph 3 (a), after deducting the net sum due to the Government of the United Kingdom under the claims settlement. The net sum due to the Government of the United Kingdom under the Agreement on Settlement of Intergovernmental Claims concluded this day (No. II) has been finally computed at \$53,020,000.

Total amounts due.
Post, p. 1564.

Post, p. 1564.

Post, p. 1534.

The supplies and services to be brought into this offsetting arrangement are those so specified in this Agreement. The total amounts due for such supplies and services will be computed in accordance with the principles set forth in this Agreement.

An agreed accounting procedure shall be established for the computation of the net sum due under this offsetting arrangement.

A N N E X

SHIPPING SERVICES AND SUPPLIES

PART I

There shall be brought within the lend-lease pipeline for inclusion in the offsetting arrangement:

Lend-lease pipeline.
Inclusion in offsetting arrangement of certain charges, etc.

(1) Ocean transportation charges at established rates, on United States controlled vessels berthing during the period from November 1, 1945 to November 30, 1945, inclusive, in respect of personnel and wet or dry cargo, according to lend-lease practices which prevailed before August 18, 1945, including, *inter alia*, supplies procured by or transferred to the Government of the United Kingdom or to a

Government in the British Commonwealth (other than the Governments of Australia and of India) as follows:

- (a) pipeline supplies;
- (b) supplies procured under "Q" (90,000 series) cash reimbursement requisitions; and
- (c) supplies purchased for cash by the above Governments in the open market.

(2) Ocean transportation charges at established rates on United States controlled vessels berthing during the period from December 1, 1945 to December 31, 1945, inclusive, for the same personnel and wet or dry cargo as are covered in paragraph (1) hereof but excluding material purchased under "Q" series cash reimbursement requisitions, or for cash in the open market in the United States.

(3) Hire, at rates to be agreed upon between the two Governments, of United States controlled vessels allocated to the Government of the United Kingdom in respect of the period from November 1, 1945 to December 31, 1945, inclusive, to include:

- (a) United States controlled vessels allocated to Sea Transport service;
- (b) United States controlled vessels allocated to New Zealand coastwise and forward area service, to the extent that the cost does not come within paragraphs (1) and (2) hereof; and
- (c) United States controlled assistance tankers to the extent that the cost does not come within paragraphs (1) and (2) hereof.

Nonapplicability to certain vessels.

Nothing in the foregoing shall be taken to apply to the vessels demised to the Government of the United Kingdom which are the subject of the United States War Shipping Administrator's letter of November 24, 1944 to the United Kingdom Minister of War Transport (with the accompanying Memorandum of Agreement) and subsequent correspondence.

(4) The cost of services and supplies covered under requisitions directed to the United States War Shipping Administration for all British controlled merchant vessels berthing at United States ports during the period from October 2, 1945 to October 31, 1945, inclusive, (subject to an agreed abatement of 4.5% in the case of dry cargo vessels to cover non-Government owned or sponsored cargoes). The cost of services and supplies provided to the *S. S. Queen Mary* at United States ports during the period from October 2, 1945 to December 31, 1945, inclusive, shall be included in the offsetting arrangement.

(5) Costs incurred by War Forwarding Corporation in the Port of New York and United States War Shipping Administration forwarders in other United States ports in connection with the handling of shipments covered by subparagraphs (a) and (b) of paragraph (1) hereof, called forward by them during the period from November 1, 1945 to November 30, 1945, inclusive.

(6) Net payments within the scope of the "Knock-for-Knock" Agreement and supplementary understandings, in respect of casualties occurring during November and December, 1945.

56 Stat. 1730.
Foot, p. 1915.

PART II

There shall be brought within the reciprocal aid pipeline for inclusion in the offsetting arrangement:

Reciprocal aid pipeline.

(1) Freight and passage money at established rates, on United Kingdom controlled vessels for United States Army personnel or cargoes in respect of vessels sailing during the period from September 2, 1945 to December 31, 1945, inclusive.

(2) The proportion of the operating cost of United Kingdom controlled vessels applicable to the period from September 2, 1945 to December 31, 1945, inclusive, in respect of vessels in continuous service of the United States Army on a full use basis.

(3) The cost of services and supplies (including, *inter alia*, repairs and oil bunkers) provided to the United States War Shipping Administration and United States Army controlled vessels, berthing during the period from September 2, 1945 to December 31, 1945, inclusive, in areas in which the Government of the United Kingdom formerly gave reciprocal aid; however, in the case of (a) services or supplies to vessels operating coastwise in a single country within an area in which the Government of the United Kingdom formerly gave reciprocal aid, or (b) issues of United Kingdom Ministry of War Transport stores to United States Armed Forces, the date of the provision or issue and not the date of berthing will be the operative date. In the case of services and supplies provided to United States War Shipping Administration controlled vessels the provisions of this paragraph shall apply without distinction as between supplies or services formerly eligible or ineligible for reciprocal aid.

II

AGREEMENT ON SETTLEMENT OF INTERGOVERNMENTAL CLAIMS

1. During the course of the negotiations leading to the JOINT STATEMENT REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY AND CLAIMS, dated December 6, 1945, representatives of the Governments of the United States and of the United Kingdom discussed certain claims arising out of the conduct of World War II and presented by one Government to the other. The objective was to arrive at as comprehensive a settlement as possible and to obviate protracted negotiations between the two Governments.

Post, p. 1564.

Inclusion of claims in offsetting arrangement.

2. The following were accepted by the Governments of the United States and of the United Kingdom respectively for inclusion in the offsetting arrangement, described in section E of the Agreement on Lend-Lease and Reciprocal Aid Pipelines and Offsetting Arrangement concluded this day (No. I), in accordance with paragraph 3 (a) of the Joint Statement of December 6, 1945, in the amounts indicated below:

Ante, p. 1531.

Post, p. 1564

(a) *Claims by the Government of the United States accepted by the Government of the United Kingdom*

In millions of dollars

(i) Assignment to certain British Colonial Dependencies, ineligible for lend-lease at the time, of 796 trucks and certain spares	2.0
(ii) Re-export of 10,000 tons of lend-lease steel to France	0.7
(iii) Transportation costs for petroleum products in the Sudan (net figure)	0.12
(iv) Rental of lend-lease rolling stock for use to September 2, 1945, by Middle East railways	2.0
(v) Retransfers and diversions of lend-lease tinplate, terneplate and drumsheets in the Middle East, Iran, and East and West Africa	6.0
(vi) Agreed provision to cover claims not otherwise settled arising out of instances of retransfers or diversions of lend-lease articles occurring during the period from March 11, 1941 to September 1, 1945, inclusive, or out of exports during that period, in respect of which the Government of the United States would have been entitled to reimbursement	4.0
(vii) The United Kingdom motor spirit basic ration for civilians	2.8
(viii) Commercial exports of petroleum products from the United Kingdom to Eire, France, West Africa and Sweden	5.1
(ix) Diversions of lend-lease petroleum and petroleum materials to oil companies in the Middle East	1.0
(b) <i>Claims by the Government of the United Kingdom accepted by the Government of the United States</i>	
(i) Purchase price of capital facilities in the United States acquired by the Government of the United Kingdom prior to the entry of the United States into World War II and repurchased by the Government of the United States in accordance with existing agreements	32.0
(ii) Freight, insurance and handling charges on South American meat transferred to the U. S. S. R. on United States Government account	1.45
(iii) United States Government share of cost of joint preemption of Siamese rubber	0.8

	<i>In millions of dollars</i>
(iv) United States Government re-export of reciprocal aid goods	7. 0
(v) Spare parts for aircraft purchased for dollars by the Government of the United Kingdom and transferred to the Government of the United States in 1941	7. 6
(vi) Dollar expenditure eligible for lend-lease incurred in respect of Dutch ships chartered by the Government of the United Kingdom and allocated to the Government of the United States	15. 0
(vii) United States Government share of Middle East Supply Center administrative expenses	0. 5
(viii) Reduction in price in respect of renegotiation of contracts under cash reimbursement requisitions	0. 29
(ix) British trucks sold by the United States Army in Iran	2. 0
(x) Dollar cost of assembly, disassembly and repair of USAAF aircraft at Speke, England	1. 6
(xi) Balance due in respect of excess over agreed share of United Kingdom Government supplies to Saudi Arabia joint supply program for the years 1944 and 1945	1. 8
(xii) Sales to civilians and diversions of reciprocal aid petroleum products in	
Dakar	1. 0 million
Brazil	1. 3
North Africa	4. 4
	6. 7

3. The following claims were presented and considered by the two Governments:

- | | |
|--|--------|
| (a) <i>Presented by the Government of the United States</i> | |
| Suez Canal dues paid by United States vessels | 13. 0 |
| (b) <i>Presented by the Government of the United Kingdom</i> | |
| (i) Claims for aircraft purchased for dollars by the Government of the United Kingdom in the United States and subsequently transferred to the Government of the United States for its own use and for transfer to the U. S. S. R. | 252. 8 |
| (ii) Freight payable to the Iranian Railways in respect of goods supplied by the Government of the United States under lend-lease to the U. S. S. R. | 25. 0 |

While agreement for the acceptance of these claims was not reached, it has been agreed that they shall be regarded as taken into account in the general settlement contained in the Joint Statement of December 6, 1945 and that they are covered by paragraph 6 hereof.

Post, p. 1564.

4. Financial claims between the two Governments, other than claims dealt with in the Agreements concluded this day, arising out of existing arrangements where the liability for payment is acknowledged and the method of computation is mutually agreed are not covered by this settlement as they will be settled in accordance with such arrangements.

Claims not covered
by this settlement.

5. The following types of financial claims between the two Governments are also not covered by this settlement and will be dealt with in accordance with procedures already established or to be established after appropriate discussion:

- (a) Claims arising out of military relief expenditure.
- (b) Claims arising in connection with the loss of currency notes and with the provision of military currencies.

- (c) Claims arising out of the administration of occupied enemy territories.
- (d) Claims between the U. S. Commercial Company and United Kingdom Commercial Corporation.
- (e) Claims arising out of the operation of the Agreement between the Governments of the United States and of the United Kingdom relating to the Interchange of Patent Rights, Information, Inventions, Designs, or Processes, dated August 24, 1942.

56 Stat. 1594.

Waiver of claims.

6. The two Governments hereby agree that all financial claims whatsoever of one Government against the other which (a) arose out of lend-lease or reciprocal aid, or (b) otherwise arose on or after September 3, 1939 and prior to September 2, 1945 out of or incidental to the conduct of World War II, and which are not otherwise dealt with in the Agreements concluded this day, are hereby waived, and neither Government will hereafter raise or pursue any such claims against the other.

III

AGREEMENT RELATING TO CIVILIAN HOLDINGS

In accordance with their JOINT STATEMENT REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY AND CLAIMS, dated December 6, 1945, and in partial consideration of the payment of the net amount of \$532,000,000 by the Government of the United Kingdom to the Government of the United States specified in paragraph 3 (b) thereof, the Governments of the United States and of the United Kingdom have reached agreement as set forth below regarding the disposition of holdings of such articles of lend-lease and reciprocal aid origin as are defined below.

Disposition of holdings of certain articles.

Post, p. 1564.

1. The Government of the United Kingdom hereby acquires and shall be deemed to have acquired on September 2, 1945, without qualification as to disposition or use, full title to all articles (including raw materials, foodstuffs and other agricultural products, durable goods, and vessels of 100 gross tons or under not procured or constructed out of funds appropriated to the United States Navy Department or the United States Maritime Commission) supplied on straight lend-lease by the Government of the United States to the Government of the United Kingdom or to the Government of any British Colonial Dependency, and in the possession or control of such Government, its agents or distributees at midnight on September 1, 1945, excluding any such articles, other than raw materials, in the possession or control of the United Kingdom Armed Forces or of their supply agents acting on their behalf, and excluding any such articles which have been returned to the Government of the United States since September 1, 1945.

Acquisition of title to certain articles by United Kingdom.

2. The Government of the United States hereby acquires and shall be deemed to have acquired on September 2, 1945, without qualification as to disposition or use, full title to all articles (including raw materials, foodstuffs, and other agricultural products, durable goods, and vessels of 100 gross tons or under furnished under reciprocal aid) supplied on straight reciprocal aid by the Government of the United Kingdom and in the possession or control of the Government of the United States, its agents or distributees at midnight on September 1, 1945, excluding any such articles other than raw materials in the possession or control of the United States Armed Forces or of their supply agents acting on their behalf, and excluding articles which have been returned to the Government of the United Kingdom since September 1, 1945.

Acquisition of title to certain articles by United States.

3. The Government of the United Kingdom, when it disposes of or distributes articles acquired pursuant to paragraph 1 of this Agreement, will use its best endeavors to avoid discrimination against the legitimate interests of the United States manufacturers or producers of such articles, or their agents or distributors in the United Kingdom.

Exclusions from
Agreement.

4. In addition to the exclusions described in paragraphs 1 and 2 above, this Agreement shall not apply to the following:

(a) Petroleum products made available under lend-lease or under reciprocal aid, the transfer of which is governed by the arrangements set out in the Agreement relating to Petroleum concluded this day (No. VI).

Post, p. 1547.

(b) Vessels other than those referred to in the preceding paragraphs made available under lend-lease or under reciprocal aid. Such vessels are subject to return to the supplying Government.

(c) Such aircraft, and spares therefor, as are covered by the Agreement on Lend-Lease Aircraft (Non-Combat) and Spares concluded this day (No. V).

Post, p. 1543.

"Vessels."

5. In this Agreement, the term "vessels" includes ships, boats, barges, floating dry docks and other watercraft.

Silver.

6. Nothing in this Agreement or any of the other Agreements concluded this day affects any obligation entered into by the Government of the United Kingdom in connection with any silver transferred by the Government of the United States under lend-lease.

IV

AGREEMENT RELATING TO MILITARY HOLDINGS

In accordance with their JOINT STATEMENT REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY AND CLAIMS, dated December 6, 1945, and with the principles of international security and welfare set forth in the Charter of the United Nations, the Governments of the United States and of the United Kingdom agree that, effective September 2, 1945, the disposition and use of lend-lease articles which were (a) in the possession or control on September 2, 1945 of the United Kingdom Armed Forces (including their supply agents) or (b) transferred to them thereafter on straight lend-lease terms (both hereinafter referred to as "lend-lease articles"), and of reciprocal aid articles which were (a) in the possession or control on September 2, 1945 of the United States Armed Forces (including their supply agents) or (b) transferred to them thereafter on straight reciprocal aid terms (both hereinafter referred to as "reciprocal aid articles") shall be governed by the following principles.

1. Under Article V of the Mutual Aid Agreement of February 23, 1942 between the Governments of the United States and of the United Kingdom, the Government of the United States has the right to recover at the end of the present emergency as determined by the President, such defense articles transferred under that Agreement as have not been destroyed, lost or consumed, and as shall be determined by the President to be useful in the defense of the United States or of the Western Hemisphere, or to be otherwise of use to the United States of America. It is agreed that this right of recapture may be exercised at any time after September 1, 1945 with respect to lend-lease articles which, as of the date upon which notice requesting return is communicated to the Government of the United Kingdom, are not destroyed, lost, consumed or disposed of in accordance with this Agreement.

2. The Government of the United States reserves its right of recapture of any lend-lease articles held by the United Kingdom Armed Forces, but does not intend to exercise generally this right of recapture. In respect of cases where it wishes from time to time to exercise its right of recapture, the Government of the United States will give reasonable notice of its intention and will provide full opportunity to the Government of the United Kingdom for discussion of that Government's need for the articles in question, without limiting the right of recapture referred to in paragraph 1 hereof. The Government of the United Kingdom will make the arrangements for effecting the physical return to the custody of the Government of the United States, at such points as the latter may designate, of the lend-lease articles to be recaptured, and will use its best endeavors to see that all reasonable care is exercised in order to prevent loss of or damage to such articles during the process of return. The Government of the United States will, however, take into consideration the practical difficulties in particular cases, especially as to designation of points of delivery, and will cooperate with the Government of the United

Disposition and use of certain articles.

Post, p. 1564.

59 Stat. 1031.

Right of recapture. Defense articles.

56 Stat. 1434.

Land-lease articles.

Kingdom, as fully as the available United States organization and equipment permit, in facilitating and expediting the return of articles to be recaptured. In general, the Government of the United States will not require the Government of the United Kingdom to undertake any major reconditioning or repair of such articles.

Reciprocal aid articles.

3. Similar principles will be applied by both Governments in regard to the recapture of reciprocal aid articles.

Responsibility in connection with articles not recaptured, etc.

4. Full responsibility in connection with any lend-lease and reciprocal aid articles not recaptured or accepted for return by the supplying Government shall lodge with the recipient Government. The supplying Government may decline to accept any lend-lease or reciprocal aid articles which may be offered for return. The recipient Government shall not be required to notify the supplying Government before disposing of or abandoning any lend-lease or reciprocal aid articles which become surplus to the military requirements of the recipient Government. Nothing in this paragraph shall, however, be construed as overriding the provisions of paragraphs 6, 7, and 8 hereof.

5. Except as provided in the following paragraphs hereof, the recipient Government will not be required to purchase from the supplying Government, or to enter into any mutual financial arrangements regarding, any lend-lease or reciprocal aid articles.

Transfers by recipient Government to third government, limitation.

6. Transfer by the recipient Government of lend-lease or reciprocal aid articles may be made to third governments (including Dominion Governments) for military use, whether by sale, loan or otherwise, only with the prior authority of the supplying Government and on terms to be agreed between the supplying Government and the third government in question, it being understood that such transfer will in all cases be made for purposes compatible with the principles of international security and welfare set forth in the Charter of the United Nations. Contingent forces serving under United Kingdom command may, subject to the prior authority of the Government of the United States, withdraw lend-lease articles from United Kingdom military holdings upon their assuming a status independent of the United Kingdom Armed Forces. The terms of settlement for such articles shall be agreed between the Government of the United States and the government making the withdrawal.

59 Stat. 1031.

Disposal of lend-lease articles for civilian use.

7. Lend-lease articles may be disposed of for civilian use, whether by sale, lease or otherwise, outside the United Kingdom and British Colonial Dependencies only after the Government of the United States has been offered and has declined their return and has approved such disposal of the articles. Any disposals in this category shall be for the account of the Government of the United States and the proceeds of any such disposal, net of selling and other relevant and necessary expenses, shall accrue to the Government of the United States in the currency in which payment was made to the Government of the United Kingdom. Net proceeds in respect of the period from September 2, 1945 onwards under leases, arranged before that date, of lend-lease articles for civilian use outside the United Kingdom and British Colonial Dependencies will similarly accrue to the Govern-

ment of the United States. Such payment by the Government of the United Kingdom will constitute fulfilment of obligations laid upon it by this paragraph in respect of such leases. The foregoing provisions of this paragraph shall be without prejudice to the possible conclusion at a later date of separate arrangements between the governments concerned providing for the comprehensive settlement of the rights and obligations arising from the disposal for civilian use within a given country outside the United Kingdom and British Colonial Dependencies of lend-lease articles in the possession or control of the United Kingdom Armed Forces. It is understood that although the disposal of lend-lease articles within the United Kingdom and British Colonial Dependencies shall be at the full discretion of the governments concerned, these governments will not in practice be releasing such articles for export or for civilian use except to a very limited extent. In view of this understanding, the total sum due to the Government of the United States pursuant to the Joint Statement of December 6, 1945 is deemed to include an adequate compensation for the value of such goods as may be released for civilian use in the United Kingdom and British Colonial Dependencies. In the case of food, the Government of the United Kingdom anticipates that all the lend-lease food-stuffs held by the United Kingdom Armed Forces will, subject to exceptional circumstances, be consumed by those Forces; in view of this, such exceptional disposals of food as may occur outside the United Kingdom and British Colonial Dependencies are excepted from the provisions of this paragraph, although such cases will be reported to the Government of the United States.

Post, p. 1564.

Food.

8. Lend-lease articles rendered unfit for military use may be disposed of for scrap outside the United Kingdom and British Colonial Dependencies without the prior authority of the Government of the United States. Accounts of any net proceeds from such disposals during an agreed six month's period shall be kept by the Government of the United Kingdom, which will remit the aggregate of such net proceeds to the Government of the United States. In the light of experience gained during such period, the Government of the United States will review with the Government of the United Kingdom this arrangement, with a view to determining whether an accounting to the Government of the United States for net proceeds from such disposals recorded prior to such period or derived thereafter need be undertaken.

Disposal of lend-lease articles for scrap.

9. The provisions of paragraphs 6, 7 and 8 hereof shall not apply to components (other than aircraft engines, aircraft propellers, aircraft automatic pilots, aircraft gun turrets, and power units of 3 or more kilowatts) which at the time of disposal are installed in or assembled with articles not themselves subject to this Agreement.

10. The provisions of this Agreement do not apply to the following categories of lend-lease and reciprocal aid articles:

Nonapplication of provisions to designated categories of articles.

- (a) Installations (covered by the Agreement on Lend-Lease and Reciprocal Aid Installations, No. VII).
- (b) Petroleum and Petroleum Products (covered by the Agreement relating to Petroleum, No. VI).

Post, p. 1559.

Post, p. 1547.

Ante, p. 1537.*Post*, p. 1543.

- (c) Raw Materials (covered by the Agreement relating to Civilian Holdings, No. III).
- (d) Such aircraft and spares therefor as are covered by the Agreement on Lend-lease Aircraft (Non-Combat) and Spares (No. V).
- (e) Vessels of the Navy procured with United States Navy appropriations; such vessels are subject to return under United States law.
- (f) Ocean-going lend-lease vessels (other than vessels referred to in (e) above), which will be dealt with in accordance with the agreements relating to their transfer.
- (g) Vessels exceeding 100 gross tons furnished under reciprocal aid.
- (h) Articles of possible lend-lease or reciprocal aid origin which cannot be identified as to origin and which are not otherwise dealt with in these Agreements. Such unidentifiable articles shall be deemed the property of the holding Government.

"Vessels."

11. In this Agreement the term "vessels" includes ships, boats, barges, floating dry docks and other watercraft.

"United Kingdom Armed Forces."

12. The term "United Kingdom Armed Forces" as used herein comprises all armed forces under the direction of the United Kingdom Chiefs of Staff. All the armed forces under command of Commander-in-Chief India are to be regarded for the purposes of this Agreement as United Kingdom Armed Forces, and the Government of the United Kingdom assumes full responsibility in connection with the use and disposal of lend-lease articles in the possession or control of such Forces in accordance with the conditions herein laid down. On April 1, 1946, a proportion of lend-lease military holdings in India will be earmarked for the requirements of the forces under the command of Commander-in-Chief India on the basis of their post-war strength. The conditions governing the use and disposal of the lend-lease articles so earmarked will form the subject of negotiations between the Governments of the United States and of India, and the privileges of the Government of the United Kingdom and its obligations to the Government of the United States under this Agreement with respect to such articles shall remain operative until the date on which any separate arrangements between the Governments of the United States and of India relating to such articles take effect. As from such date and for purposes compatible with the principles of international security and welfare set forth in the Charter of the United Nations, lend-lease articles held by the United Kingdom Armed Forces may be transferred to the forces under the command of Commander-in-Chief India without the prior authority of the Government of the United States subject to the following understandings:

Lend-lease military holdings in India.

59 Stat. 1031.

(a) Subsequent reports, in such practicable form and detail as may later be mutually agreed, regarding such transfers will be made to the Government of the United States.

(b) The Government of the United States reserves the right to reopen with the Government of the United Kingdom the question of applying the principle of prior authority over such transfers stipulated in paragraph 6 of this Agreement, should there be a material change in the existing arrangements between the United Kingdom Armed Forces and the Armed Forces of the Government of India.

V

AGREEMENT ON LEND-LEASE AIRCRAFT (NON-COMBAT)
AND SPARES

In accordance with their JOINT STATEMENT REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY AND CLAIMS, dated December 6, 1945, the Governments of the United States and of the United Kingdom have reached agreement as set forth below regarding settlement for certain lend-lease aircraft and spares, of non-combat nature, furnished by the Government of the United States to the Government of the United Kingdom.

Post, p. 1564.

1. This Agreement covers the use and disposition of all aircraft of the models listed in the Annex hereto, together with spares for such aircraft, which were transferred by the Government of the United States to the Government of the United Kingdom under lend-lease during the period from March 11, 1941 to September 1, 1945, inclusive, and were not destroyed, lost or consumed at the end of that period.

Post, p. 1546.

2. This settlement is made in partial consideration of the payment by the Government of the United Kingdom of the net sum of \$532,000,000 specified in section 3 (b) of the Joint Statement of December 6, 1945, and is final in respect of the aircraft and spares referred to in paragraph 1 hereof, except for the separate payments which may be made in the circumstances indicated in paragraphs 5, 6 and 7 hereof.

Post, p. 1564.

3. The Government of the United States hereby transfers to the Government of the United Kingdom full title, as of September 2, 1945, to 72 Dakota (C-47) aircraft intended for operation by British civil air lines.

4. The Government of the United States hereby transfers to the Government of the United Kingdom full title, as of September 2, 1945, to 600 Dakota (C-47) aircraft, 25 Expediter (UC-45) aircraft, and 18 Liberator (C-87) transport aircraft, subject only to the condition that, as and when they become surplus to British military requirements, they will not be transferred, by sale, loan or otherwise, to third countries (including the Dominions and India) outside the United Kingdom and British Colonial Dependencies without the consent and agreement of the Government of the United States.

5. The two Governments will enter into a leasing arrangement, the specific terms of which will be hereafter agreed, in respect of 671 Dakota (C-47) aircraft, for a total of 7,213 aircraft months beginning September 2, 1945. Such leasing arrangement shall provide that, upon its termination with respect to any particular aircraft, such aircraft will be returned subject to the provisions of paragraph 12 hereof. It shall also contain appropriate provisions governing the liability of the Government of the United Kingdom in kind or in cash (outside the provisions of section 3 (b) of the Joint Statement of December 6, 1945), for loss of or damage to any aircraft while

Leasing arrangement.

Post, p. 1564.

- Monthly statement. under lease. A monthly statement shall be furnished by the Government of the United Kingdom as to the consumption of the 7,213 aircraft months and as to the number of aircraft that will be available for return at the end of the month.
- Extension of leasing arrangement. 6. In the event that the Government of the United Kingdom desires to extend the leasing arrangement referred to in paragraph 5 hereof, the Government of the United States will grant such extension, for which separate payment will be made by the Government of the United Kingdom in cash at the rate of \$333.33 per aircraft month for any aircraft months in excess of the 7,213 aircraft months specified in paragraph 5 hereof. In the event of a national emergency the Government of the United States shall have the right to refuse such extension in respect of any or all aircraft under lease.
- Acquisition of aircraft by United Kingdom; payment. 7. Should the Government of the United Kingdom desire at any time to acquire, and the Government of the United States be willing to transfer, title to any of the said aircraft leased from the Government of the United States, separate payment shall be made in cash by the Government of the United Kingdom at the present United States standard surplus disposal price of \$20,000 per aircraft less lease charges paid in respect of such aircraft up to the time of purchase thereof, or at the United States standard disposal price obtaining at the date of acquisition with no reduction for lease charges previously paid, whichever is the lower.
- Transfer of spares. 8. The Government of the United States hereby transfers to the Government of the United Kingdom full title, as of September 2, 1945, to the latter's holdings on that date of spares related to the aircraft described in paragraphs 3, 4 and 5 of this Agreement (estimated at two months' supply), subject to the same conditions regarding disposal as are applicable to the particular aircraft to which they are related.
- Use of certain Harvard and Liberator aircraft by United Kingdom. 9. The Government of the United Kingdom may continue to use for military purposes such Harvard (AT-6 and AT-16) aircraft as it has indicated it requires for such purposes, and such Liberator (B-24) aircraft as have been converted by the RAF into improvised transport aircraft, together with a proportionate range of spares behind both types. No converted Liberator (B-24) aircraft will be employed by the Government of the United Kingdom for commercial hire in the carriage of freight or passengers.
- Restriction. 10. The Government of the United Kingdom will offer to the Government of the United States for return all the aircraft referred to in paragraph 1 hereof (other than those covered by paragraphs 3, 4 and 5 hereof) which remain on charge to all holding agencies of the Government of the United Kingdom. The Harvard and Liberator aircraft referred to in paragraph 9 hereof will be offered for return on the same conditions as they become surplus to United Kingdom military requirements and, if not accepted by the Government of the United States, will be subject to the provisions of paragraph 13 hereof.
- Offer of aircraft and spares for return to U. S.

Further, the Government of the United Kingdom will make every effort to return as large a quantity as possible of spares for aircraft of the models offered for return and needed by the Government of the United States.

11. Subject to the provisions of paragraphs 5 and 6 hereof, the Government of the United States reserves its full right of recapture pursuant to Article V of the Mutual Aid Agreement dated February 23, 1942 in respect of all aircraft and spares covered by this Agreement other than those to which title is acquired by the Government of the United Kingdom pursuant to paragraphs 3, 4 and 8 hereof, or is hereafter acquired by it pursuant to paragraph 7 hereof. It is agreed that this right of recapture may be exercised at any time after September 1, 1945 with respect to aircraft and spares covered by this Agreement which, as of the date upon which notice requesting return is communicated to the Government of the United Kingdom, are not destroyed, lost, consumed or disposed of in accordance with this Agreement.

Reservation of right of recapture of aircraft and spares by U. S.

56 Stat. 1434.

12. The Government of the United Kingdom will make the arrangements for effecting the physical return to the custody of the Government of the United States, at such points as the latter may designate, of any aircraft and spares to be returned or recaptured and will use its best endeavors to see that all reasonable care is exercised in order to prevent loss of or damage to such articles during the process of return. The Government of the United States will give reasonable notice of its intention to recapture, will take into consideration the practical difficulties in particular cases, especially as to designation of points of delivery, and will co-operate with the Government of the United Kingdom as fully as the available United States organization and equipment permit in facilitating and expediting the return of articles to be recaptured. With respect to aircraft, other than those covered by paragraphs 5 and 6 hereof, the Government of the United Kingdom will be required to make the above arrangements only for aircraft which, at the date of the notice of intention to recapture or of the acceptance of the offer for return, are flyable or may be made so after repairs requiring not more than 250 man-hours in the case of a Dakota (C-47) and proportionately greater or less time for larger or smaller models.

Physical return of aircraft and spares to custody of U. S.

13. So long as aircraft and spares covered by this Agreement and not within paragraphs 3 to 8 hereof, inclusive, have not been the subject of (a) acceptance by the Government of the United States of an offer for return in accordance with the requirements of paragraph 10 or (b) recapture by the United States under the provisions of paragraph 11, they may be used by the Government of the United Kingdom for military purposes and, as they become surplus to such military purposes, may be disposed of for its own account as salvage or scrap, after being rendered unfit for aeronautical use, without further consultation with the Government of the United States.

Use of aircraft and spares for military purposes, etc., by United Kingdom.

ANNEX

MODELS OF AIRCRAFT COVERED BY THIS AGREEMENT

	<i>U. S. Designations</i>	<i>U. K. Designations</i>
<i>Transport</i>	UC-43	Traveller
	C-45	Expediter
	C-47	Dakota
	C-53	
	C-54	Skymaster
	C-59	Lodestar
	C-60	
	UC-61	Argus
	UC-64	Norseman
	<i>Advanced Trainers</i>	C-87 or RY3 or B-24 converted	Liberator
AT-6		Harvard
AT-7		Navigator
AT-16		Harvard
AT-17		Crane
AT-19		Reliant
<i>Primary Trainers</i>	PT-26	Cornell
<i>Liaison</i>	L-1 or O-49	Vigilant
	L-4	Cub
<i>Boats and Amphibians</i>	L-5	Sentinel
	J4F	Widgeon
	JRF	Goose
	PBY	Catalina

VI

AGREEMENT RELATING TO PETROLEUM

In accordance with their JOINT STATEMENT REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY AND CLAIMS, dated December 6, 1945, the Governments of the United States and of the United Kingdom hereby agree that the various questions relating to petroleum arising between the two Governments out of the conduct of World War II shall be dealt with as follows:

Post, p. 1564.

A. PETROLEUM "PIPELINE"

1. The lend-lease petroleum "pipeline" intended for the United Kingdom consists of supplies contracted for but not transferred before September 2, 1945 which the Government of the United Kingdom designated for transfer after that date under lend-lease procedure. The Government of the United States agrees to complete the transfer of the petroleum products in the pipeline and the Government of the United Kingdom agrees to accept the transfer of such products. The total agreed value of the lend-lease petroleum pipeline, which amounts to \$275,440, will be brought into the offsetting arrangement described in section E of the Agreement on Lend-Lease and Reciprocal Aid Pipelines and Offsetting Arrangement concluded this day (No. I).

Lend-lease petroleum "pipeline."

Ante, p. 1527.

Reciprocal aid petroleum "pipeline."

2. The reciprocal aid petroleum "pipeline" is deemed to consist of
- (a) deliveries of fuel oil in the amount of \$5,158,927 made to the United States Navy during the period from September 2, 1945 to December 31, 1945, inclusive, under contracts with non-American companies in Curacao, Trinidad and Abadan; and
 - (b) deliveries up to a maximum value of \$400,000 of petroleum products, other than aviation gasoline and lubricants, made or to be made during the period from September 2, 1945 to June 30, 1946, inclusive, to the United States Armed Forces in the Middle East.

These items will be brought into the offsetting arrangement.

B. CLAIMS BROUGHT WITHIN THE AGREEMENT ON SETTLEMENT OF INTERGOVERNMENTAL CLAIMS

The following claims, arising out of petroleum transactions, in the net amount of \$2,200,000 in favor of the Government of the United States are included in the Agreement on Settlement of Intergovernmental Claims concluded this day (No. II) for settlement in accordance therewith.

Ante, p. 1534.

1. *Claims by the Government of the United States accepted by the Government of the United Kingdom*

(a) *United Kingdom Motor Spirit Basic Ration.* In conformity with previously made arrangements, the Government of the United Kingdom accepts the claim of the Government of the United States in the amount of \$2,800,000 for the landed cost of such additional motor spirit as was consumed in the United Kingdom during the period from June 1, 1945 to September 1, 1945, inclusive, by private cars for private use by reason of the restoration of the basic ration.

(b) *Commercial Exports of Petroleum Products from the United Kingdom.* In conformity with previously made arrangements regarding commercial exports of petroleum products from the United Kingdom, the Government of the United Kingdom accepts the claim of the Government of the United States in the amount of \$5,100,000 for the landed cost in the United Kingdom of such products exported to Eire, West Africa, Sweden and France during the period from March 11, 1941 to September 1, 1945, inclusive.

(c) *Diversions of Lend-Lease Petroleum and Petroleum Materials in the Middle East.* The sum of \$1,000,000 shall be taken as the amount due to the Government of the United States from the Government of the United Kingdom in respect of diversions to oil companies in the Middle East of lend-lease petroleum products and petroleum materials for which the Government of the United States was entitled to reimbursement.

2. *Claims by the Government of the United Kingdom accepted by the Government of the United States*

(a) *Brazil and Dakar.* The Government of the United States accepts the claim of the Government of the United Kingdom in the amount of \$2,300,000 for a proportionate share, based on contributions, of the proceeds from those sales of petroleum products to third parties in Brazil and Dakar in which there was a reciprocal aid content.

(b) *North Africa.* The Government of the United States accepts the claim of the Government of the United Kingdom in the amount of \$4,400,000 for a proportionate share, based on contributions, of the proceeds from sales of petroleum products for civilian use in North Africa during the period from December 1, 1944 to September 1, 1945, inclusive.

C. TRANSACTIONS TO BE CARRIED TO COMPLETION

1. *Crude Oil for Programs of the Combined Training Establishment in Canada.* The Government of the United States will complete the delivery of crude oil in Canada, in accordance with standing agreements and United Kingdom requisitions previously approved thereunder, to carry out its commitment to the Government of the United Kingdom in connection with aviation petroleum products consumed prior to September 2, 1945 under the programs of the Combined Training Establishment in Canada.

2. *Aviation Gasoline at Bahrein.* The Government of the United Kingdom reaffirms the dollar-sterling conversion and petroleum supply arrangements made between it and the Government of the United States during the war with respect to aviation gasoline supply and reciprocal aid at Bahrein and will carry such arrangements to completion.

3. *Other Transactions.* Certain other transactions described in Annex I, in which the liability for payment has heretofore been acknowledged and the method of computation is not in dispute, will be carried to completion in due course as provided in Annex I.

D. CIVIL AFFAIRS SUPPLIES

1. *Northwest Europe.* Contributions of petroleum products to Northwest Europe drawn from the United Kingdom pool will be treated as falling in the unidentifiable category as set forth in the agreements already reached by the Governments of the United Kingdom and of the United States regarding the lend-lease element in civil affairs supplies, subject to the proviso that, in the case of petroleum products as distinguished from other unidentifiable civil affairs supplies, the provisions of these agreements dealing with the determination of contributions shall be applied over the period from March 11, 1941 to September 1, 1945, inclusive, in order to be consistent with the method used for the determination of the lend-lease share of the United Kingdom petroleum inventory and other arrangements between the two Governments in respect of petroleum products.

2. *South Europe.* The Government of the United Kingdom waives any claim to have contributed a share of the petroleum products sold for civilian use by Allied Forces Headquarters in South European countries.

E. WAIVER OF OTHER CLAIMS

The provisions of the Agreement on Settlement of Intergovernmental Claims concluded this day (No. II) shall apply to claims arising out of petroleum transactions, and in addition all claims not otherwise dealt with in this Agreement or in Annex I hereto, arising out of the sale, diversion or retransfer, in Gibraltar, Malta, China, the Philippines and elsewhere, of petroleum products or petroleum materials supplied under lend-lease or reciprocal aid are hereby mutually waived, whether or not covered by paragraph 4 of the Agreement on Settlement of Intergovernmental Claims.

Ante, p. 1534.

Post, p. 1553.

Ante, p. 1535.

F. INVENTORIES

1. *United Kingdom Inventories.* For the purposes of this Agreement, the total petroleum inventories in the United Kingdom as of September 2, 1945 shall be deemed to include petroleum stocks in the United Kingdom on that date, stocks then in transit to the United Kingdom, and stocks then within the possession of the British Armed Forces in Northwest Europe. These stocks have been divided into the United Kingdom share, attributable to contributions to such stocks by the Government of the United Kingdom, and the United States lend-lease share, attributable to contributions of the Government of the United States to such stocks under lend-lease. Such United States lend-lease share is equivalent to the sum of (a) the quantities earmarked under previous arrangements as the United States military share, and (b) other United States lend-lease stocks.

The agreed amount of the United States lend-lease share is shown in Annex II.

Post, p. 1554.

2. *Other Inventories.*

(a) An agreed statement of inventories of petroleum products attributable to lend-lease within the possession of the Government

of the United Kingdom as of September 2, 1945 (exclusive of inventories in the United Kingdom and in the Mediterranean pool) and of inventories of petroleum products attributable to reciprocal aid within the possession of the Government of the United States as of that date is given in Annex III.

Post, p. 1555.

(b) An agreed statement of stocks constituting part of the Mediterranean pool which were transferred as of September 2, 1945 for use by the British Armed Forces pursuant to directive of the United States Joint Chiefs of Staff is given in Annex IV.

Post, p. 1555.

Post, p. 1556.

(c) An agreed statement is given in Annex V showing the petroleum products in Italy physically under British control as of September 2, 1945 but available for use by the United States Armed Forces or for issue to other parties at the discretion of the Government of the United States, representing the difference between (i) the total stocks held in British controlled tankage in Italy as of September 2, 1945 and (ii) the stocks which were transferred in Italy for use by the British Armed Forces pursuant to directive of the United States Joint Chiefs of Staff as shown in Annex IV.

Post, p. 1555.

G. WITHDRAWALS BY THE GOVERNMENT OF THE UNITED STATES AGAINST ITS SHARE OF INVENTORIES WITHIN THE POSSESSION OF THE GOVERNMENT OF THE UNITED KINGDOM

1. *Withdrawals from United Kingdom Inventories.* The Government of the United States has notified the Government of the United Kingdom of the quantities of petroleum products as set out in Annex VI, which it estimates that the United States Armed Forces will wish to withdraw against the United States share of the United Kingdom stocks either for use in the United Kingdom or for shipment elsewhere for military purposes. With respect to the latter, it shall be at the option of the Government of the United Kingdom, after consultation with the United States military authorities, to substitute direct deliveries from other areas, in which case appropriate adjustment will be made for any differences in freight costs. While the Government of the United States has the right to withdraw the designated quantities at any time and the Government of the United Kingdom will use its best endeavors to make prompt delivery of the quantities notified as required by the United States Armed Forces, in case of stringency as regards supplies or tankers the Government of the United Kingdom may postpone deliveries by arrangement with the United States military authorities.

Post, p. 1556.

2. *Withdrawals from Other Inventories.* The Government of the United States has notified the Government of the United Kingdom of the quantities of aviation gasoline which it wishes to withdraw in India, Ceylon and the Middle East, and of the quantities of aviation lubricants which it wishes to withdraw in Ceylon and the Middle East, against its share of stocks of these products in the areas mentioned attributable to contributions of the Government of the United States to such stocks under lend-lease. These quantities are set out in Annex VII. The Government of the United States has the right to withdraw such quantities at any time.

Post, p. 1556.

H. WITHDRAWALS BY THE GOVERNMENT OF THE UNITED KINGDOM AGAINST ITS SHARE OF INVENTORIES IN THE PACIFIC

The Government of the United Kingdom has notified the Government of the United States of the quantities of petroleum products, as set out in Annex VIII, which it wishes to withdraw from stocks in the Pacific against its reciprocal aid share of such stocks. The Government of the United Kingdom has the right to withdraw such quantities at any time.

Post, p. 1557.

I. TITLE TO INVENTORIES AND TO PETROLEUM PRODUCTS DESIGNATED FOR WITHDRAWAL

In so far as either the Government of the United States or the Government of the United Kingdom does not already hold title to petroleum inventories or to petroleum products designated for withdrawal:

- (1) The Government of the United States hereby acquires and shall be deemed to have acquired on September 2, 1945 full title (a) to all petroleum products designated for withdrawal by the Government of the United States pursuant to section G hereof, and (b) to all petroleum inventories located outside the United Kingdom which were within the possession of the Government of the United States as of September 2, 1945, or were subsequently transferred to it under United Kingdom Government directive, except for the quantities designated for withdrawal after September 1, 1945 by the Government of the United Kingdom pursuant to section H hereof.
- (2) The Government of the United Kingdom hereby acquires and shall be deemed to have acquired on September 2, 1945 full title (a) to all petroleum products designated for withdrawal by the Government of the United Kingdom pursuant to section H hereof, and (b) to all petroleum inventories in its possession as of September 2, 1945 or subsequently transferred to it under United States Joint Chiefs of Staff directive, except for quantities designated for withdrawal by the Government of the United States after September 1, 1945 pursuant to section G hereof.

A summary of petroleum inventories and of petroleum products designated for withdrawal, title to which is deemed to pass in accordance with this section, is given in Annex IX.

Post, p. 1557.

J. FINANCIAL SETTLEMENT FOR INVENTORIES, WITHDRAWALS AND TRANSFERS

1. *Settlement for Inventories and Transfers of Stocks.* Title to petroleum products acquired by the Governments of the United States and of the United Kingdom under the terms of section I of this Agreement which had been furnished under lend-lease and reciprocal aid prior to September 2, 1945, shall be deemed to have been transferred in consideration of mutual transfers of the title to such products and in partial consideration of the payment of the net amount of \$532,000,000 by the Government of the United Kingdom

to the Government of the United States specified in paragraph 3 (b) of the Joint Statement of December 6, 1945.

Post, p. 1564.

2. *Settlement for Withdrawals.* No financial payment for withdrawals under the provisions of sections G and H hereof shall be required; provided, however, that as of the date when either Government declares that it has made its last withdrawal, settlement for any differences between actual withdrawals and the quantities designated for withdrawal by either Government against its share of stocks within the possession of the other Government as of September 2, 1945, and for appropriate handling and packaging charges on quantities delivered after September 1, 1945 to the United States Armed Forces in the United Kingdom (but not on direct deliveries from source in bulk to the United States Armed Forces in areas other than the United Kingdom, on which no such charges will accrue) or in the other areas mentioned in section G paragraph 2 hereof, shall be made by payment, at appropriate prices to be agreed at the date of settlement, in cash or in kind by adjustment of quantities, as may be mutually convenient, in which case title to any such differences shall pass to the retaining Government upon such payment or adjustment.

Ante, pp. 1550, 1551.

Ante, p. 1550.

3. *Settlement for Other Deliveries.* All deliveries after September 1, 1945 of petroleum products to agencies of the Government of the United States or of the Government of the United Kingdom, exclusive of (a) those mentioned in section A paragraphs 1 and 2 hereof, (b) withdrawals against agreed shares of inventories, or (c) straight lend-lease or reciprocal aid transfers under United States Joint Chiefs of Staff or United Kingdom Government directives, shall be for settlement in cash.

Ante, p. 1547.

K. LEND-LEASE INTERESTS IN PETROLEUM INSTALLATIONS

1. *Petroleum Installations in the United Kingdom.* The lend-lease interest in petroleum installations in the United Kingdom is transferred to the Government of the United Kingdom in accordance with the Agreement on Lend-Lease and Reciprocal Aid Installations concluded this day (No. VII).

Post, p. 1559.

2. *Petroleum Installations in British Colonial Dependencies and in Third Countries.* Petroleum installations located in British Colonial Dependencies and under the control of the United States Armed Forces on September 2, 1945 are shown in Annex X. The lend-lease interest in these installations is deemed to have been returned to the Government of the United States under the Agreement on Lend-Lease and Reciprocal Aid Installations concluded this day (No. VII). Petroleum installations located outside the United Kingdom and British Colonial Dependencies, in which the United States had a lend-lease interest and which were in civilian use on September 2, 1945 or thereafter were or may be diverted to such use, are shown in Annex XI. The installations listed in Annexes X and XI shall be used and disposed of in accordance with the Agreement on Lend-Lease and Reciprocal Aid Installations.

Post, p. 1558.

Post, p. 1559.

Post, p. 1558.

Post, p. 1559.

L. RESTRICTIONS ON IMPORTATION OF PETROLEUM EQUIPMENT AND MATERIALS

In the course of the negotiation of this Agreement several questions which have arisen in connection with restrictions imposed on American

oil companies, limiting the importation from the United States of plant and materials necessary to rehabilitate American oil properties in certain British areas, were discussed and cleared up individually on a satisfactory basis. The Government of the United Kingdom agrees that it will not impose or encourage the imposition of restrictions on the importation of petroleum materials from the United States likely to prejudice American companies in relation to their competitors.

M. GENERAL PETROLEUM QUESTIONS

The principles of general commercial policy recently discussed between the two Governments relate to petroleum as to any other commodity.

The two Governments recognize the importance of early agreement on petroleum questions of mutual interest and, pending the establishment of formal intergovernmental machinery to deal specifically with petroleum questions, will consult together as necessary on such questions.

ANNEX I

TRANSACTIONS REFERRED TO IN SECTION C PARAGRAPH 3 OF THIS AGREEMENT

Ante, p. 1548.

The following transactions, in which the liability for payment has heretofore been acknowledged and the method of computation is not in dispute, have been left for settlement outside the offsetting arrangement, and payment will be made in due course.

Transactions left for settlement outside the offsetting arrangement.

1. *Iceland.* To carry out previously made arrangements, in dividing between the two Governments the proceeds from sales of petroleum products shipped to Iceland via the United Kingdom, the Government of the United States shall be credited with the proceeds of sales of such petroleum products made during the period from January 1, 1944 to October 31, 1944, inclusive. If, however, the proceeds from such sales should exceed the landed cost of such products in the United Kingdom, any excess shall be credited to the Government of the United Kingdom, which has met under reciprocal aid the expenses incurred by it in respect of such petroleum products for handling charges in the United Kingdom, freight from the United Kingdom to Iceland, leakage en route and handling charges in Iceland.

In the case of sales of such petroleum products made during the period from November 1, 1944 to September 1, 1945, inclusive, the Government of the United States shall be credited with the landed cost in the United Kingdom of the petroleum products sold and the Government of the United Kingdom will be credited with any proceeds over and above such cost.

The resultant net balance of accounts is known to be in favor of the Government of the United States, although the exact amount is subject to future determination. This balance shall be settled by cash payment to the Government of the United States.

2. *Profits from Cairo-Suez Pipeline.* The Government of the United Kingdom agrees to pay the Government of the United States the amounts due to the Government of the United States, to be

agreed between the two Governments at convenient intervals, in respect of its share of the profits arising from the operation of the Cairo-Suez Pipeline. These payments will be made in the currency received in the course of operations.

3. *Arrangements for Expansion of Petroleum Output by Sterling Area Refineries.* The Government of the United States reaffirms the arrangement made in 1944 in connection with the combined decision of the Governments of the United Kingdom and of the United States to expand the output of petroleum products in Curacao, Trinidad and Bahrein for use in the Allied war effort and will complete the payments due to the Government of the United Kingdom when the amounts have been determined.

4. *Aviation Petroleum Products for Certain Atlantic Bases.* The Government of the United States will complete payment to suppliers in the amount found to be due in accordance with existing agreements and under approved requisitions covering aviation petroleum products used prior to September 2, 1945 by the Royal Air Force at bases in Newfoundland and Bermuda.

5. *Trinidad.* The Government of the United Kingdom will pay to the Government of the United States the amount due in settlement of the difference between (a) the sum of the cost of certain services in connection with petroleum and of the cost of petroleum products delivered at Trinidad to the Government of the United States which have been determined as eligible for reciprocal aid although payment was made at the time by the Government of the United States and (b) the cost of petroleum products delivered to the Government of the United States at Trinidad under reciprocal aid, but later diverted for purposes not eligible for reciprocal aid.

ANNEX II

STATEMENT SHOWING U. S. LEND-LEASE SHARE OF PETROLEUM INVENTORIES IN THE UNITED KINGDOM AS OF SEPTEMBER 2, 1945

	<i>Analysis of U. S. Lend-Lease Share</i>		
	<i>U. S. Lend-Lease Share</i>	<i>Military</i>	<i>Residual Lend-Lease Share</i>
	(Thousands of Long Tons)		
Admiralty Oil Fuels	383	114	269
100 Octane Aviation Gasoline	610	349	261
Other Aviation Gasoline	76	—	76
Motor Gasoline	840	418	422
White Spirit	15	—	15
Burning Oil	227	31	196
Vaporizing Oil	126	—	126
Gas Oil	447	140	307
Diesel Oil	83	—	83
Fuel Oil	193	—	193
Lubricating Oil	254	32	222
Bitumen	5	—	5
Total	3259	1084	2175

ANNEX III

STATEMENT SHOWING PARTICIPATION ATTRIBUTABLE TO LEND-LEASE AND RECIPROCAL AID CONTRIBUTIONS IN PETROLEUM INVENTORIES OTHER THAN THOSE IN THE U. K. AND IN THE MEDITERRANEAN POOL

	<i>(Thousands of Long Tons)</i>
<i>U. S. Share of Stocks within the Possession of the U. K. Government as of September 2, 1945</i>	
Aviation Gasoline, India, Ceylon and the Middle East	277
Aviation Lubricants, Ceylon, West Africa and the Middle East	15
Motor Transport Lubricants, East and West Africa and the Middle East	33
Admiralty Lubricants	10
Various products, Bermuda and Miscellaneous Bases	10
Crudes held at Curacao, Trinidad and Bahrein	95
Total	445
<i>U. K. Share of Stocks within the Possession of the U. S. Government as of September 2, 1945</i>	
Various Products:	
Pacific (including Fiji) and Canal Zone	738
Dakar	10
Brazil	40
Ascension	7
Caribbean and South American Bases	10
Total	805

ANNEX IV

STATEMENT OF PETROLEUM INVENTORIES IN THE MEDITERRANEAN POOL TRANSFERRED AS OF SEPTEMBER 2, 1945 TO THE UNITED KINGDOM FOR USE BY THE BRITISH ARMED FORCES

	<i>In Other Areas</i>					Total	Grand Total
	<i>Italy Sicily Sardinia</i>	<i>Greece</i>	<i>Asores</i>	<i>French North Africa</i>	<i>Tripoli</i>		
100 Octane Aviation							
Gasoline	32.9	2.1	0.9	4.5	6.9	14.4	47.3
Motor Gasoline	81.1	3.4	0.1	1.7	—	5.2	86.3
Kerosene	5.0	0.6	—	0.1	—	0.7	5.7
Diesel Oil	35.3	1.6	1.3	1.6	—	4.5	39.8
Navy Special	34.6	2.5	11.2	3.9	—	17.6	52.2
Lubricating Oils	10.5	1.7	0.1	0.3	—	2.1	12.6
Sundries	1.5	—	—	—	—	—	1.5
Total	200.9	11.9	13.6	12.1	6.9	44.5	245.4

ANNEX V

STATEMENT SHOWING PETROLEUM INVENTORIES HELD IN TANKAGE CONTROLLED BY U. K. IN ITALY AS OF SEPTEMBER 2, 1945 AND DIVISION INTO U. K. AND U. S. SHARES

	<i>Total Stocks in British controlled Tankage</i>	<i>Stocks Trans- ferred to the U. K. for use by British Armed Forces</i>	<i>Balance Available for with- drawal by U. S.</i>
	(Thousands of long tons)		
100 Octane Aviation Gasoline	75.3	32.9	42.4
80 Octane Motor Gasoline	63.9	81.1	-17.2
Kerosene	13.4	5.0	8.4
Diesel Oil—702	87.4	35.3	52.1
Navy Special	83.1	34.6	48.5
Lubricating Oil	20.0	10.5	9.5
Sundries	11.7	1.5	10.2
Total	354.8	200.9	153.9

ANNEX VI

STATEMENT OF QUANTITIES OF PETROLEUM PRODUCTS DESIGNATED FOR WITHDRAWAL BY U. S. ARMED FORCES FROM THE U. S. SHARE OF STOCKS IN THE U. K.

	(Thousands of Long Tons)
Admiralty Oil Fuels	114.0
100 Octane Aviation Gasoline	349.0
Motor Gasoline	228.0
Burning Oil	13.6
Gas Oil	140.0
Lubricating Oils, Ground	1.6
Lubricating Oils, Aviation	2.5
Total	848.7

ANNEX VII

STATEMENT OF QUANTITIES OF AVIATION PETROLEUM PRODUCTS DESIGNATED FOR WITHDRAWAL BY U. S. ARMED FORCES FROM THE U. S. SHARE OF STOCKS IN INDIA, CEYLON AND THE MIDDLE EAST

	(Thousands of Long Tons)
<i>100 Octane Aviation Gasoline</i>	
India and Ceylon	146.6
Middle East	35.2
<i>Lubricating Oils, Aviation</i>	
Middle East and Ceylon	1.0
Total	182.8

Note: Withdrawals of aviation lubricating oils by the U. S. Armed Forces from the U. S. share of stocks of these products in India and handling or packaging charges on quantities of 100 Octane Aviation Gasoline withdrawn from stocks in India are matters for settlement between the Governments of the United States and of India.

ANNEX VIII

STATEMENT OF QUANTITIES OF PETROLEUM PRODUCTS DESIGNATED FOR WITHDRAWAL BY U. K. ARMED FORCES FROM THE U. K. SHARE OF STOCKS IN THE PACIFIC

	<i>Stocks held by British Pacific Fleet as of Sep- tember 2, 1945</i>	<i>Additional Requirements September/ October 1945</i>	<i>Stocks in Fiji as of Sept. 2, 1945</i>	<i>Total</i>
	<i>(Thousands of Long Tons)</i>			
100 Octane Aviation Gasoline	—	—	1.45	1.45
Motor Gasoline	—	—	.55	.55
Diesel Oil	7.37	9.47	5.00	21.84
Navy Special	108.82	222.50	8.09	339.41
Totals	116.19	231.97	15.09	363.25

ANNEX IX

STATEMENT SHOWING PETROLEUM INVENTORIES, TITLE TO WHICH IS DEEMED TO HAVE PASSED ON SEPTEMBER 2, 1945

1. <i>Inventories acquired by the Government of the United States</i>	<i>(Thousands of Long tons)</i>	
(a) <i>Designated withdrawals by the Government of the U. S. from inventories within the possession of the Government of the U. K. as of September 2, 1945.</i>		
(i) From stocks in the U. K. (Annex VI)	849	<i>Ante, p. 1556.</i>
(ii) From stocks in India Ceylon and Middle East (Annex VII)	183	<i>Ante, p. 1556.</i>
(iii) From stocks in British controlled tankage in Italy (Annex V)	154	<i>Ante, p. 1556.</i>
(b) <i>Reciprocal aid stocks within the possession of the Government of the United States as of September 2, 1945.</i>		
In various areas (Annex III)	805	<i>Ante, p. 1555.</i>
Less withdrawals designated by the Government of the U. K. (Annex VIII)	363	
	<hr/>	<hr/>
	442	
TOTAL	<hr/>	<hr/>
	1628	
2. <i>Inventories acquired by the Government of the United Kingdom</i>		
(a) <i>Designated withdrawals by the Government of the U. K. from inventories within the possession of the Government of the U. S. as of September 2, 1945.</i>		
From stocks in Pacific (Annex VIII)	363	
(b) <i>Lend-lease stocks within the possession of the Government of the United Kingdom as of September 2, 1945</i>		
(i) In the U. K. (Annex II)	3259	<i>Ante, p. 1554.</i>
Less withdrawals designated by the Government of the U. S. (Annex VI)	849	<i>Ante, p. 1556.</i>
(ii) <i>Mediterranean pool:</i>		
In Italy (Annex V)	355	<i>Ante, p. 1556.</i>
Less withdrawals designated by the Government of the U. S. (Annex V)	154	<i>Ante, p. 1556.</i>
	<hr/>	<hr/>
	201	
In Greece, North Africa, Azores (Annex IV)	44	<i>Ante, p. 1555.</i>
	<hr/>	<hr/>
	445	<i>Ante, p. 1555.</i>
(iii) In other areas (Annex III)		
Less withdrawals designated by the Government of the U. S. (Annex VII)	183	<i>Ante, p. 1556.</i>
	<hr/>	<hr/>
TOTAL	3280	

ANNEX X

PETROLEUM INSTALLATIONS LOCATED IN BRITISH COLONIAL DEPENDENCIES AND UNDER CONTROL OF U. S. ARMED FORCES ON SEPTEMBER 2, 1945

- | | |
|-----------------------------|---|
| 1. <i>Gold Coast</i> | (a) Takoradi
(b) Accra
(c) Accra Airport |
| 2. <i>Nigeria</i> | (a) Apapa (Lagos)
(b) Kano
(c) Kano Airfield
(d) Bukuru
(e) Naidugari Airfield
(f) Port Harcourt |
| 3. <i>Sierra Leone</i> | Freetown - Kisey East Site |
| 4. <i>Kenya</i> | (a) Mombasa, Kipevus
(b) Nairobi, Eastleigh Airfield |
| 5. <i>South Atlantic</i> | (a) Ascension Island
(b) Ascension Island Airport |
| 6. <i>Aden Protectorate</i> | (a) Salalah Airfield
(b) Sheikh Othman Airport |
| 7. <i>Palestine</i> | Tel Litvinski Jerrican Factory |

ANNEX XI

PETROLEUM INSTALLATIONS (LOCATED OUTSIDE THE UNITED KINGDOM AND BRITISH COLONIAL DEPENDENCIES) IN WHICH THERE IS A LEND-LEASE INTEREST

PIPELINES AND BULK FACILITIES

- | | |
|-------------------|---|
| 1. <i>Egypt</i> | (a) Agrud-Cairo 6'' Pipeline (White oils)
(b) Suez-Port Said 8'' Pipeline (Black oils)
(c) Timsah-Nefisha 10'' Pipeline (Black oils)
(d) Gaboari (Alexandria) 6'' Pipeline (Black oils)
(e) Fayid, Kabrit, Kosiarit, Shandur Airfields Pipelines
(f) Amriya (Alexandria) Military Pipelines (White oils) |
| 2. <i>Lebanon</i> | Beirut 10'' Pipeline (Black oils) |
| 3. <i>Iceland</i> | Reykjavik (Bulk installation) |
| 4. <i>Iran</i> | Abadan-Ahwaz-Khorramshar Pipeline |

DRUM AND CAN PLANTS

- | | |
|-----------------|---|
| 5. <i>Egypt</i> | (a) Nefisha Can Factory
Filling Depot and 4'' Pipeline
(b) Shoubra (Cairo) Jerrican Factory
Plant No. 1
(c) Shoubra (Cairo) 5-gallon Drum Factory
Plant No. 2
(d) Moharrem Bey (Alexandria) Drum Factory
Plant No. 3
(e) Nouzha (Alexandria) Drum Factory
Plant No. 4
(f) Stagni (Alexandria) Tin Factory |
|-----------------|---|

VII

AGREEMENT ON LEND-LEASE AND RECIPROCAL AID
INSTALLATIONS

In accordance with their JOINT STATEMENT REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY AND CLAIMS, dated December 6, 1945, and in partial consideration of the payment of the net amount of \$532,000,000 by the Government of the United Kingdom to the Government of the United States specified in paragraph 3 (b) thereof, the Governments of the United States and of the United Kingdom have reached agreement as set forth below regarding the transfer, use and disposition of lend-lease and reciprocal aid installations, which term shall cover structures or capital assemblies affixed to land or buildings in a permanent manner.

Post, p. 1564.

Post, p. 1564.

1. The Government of the United Kingdom hereby acquires and shall be deemed to have acquired on September 2, 1945 full title to any lend-lease interest in installations located in the United Kingdom or British Colonial Dependencies on that date, except that such interest in any installations located in the Colonial Dependencies and under the control of the United States Armed Forces on that date shall be deemed to have been returned to the Government of the United States. The Government of the United States hereby acquires and shall be deemed to have acquired on September 2, 1945 full title to any reciprocal aid interest in installations located on that date in the United States, its territories or possessions. A lend-lease or reciprocal aid interest shall be deemed to exist in an installation when (a) it has been furnished in complete form under lend-lease or reciprocal aid, or (b) it contains significant quantities of lend-lease or reciprocal aid materials, or (c) a significant part of the construction costs was met under lend-lease or reciprocal aid.

2. The lend-lease interest in installations transferred to the Government of the United Kingdom under paragraph 1 hereof shall be deemed to have been transferred subject to the condition that United States nationals, corporations, and associations shall receive appropriate non-discriminatory treatment in the use and disposition of such installations. The term "appropriate" as used in this paragraph and in paragraph 3 hereof shall mean appropriate to the trade position in the area of the parties involved, and to their rights of entry or expansion in the area consistently with pertinent agreements reached either under Article VII of the Mutual Aid Agreement of February 23, 1942, or otherwise.

"Appropriate."

56 Stat. 1494.

3. The use and disposition of all installations located outside the United Kingdom and British Colonial Dependencies and outside the United States, its territories and possessions in which a lend-lease interest (as between the two Governments) remains unextinguished by return or otherwise, and which were in civilian use on September

2, 1945, or thereafter were or may be diverted to such use, shall be governed by the following principles:

(a) Installations under the direct or indirect control of the Government of the United Kingdom continued in operation pending disposal shall be operated without discrimination against the nationals, corporations or associations of the United States and of the United Kingdom.

(b) In cases where both Governments have contributed to the cost of an installation or where one Government is in control of an installation to the cost of which the other has contributed, disposal shall be by mutual agreement, and the two Governments will co-operate with the object of securing appropriate non-discriminatory treatment for the nationals, corporations, or associations of both countries in connection with the subsequent use of such facilities. The proceeds of any agreed sale shall be divided between the Governments of the United States and of the United Kingdom in accordance with their relative contributions (including lend-lease, reciprocal aid and other contributions by either Government) to the cost of the facility as agreed by them, or in such other manner as may be mutually agreed.

4. The use and disposition of any installations located in British Colonial Dependencies in which a reciprocal aid interest exists and which were on September 2, 1945, under the control of the United States Armed Forces shall be governed by the principles set out in paragraph 3 hereof.

5. It is hereby reaffirmed that the Government of the United States has full title to any lend-lease interest in installations located in the United States, its territories or possessions, and that the Government of the United Kingdom has full title to any reciprocal aid interest in installations located in the United Kingdom or British Colonial Dependencies.

VIII

**AGREEMENT RELATING TO UNITED STATES ARMY AND
NAVY SURPLUS PROPERTY AND SURPLUS INSTALLATIONS
IN THE UNITED KINGDOM**

1. In accordance with their **JOINT STATEMENT REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY AND CLAIMS**, dated December 6, 1945, and in partial consideration of the payment of the net amount of \$532,000,000 by the Government of the United Kingdom to the Government of the United States specified in paragraph 3 (b) thereof, the Governments of the United States and of the United Kingdom agree that the latter shall acquire possession of and title to the following property on the terms and conditions set forth below:

Post, p. 1564.

- (a) All movable articles of whatever description (except vessels other than those which may be specifically designated from time to time by the Government of the United States for transfer hereunder, and aircraft) located in the United Kingdom which had been on December 6, 1945, or are thereafter, declared to the Office of the Foreign Liquidation Commissioner, United States Department of State, as surplus to the needs and responsibilities of the United States War and Navy Departments.
- (b) All interests of the United States War and Navy Departments in installations (which term includes structures or capital assemblies affixed to land or buildings in a permanent manner) located in the United Kingdom where such interests have been or are declared to the Office of the Foreign Liquidation Commissioner as surplus to the needs and responsibilities of the War and Navy Departments.

2. Title to and custodial responsibility for the property described in paragraph 1 hereof shall be deemed to have passed or shall pass to the Government of the United Kingdom as soon as possible in accordance with transfer procedures established by the representatives in the United Kingdom of the Office of the Foreign Liquidation Commissioner and the responsible departments of the Government of the United Kingdom.

Title and custodial responsibility.

3. The Government of the United Kingdom agrees that the procedure for the acquisition of the property described in paragraph 1 hereof will not interfere with the consumption or continued use of such property by the United States Army and Navy in connection with their respective needs and responsibilities.

4. Any property described in paragraph 1 hereof which had on or before December 6, 1945, been specifically committed for sale or transfer to third parties or which has been or may be directly transferred to the United Nations Relief and Rehabilitation Administration by the United States War and Navy Departments under Section 202, Title II, United States Public Law No. 382, 78th Congress, shall not be subject to transfer to the Government of the United Kingdom.

Property not subject to transfer to United Kingdom.

Acquisition of property by UNRRA.

5. The Government of the United Kingdom will afford the United Nations Relief and Rehabilitation Administration opportunity to acquire at fair and reasonable prices any property transferred to the Government of the United Kingdom under this Agreement.

Restriction on import of designated property into U. S.

6. The Government of the United Kingdom will use its best endeavors to ensure that property transferred pursuant to this Agreement shall not be imported into the United States in the same or substantially the same form, if such property was originally produced in the United States and is readily identifiable as such, but such property may be imported into the United States on consignment to a person or firm in the United States for the purpose of reconditioning for re-export, or by a member of the United States Armed Forces for his personal use.

7. The Government of the United Kingdom, when it disposes of or distributes property transferred pursuant to this Agreement, will use its best endeavors to avoid discrimination against the legitimate interests of the United States manufacturers of such property, or their agents or distributors in the United Kingdom.

Ante, p. 1559.

8. The provisions of the Agreement on Lend-lease and Reciprocal Aid Installations concluded this day (No. VII) which relate to non-discriminatory treatment of United States nationals, corporations and associations shall also apply to installations in which the Government of the United States has had an interest covered by this Agreement.

Restriction on transfer or export of arms, etc.

9. The Government of the United Kingdom will not transfer to other governments or for export without the consent of the Government of the United States any arms, ammunition or lethal implements of war transferred pursuant to this Agreement.

"Vessels."

10. In this Agreement the term "vessels" includes ships, boats, barges, floating dry docks and other watercraft.

IX

AGREEMENT RELATING TO TORT CLAIMS

The Governments of the United States and of the United Kingdom have agreed that the Agreement relating to the settlement of certain classes of claims against members of the armed forces of one arising out of their military duties in the territory of the other, which has been in effect since 1944 on terms set out in the Foreign Secretary's Note to the United States Ambassador at London, dated February 29, 1944 and its Annex (hereinafter called "the Agreement"), shall apply on the same terms to claims in respect of acts or omissions within the scope of the Agreement as hereby modified, committed (a) by members of the United Kingdom Armed Forces in the course of their military duties in the United States on or before February 28, 1946 and (b) by members of the United States Armed Forces in the course of their military duties in the United Kingdom on or before December 31, 1949, subject to the following modifications:

(i) The Agreement is hereby extended to include claims in tort arising after September 1, 1945 from training, maneuvers and operations of aircraft in the performance of military duties.

(ii) The amounts paid by one Government in settlement of claims arising after September 1, 1945 against the other in accordance with the Agreement as hereby modified shall be included in the offsetting arrangement described in section E of the Agreement on Lend-Lease and Reciprocal Aid Pipelines and Offsetting Arrangement concluded this day (No. I), by adjustment of the sum designated (a) in paragraph 3 of the Joint Statement regarding Settlement for Lend-Lease, Reciprocal Aid, Surplus War Property and Claims, dated December 6, 1945.

Department of
State publication 2840.

Ante, p. 1527.

Post, p. 1504.

JOINT STATEMENT REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY AND CLAIMS

1. The Governments of the United States and the United Kingdom have reached an understanding for the settlement of Lend-Lease and Reciprocal Aid, for the acquisition of United States Army and Navy surplus property, and the United States interest in installations, located in the United Kingdom, and for the final settlement of the financial claims of each government against the other arising out of the conduct of the war. Specific agreements necessary to implement these understandings, setting forth the terms in detail, and consistent herewith, are in the course of preparation and will shortly be completed.

2. This settlement for Lend-Lease and Reciprocal Aid will be complete and final. In arriving at this settlement both Governments have taken full cognizance of the benefits already received by them in the defeat of their common enemies. They have also taken full cognizance of the general obligations assumed by them in Article VII of the Mutual Aid Agreement of February 23, 1942, and the understandings agreed upon this day with regard to commercial policy. Pursuant to this settlement, both Governments will continue to discuss arrangements for agreed action for the attainment of the economic objectives referred to in Article VII of the Mutual Aid Agreement. The Governments expect in these discussions to reach specific conclusions at an early date with respect to urgent problems such as those in the field of telecommunications and civil aviation. In the light of all the foregoing, both Governments agree that no further benefits will be sought as consideration for Lend-Lease and Reciprocal Aid.

3. The net sum due from the United Kingdom to the United States for the settlement of Lend-Lease and Reciprocal Aid, for the acquisition of surplus property, and the United States interest in installations, located in the United Kingdom, and for the settlement of claims shall be \$650,000,000 subject to the accounting adjustment referred to below. This amount consists of (a) a net sum of \$118,000,000 representing the difference between the amount of the services and supplies furnished or to be furnished by each Government to the other Government after V-J Day through Lend-Lease and Reciprocal Aid channels, less the net sum due to the United Kingdom under the claims settlement, and (b) a net sum of \$532,000,000 for all other Lend-Lease and Reciprocal Aid items, and for surplus property, and the United States interest in installations, located in the United Kingdom and owned by the United States Government. The actual amounts due to the respective Governments for items included in (a) above other than claims will, however, be ascertained by accounting in due course, and the total sum of \$650,000,000 will be adjusted for any difference between the sum of \$118,000,000 mentioned above and the actual

Finality and completeness of settlement for Lend-Lease and Reciprocal Aid.

58 Stat. 1434.

Net sum due from United Kingdom to U. S.

sum found to be due. All new transactions between the two Governments after December 31, 1945, will be settled by cash payment.

4. The total liability found to be due to the Government of the United States will be discharged on the same terms as those specified in the Financial Agreement concluded this day for the discharge of the credit provided therein.

Terms for discharge
of total liability due to
U. S.

5. In addition to the financial payments referred to above, the two Governments have agreed upon the following:

(a) Appropriate non-discriminatory treatment will be extended to United States nationals in the use and disposition of installations in which there is a United States interest;

(b) Appropriate settlements for the Lend-Lease interest in installations other than in the United Kingdom and the Colonial Dependencies will be made on disposal of the installations;

(c) The United States reserves its right of recapture of any Lend-Lease articles held by United Kingdom Armed Forces, but the United States has indicated that it does not intend to exercise generally this right of recapture;

(d) Disposals for military use to forces other than the United Kingdom Armed Forces of Lend-Lease articles held by the United Kingdom Armed Forces at V-J Day, and disposals for civilian use other than in the United Kingdom and the Colonial Dependencies of such Lend-Lease articles, will be made only with the consent of the United States Government and any net proceeds will be paid to the United States Government. The United Kingdom Government agrees that except to a very limited extent it will not release for civilian use in, or export from, the United Kingdom and the Colonial Dependencies Lend-Lease articles held by the United Kingdom Armed Forces.

(e) The Government of the United Kingdom will use its best endeavors to prevent the export to the United States of any surplus property transferred in accordance with this understanding.

6. The Government of the United Kingdom agrees that, when requested by the Government of the United States from time to time prior to December 31, 1951, it will transfer, in cash, pounds sterling to an aggregate dollar value not in excess of \$50,000,000, at the exchange rates prevailing at the times of transfer, to be credited against the dollar payments due to the Government of the United States as principal under this settlement. The Government of the United States will use these pounds sterling exclusively to acquire land or to acquire or construct buildings in the United Kingdom and the Colonial Dependencies for the use of the Government of the United States, and for carrying out educational programs in accordance with agreements to be concluded between the two Governments.

Transfer of pounds
sterling.

Use by U. S.

7. The arrangements set out in this statement are without prejudice to any settlements concerning Lend-Lease and Reciprocal Aid which may be negotiated between the Government of the United States and the Governments of Australia, New Zealand, the Union of South Africa, and India.

WASHINGTON,
December 6, 1945.

J. F. B.
H.

March 27, 1946

[T. I. A. S. 1510]

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland amending the agreement of August 24, 1942, respecting interchange of patent rights, information, inventions, designs, or processes. Signed at Washington March 27, 1946; effective January 1, 1942.

56 Stat. 1433.

56 Stat. 1594.

Whereas there was signed and sealed at Washington on the twenty-fourth day of August 1942, for the Government of the United States of America and for the Government of the United Kingdom of Great Britain and Northern Ireland, in further fulfillment of the policy set forth in their Agreement of February 23, 1942 on the principles applying to mutual aid in the prosecution of the war against aggression, an Agreement deemed to have been in effect and operation as from January 1, 1942 concerning the interchange of patent rights, information, inventions, designs, or processes; and

Whereas it is desirable to amend the said Agreement of August 24, 1942 in certain particulars;

Now, therefore, it is agreed by the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland that the said Agreement of August 24, 1942 shall be and is hereby amended to read as follows:

ARTICLE I

Reciprocal procurement of patent rights, etc.; availability.

(a) Each Government, in so far as it may lawfully do so, will procure and make available to the other Government, for use in war production, patent rights, information, inventions, designs, or processes requested by the other Government. In the case of the United States of America, the law authorizing such procurement and transfer is now the Act of the Congress of the United States approved March 11, 1941 (Public 11, 77th Congress), as amended. Each Government will bear the cost of the procurement of such patent rights, information, inventions, designs, or processes from its own nationals.

55 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.

"Nationals."

(b) In this Agreement the term "nationals" in relation to the United States of America shall mean all natural persons who on May 8, 1945 were exclusively citizens of the United States of America, all corporations, partnerships, and associations organized under the laws of the United States of America, its territories, the several States, or the District of Columbia, and all natural persons domiciled or resident in the United States of America on May 8, 1945, as well as the Government of the United States of America and all of its agencies, but the term "nationals" in relation to the United States of America shall not include natural persons who were on May 8, 1945 exclusively subjects of the United Kingdom even though they were domiciled or resident in the United States of America on that date. In this Agreement the term "nationals" in relation to the United Kingdom shall

mean all natural persons who on May 8, 1945 were exclusively subjects of the United Kingdom, all corporations, partnerships, and associations organized under the laws of the United Kingdom, and all natural persons domiciled or resident in the United Kingdom on May 8, 1945, as well as the Government of the United Kingdom and all of its agencies, but the term "nationals" in relation to the United Kingdom shall not include natural persons who on May 8, 1945 were exclusively citizens of the United States of America even though they were domiciled or resident in the United Kingdom on that date.

(c) The basic principle as to which Government shall undertake and bear the cost of procurement in doubtful cases shall be decided according to whether dollar or sterling costs are necessarily involved. In the former case the Government of the United States of America will effect acquisition and in the latter case the Government of the United Kingdom will effect acquisition, but each Government will pay the remuneration and other expenses of its own representatives incurred in connection with communicating any research or manufacturing information to the other Government.

ARTICLE II

All patent rights so acquired shall be acquired and used for the purposes of, and until the termination of, the war only, unless otherwise expressly provided, except that contracts entered into (for the production, use, or disposition of articles) which cannot be terminated without penalty, may be completed, and all articles on hand at the termination of the war, or completed as permitted herein, may be used and disposed of. Information, inventions, designs, or processes so acquired and not covered by patents or patent applications shall be acquired upon such terms as may most expeditiously make such information, inventions, designs, or processes available for the purposes of the war, with provision, to the extent practicable, for the limitation of the use thereof for the purposes of and until the termination of the war. When the information, invention, design, or process is of a category for which the other Government requests secrecy upon security grounds, each Government will take such steps as it deems practicable to ensure the appropriate degree of secrecy in manufacture and use. The term "termination of the war", for the purposes of this Agreement, shall mean the date when the Government of the United States of America and the Government of the United Kingdom have ceased to be jointly engaged in actual hostilities against a common enemy, or such other date as may be mutually agreed upon, and shall not be dependent on the date of the signing of a peace treaty.

Duration.

"Termination of the war."

ARTICLE III

Such acquisition by the Government of the United States of America will be effected in accordance with regular Lend-Lease procedure (or its then current equivalent) and will be financed under such program, except that other procedure may be used in those instances where no expenditure of funds is necessary.

Procedure.

ARTICLE IV

Basis of acquisition.

Such acquisition by the Government of the United Kingdom will be effected on the basis of written requests submitted by any authorized department or agency of the Government of the United States of America to the British Supply Council (or to such other agency of the Government of the United Kingdom as may be designated from time to time). Copies of all such requests will be furnished to the

Reports.

Office of Lend-Lease Administration. The British Supply Council will furnish to that Office reports as to all patent rights, information, inventions, designs, or processes obtained and transferred to the agency requesting the same and the acquisition cost thereof, if any.

ARTICLE V

Licenses or assignments and contract rights.

In so far as is found practicable in the circumstances of each case, adequate licenses or assignments and contract rights shall be acquired by each Government, in accordance with the requests of the other Government, and transferred to the other Government. Where desirable each Government will sponsor necessary relationships and permit dealings between the original grantor and the ultimate user. It is contemplated that normally the rights obtained should, subject to the limitations contained in Article II of this Agreement, include, among other things:

(a) The right to make, to have made, to use, and to dispose of, articles embodying the subject-matter of the patent rights, information, inventions, designs, or processes, so acquired, including the right to use and practice any of the aforesaid.

(b) Provision for securing to the recipient Government or its designees all necessary personal expert services and supplementary information.

(c) Permission to transfer, assign, license, or otherwise dispose of, any or all of the rights and privileges acquired, to the other Government, with further permission to the latter to transfer, assign, license, or otherwise dispose of any or all of the same to contractors, subcontractors, or other appropriate designees of the recipient Government, for war production purposes only.

(d) The reservation on the part of the acquiring Government that it, and parties in interest holding under it, shall have the right at any time to contest the validity of any patent rights acquired.

(e) Whenever practicable, a guarantee by the licensor or patentee as to the validity of his patent, in respect of which the license is granted, with an indemnity against any infringement claims.

(f) Provision for the exchange of information, between the licensor or patentee and ultimate licensee, as to improvements or the results of research on the subject-matter of the license, together with the use of any patents which may be obtained in respect of such improvements, with a further provision that the like information and right to use additional patents shall simultaneously be furnished to both Governments.

ARTICLE VI

(a) Subject to the provisions of Article VII of this Agreement, the Government of the United Kingdom agrees and undertakes to indemnify and save harmless the Government of the United States of America against all claims asserted by nationals of the United Kingdom under any United States patents for the use of any method or process and for the manufacture, use, or disposition of any article, which method, process, or article was used, manufactured, or disposed of by or for the Government of the United States of America

Indemnification against certain claims by nationals of United Kingdom.

- (1) for the purposes and to the extent set forth in Article II of this Agreement; or
- (2) in connection with the supply of articles to the Government of the United Kingdom under Lend-Lease or equivalent procedure, including the manufacture, use, and disposal of articles so supplied; or
- (3) pursuant to a request made or authority given, for the purposes of the war, by the Government of the United Kingdom to the Government of the United States of America;

provided always that the Government of the United States of America will, whenever in its judgment practicable, avail itself of any indemnity from a third party of which it shall have the benefit, in lieu of the indemnity from the Government of the United Kingdom contained in this Agreement. For the purposes of this paragraph (a) claims asserted by nationals of the United Kingdom under Title 35, Section 42, of the United States Code, 1940 edition, and Title 35, Section 90, of the United States Code, 1940 edition, Supplement IV, shall be construed to be claims under patents; and for the purposes of this paragraph (a) claims asserted by nationals of the United Kingdom under any United Kingdom patents or registered designs against United States Government contractors or subcontractors shall be construed to be claims subject to indemnification by the Government of the United Kingdom in cases where the Government of the United States of America has agreed and undertaken to indemnify and save harmless such contractors or subcontractors against any liability resulting from the use of any patented invention or registered design.

40 Stat. 394.
56 Stat. 1013.

(b) Subject to the provisions of Article VII of this Agreement, the Government of the United Kingdom agrees and undertakes to indemnify and save harmless the Government of the United States of America against all claims asserted by nationals of the United Kingdom, under any law of the United States of America for compensation for the use or practice of any unpatented inventions, information, designs, or processes furnished by the Government of the United Kingdom to the Government of the United States of America and used or practiced by or for the latter Government pursuant to the provisions of Article II of this Agreement, or for the use or practice of any unpatented inventions, information, designs, or processes by or in the manufacture, use, or disposition, by or for the Government

Ante, p. 1567.

of the United States of America, of articles manufactured, used, or disposed of

- (1) for the purposes and to the extent set forth in Article II of this Agreement; or
- (2) in connection with the supply of articles by the Government of the United States of America to the Government of the United Kingdom under Lend-Lease or equivalent procedure and the use and disposal of such articles by the Government of the United States of America; or
- (3) pursuant to a request made or authority given, for the purposes of the war, by the Government of the United Kingdom to the Government of the United States of America;

provided always that the Government of the United States of America will, whenever in its judgment practicable, avail itself of any indemnity from a third party of which it shall have the benefit, in lieu of the indemnity from the Government of the United Kingdom contained in this Agreement.

(c) The indemnities set forth in paragraphs (a) and (b) of this Article shall apply whether or not written requests in accordance with Article IV of this Agreement have been or will be at any time submitted by any authorized department or agency of the Government of the United States of America.

Ante, p. 1568.

ARTICLE VII

The indemnity by the Government of the United Kingdom to the Government of the United States of America shall be subject to the following conditions and procedure, namely:

(a) That the Government of the United States of America, as soon as practicable after receiving notice of any claim by which a liability might fall upon the Government of the United Kingdom under the indemnity, will notify the Government of the United Kingdom of such claim having been made.

(b) That, upon being so notified of any such claim, the Government of the United Kingdom will, so far as practicable, dispose of such claim through negotiations with the claimant.

(c) That the Government of the United States of America will not enter into negotiations or make any compromise or settlement out of court with any such claimant without the prior knowledge and concurrence of the Government of the United Kingdom.

(d) That, in all cases in which no prior disposition or compromise or settlement of a claim shall have been made, as in paragraphs (b) and (c) of this Article, and the claim becomes the subject of legal proceedings in the United States Court of Claims or other appropriate United States court, the Government of the United Kingdom shall, if it so requests, be permitted to assist the Government of the United States of America in defending any such proceedings, and that, in the event that judgment is rendered against the Government of the United States of America, the Government of the United Kingdom will satisfy such judgment for and on behalf of the Government of the

Conditions of indemnification by the United Kingdom.

United States of America in the manner and within the time prescribed by law, or, if the judgment should be satisfied by payment by the Government of the United States of America, the latter shall be reimbursed by the Government of the United Kingdom in the same amount and the same kind of currency as the Government of the United States of America paid to the United Kingdom national in satisfying such judgment.

ARTICLE VIII

(a) Subject to the provisions of the Act of the Congress of the United States approved March 11, 1941 (Public 11, 77th Congress), as amended, and the provisions of Article IX of this Agreement, the Government of the United States of America agrees and undertakes to indemnify and save harmless the Government of the United Kingdom against all claims asserted by nationals of the United States of America under any United Kingdom patents or registered designs (including claims for compensation for the use of inventions which are the subject matter of applications for patents or registered designs, and publication of which has been prohibited under the United Kingdom Defence Regulations, provided that the patents shall have issued or the registrations shall have been effected) for the use of any method or process and for the manufacture, use, or disposition of any article, which method, process, or article was used, manufactured, or disposed of by or for the Government of the United Kingdom

Indemnification
against certain claims
by nationals of United
States.
55 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.

- (1) for the purposes and to the extent set forth in Article II of this Agreement; or
- (2) in connection with the supply of articles to the Government of the United States of America under Reciprocal Aid or equivalent procedure, including the manufacture, use, and disposal of articles so supplied; or
- (3) pursuant to a request made or authority given, for the purposes of the war, by the Government of the United States of America to the Government of the United Kingdom;

provided always that the Government of the United Kingdom will, whenever in its judgment practicable, avail itself of any indemnity from a third party of which it shall have the benefit, in lieu of the indemnity from the Government of the United States of America contained in this Agreement. For the purposes of this paragraph (a) claims asserted by nationals of the United States of America under any United States patents against United Kingdom Government contractors or subcontractors shall be construed to be claims subject to indemnification by the Government of the United States of America in cases where the Government of the United Kingdom has agreed and undertaken to indemnify and save harmless such contractors or subcontractors against any liability resulting from the use of any patented invention.

(b) The indemnity set forth in paragraph (a) of this Article shall apply whether or not requisitions have been or will be at any time filed by the Government of the United Kingdom under regular

Lend-Lease procedure or its then current equivalent in accordance with Article III of this Agreement.

Ante, p. 1567.

ARTICLE IX

Conditions of indemnification by the United States.

The indemnity by the Government of the United States of America to the Government of the United Kingdom shall be subject to the following conditions and procedure, namely:

(a) That the Government of the United Kingdom, as soon as practicable after receiving notice of any claim by which a liability might fall upon the Government of the United States of America under the indemnity, will notify the Government of the United States of America of such claim having been made.

(b) That, upon being so notified of any such claim, the Government of the United States of America will, so far as practicable, dispose of such claim through negotiations with the claimant.

(c) That the Government of the United Kingdom will not enter into negotiations nor make any compromise or settlement out of court with any such claimant without the prior knowledge and concurrence of the Government of the United States of America.

(d) That, in all cases in which no prior disposition or compromise or settlement of a claim shall have been made, as in paragraphs (b) and (c) of this Article, and the claim becomes the subject of legal proceedings in the appropriate United Kingdom court or other tribunal, the Government of the United States of America shall, if it so requests, be permitted to assist the Government of the United Kingdom in defending any such proceedings, and that, in the event that judgment is rendered against the Government of the United Kingdom, the Government of the United States of America will satisfy such judgment for and on behalf of the Government of the United Kingdom in the manner and within the time prescribed by law, or, if the judgment should be satisfied by payment by the Government of the United Kingdom, the latter shall be reimbursed by the Government of the United States of America in the same amount and the same kind of currency as the Government of the United Kingdom paid to the United States national in satisfying such judgment.

(e) That in accordance with the provisions of Section 3 (c) of the Act of the Congress of the United States approved March 11, 1941 (Public 11, 77th Congress), as amended, the obligations of the Government of the United States of America under the indemnity shall only extend to claims of which the Government of the United States of America is notified in accordance with paragraph (a) of this Article before July 1, 1949 or such other date as Congress may hereafter enact in amendment of said Section 3 (c).

ARTICLE X

(a) Subject to the following provisions of this Article, the indemnity set forth in Articles VI, VII, VIII, and IX of this Agreement shall inure only to the benefit of the respective Governments. However, each Government agrees and undertakes to indemnify and save harm-

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

less the nationals of the other Government whom such Government requests so to be indemnified against all claims asserted by the nationals of the indemnifying Government under any patents or registered designs for the use of any method or process and for the manufacture, use, or disposition of any article, which method, process, or article was used, manufactured, or disposed of to the extent set forth in Article II of this Agreement in the course of manufacture, use, or disposition for the essential war needs of the civilian population of the country of the nationals whom it is sought to indemnify; provided, however, that requests for indemnities under this Article X shall be made only in cases where the formal requisitions for the rights under the patents or registered designs involved shall have been filed with the indemnifying Government on or before April 8, 1946, and provided further that such requests shall be made only in cases where the requesting Government had assured its nationals whom it seeks to have indemnified that they would be saved harmless from liability in respect of such claims. Nothing in this Article X shall be construed as conferring any rights on any national of either country to assert any claim against the Government of the other country.

Ante, p. 1567.

(b) The indemnities set forth in this Article X shall be subject to the nationals whom it is sought to indemnify agreeing to comply substantially with the conditions and procedure set forth in Articles VII and IX of this Agreement. It is understood that the limitation set forth in paragraph (e) of Article IX shall apply to the obligation of the Government of the United States of America under this Article X.

ARTICLE XI

In order to avoid conflict with the understanding contained in this Agreement, departments or agencies of the Government of the United States of America, which negotiate contracts for production in the United States of America, pursuant to specifications furnished by or on behalf of the Government of the United Kingdom, will not require contractors in the United States of America to give indemnities to the Government of the United States of America which would be likely to result in efforts by the contractors to obtain an off-setting indemnity from the Government of the United Kingdom; the Government of the United Kingdom assumes a reciprocal obligation toward the Government of the United States of America.

Certain indemnities not required.

ARTICLE XII

Anything contained in this Agreement to the contrary notwithstanding, any obligations heretofore or hereafter undertaken by the Government of the United Kingdom pursuant to the provisions of Section 7 of the Act of the Congress of the United States approved March 11, 1941 (Public 11, 77th Congress), as amended, as such obligations may be interpreted by the President of the United States of America or by a United States court of competent jurisdiction, shall be performed by the Government of the United Kingdom.

Performance of certain obligations by United Kingdom.

55 Stat. 33.
22 U. S. C., Supp.
V, § 416.

ARTICLE XIII

Payments; accounting procedure.

All payments made by the Government of the United States of America and the Government of the United Kingdom, respectively, in carrying out the terms of this Agreement shall be accounted for by the appropriate agencies of the two Governments as aid extended and benefits received by the Government of the United States of America in accordance with the Act of the Congress of the United States approved March 11, 1941 (Public 11, 77th Congress), as amended, and the agreement between the two Governments entered into at Washington on February 23, 1942.

56 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.
56 Stat. 1433.

ARTICLE XIV

Mutual aid in computation of payments.

Each Government will give to the other Government all possible information and other assistance required in connection with computing any payments to be made to nationals of the other Government with respect to the use of their patent rights, information, inventions, designs, or processes.

ARTICLE XV

Joint committee.

A joint committee of representatives of the Government of the United States of America and of the Government of the United Kingdom shall be established for the purpose of dealing with problems arising in connection with operations under this Agreement and of making appropriate recommendations to proper authorities with respect thereto.

ARTICLE XVI

Effect of license agreement.

Ante, pp. 1569-1572.

Exception.

No patent rights, information, inventions, designs, or processes shall be requested by either Government under this Agreement nor shall the indemnities set forth in Articles VI, VII, VIII, IX, and X of this Agreement apply in respect of any use or infringement occurring during the continuance in effect of a license agreement or other contractual obligation in existence on January 1, 1942 between a national of one Government on the one hand and a national of the other Government on the other hand covering such patent rights, information, inventions, designs, or processes; provided that if such license agreement or other contractual obligation be nonexclusive, such patent rights, information, inventions, designs, or processes may be requested by either Government under this Agreement in respect of their use or infringement by nationals of the requesting Government other than the national holding such license agreement or other contractual obligation and the indemnities aforesaid shall, if otherwise applicable in accordance with their terms, apply to the same extent.

ARTICLE XVII

Effective date; termination.

This Agreement shall be deemed to have been in effect and operation as from January 1, 1942, and shall expire on April 8, 1946, but without prejudice to any liability which may then already have been

incurred, or which may thereafter arise, pursuant to any obligations undertaken by either Government by virtue of Articles VI, VII, VIII, IX, X, XII, XIII, XIV, and XVI of this Agreement. For these purposes the definitions of the term "nationals" set forth in Article I of this Agreement shall continue in effect after April 8, 1946.

DONE, in duplicate, at Washington this twenty-seventh day of March 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

DEAN ACHESON

*Acting Secretary of State
of the United States of America*

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND:

HALIFAX.

*His Majesty's Ambassador Extraordinary
and Plenipotentiary at Washington*

April 17, 1945

[T. I. A., 8. 1511]

Agreement between the United States of America and the Union of South Africa respecting mutual aid. Effected by exchange of notes signed at Washington April 17, 1945; effective April 17, 1945.

The South African Chargé d'Affaires ad interim to the Secretary of State

SIR,

With reference to the memorandum dated May 8th from the State Department and recent discussions between representatives of the Union of South Africa and those of the State Department and the Foreign Economic Administration concerning the proposal that all forms of mutual aid provided by either the Government of the Union of South Africa or of the United States to the other should be financed by cash payments as from February 15, 1944, I am directed to inform you that the Union Government agrees to the application of such a cash basis in its relations with the United States Government.

(2) The Union Government is accordingly prepared to accept liability for all combat material, aircraft and other goods shipped on and after 15th February, 1944, and supplied direct by the Government of the United States, or by means of retransfer from other Governments, on orders placed by the Union Government. This would include equipment for coastal defence undertaken by the Union Government in agreement with the Government of the United Kingdom, but would not include the provision of aircraft and equipment for the Flying Boat Squadron No. 262 at present based on Durban, which is, by agreement with the United Kingdom, a liability of the latter government, in so far as the procurement of aircraft, spares and related equipment is concerned.

(3) The basis of the foregoing proposal is that liability for goods supplied should follow the authority responsible for the issue of the order of procurement. The Union Government would, therefore, be liable solely for goods received in accordance with the provisions of the preceding paragraph and it would not be liable for any goods which the United Kingdom Government may supply for the temporary or intermittent use of the Union Forces under United Kingdom operational control outside the boundaries of the Union of South Africa in compliance with the terms of the financial arrangements in existence between the two governments.

(4) If the Government of the United States of America concurs in the foregoing, I would suggest that the present note and your reply to that effect be regarded as placing on record the understanding of our two Governments in this matter.

Accept, Sir, the renewed assurances of my highest consideration.

J. R. JORDAAN

Charge d'Affaires ad interim

LEGATION OF THE UNION OF SOUTH AFRICA
WASHINGTON, D.C.

17th April, 1945.

The Honourable E. R. STETTINIUS,
Secretary of State of the United States,
Department of State,
Washington, D. C.

ANNEX

It is the understanding of the Government of the Union of South Africa that the following interpretations apply to the provisions of this note:

- (1) The word "shipped" in the first sentence of paragraph (2) denotes the actual placing of goods on board ship; or in the case of other goods, such as aircraft and stores carried on them, the time at which the Government of the United States transfers such goods to the Union Government;
- (2) The words "on orders placed by the Union Government", in the first sentence of paragraph (2) cover the case of any goods retransferred by any Government and accepted by the Union Government.
- (3) Certain squadrons were formed and equipped in the Union of South Africa with Lend-Lease aircraft and, for a considerable period, carried out operations from Union bases. Subsequently these squadrons, complete with aircraft and equipment, proceeded for operational work in the Mediterranean. Such aircraft and equipment furnished prior to 15th February, 1944, which have subsequently been transferred to the Mediterranean Theatre and later returned to the Union will be regarded as Lend-Lease material supplied to the Union Government before 15th February, 1944.
- (4) For so far as the Joint Air Training Scheme in the Union of South Africa is concerned, it is the understanding of the Union Government that they will not be required to pay for aircraft and equipment which the United Kingdom is obligated to supply for the scheme and which are used solely for that purpose.
- (5) Goods are frequently landed in the Union by mistake e. g. when they arrive without shipping documents and ships have to be cleared without delay. It is the understanding of the Union Government that such goods will not be regarded as "accepted" by them, although they may be stored by the responsible authorities for security purposes pending a directive from the United States Government as to their disposition.

The Secretary of State to the South African Chargé d'Affaires ad interim

DEPARTMENT OF STATE

WASHINGTON

April 17, 1945.

SIR:

I acknowledge receipt of your note of today's date concerning the financing by cash payments as from February 15, 1944 of all forms of mutual aid provided by either the Government of the Union of South Africa or of the United States to the other.

I am glad to advise you that the Government of the United States shares the understanding of the Government of the Union of South Africa as expressed in that note and in the Annex thereto. I agree that your note and this reply thereto should be regarded as placing on record the understanding of our two Governments in this matter.

Accept, Sir, the renewed assurances of my high consideration.

E. R. STETTINIUS, Jr.

J. R. JORDAAN, Esquire,
*Chargé d'Affaires ad interim of
the Union of South Africa.*

Agreement between the United States of America and the Union of South Africa respecting postwar economic settlements. Effected by exchange of notes signed at Washington April 17, 1945; effective April 17, 1945.

April 17, 1945
[T. I. A. S. 1512]

The Secretary of State to the South African Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
April 17, 1945.

SIR:

I set forth below my understanding of the conclusions reached in conversations which have taken place from time to time during the past year between representatives of the Government of the United States and the Government of the Union of South Africa with regard to post-war economic settlements.

Our two Governments are engaged in a cooperative undertaking, together with every other nation or people of like mind, to the end of laying the bases of a just and enduring world peace securing order under law to themselves and all nations. They are in agreement that post-war settlements must be such as to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations.

To that end the Governments of the United States of America and of the Union of South Africa are prepared to cooperate in formulating a program of agreed action, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 14, 1941 by the President of the United States of America and the Prime Minister of the United Kingdom.

55 Stat. 1603.

Our Governments have in large measure similar interests in post-war international economic policy. They undertake to enter at an early convenient date into conversations between themselves and with representatives of other United Nations with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by agreed action on the part of our two Governments and other like-minded Governments.

If the Government of the Union of South Africa concurs in the foregoing statement of conclusions, I would suggest that the present note and your reply to that effect should be regarded as placing on record the understanding of our two Governments in this matter.

Accept, Sir, the renewed assurances of my high consideration.

E. R. STETTINIUS, Jr.

J. R. JORDAAN, Esquire,
*Chargé d'affaires ad interim of
the Union of South Africa.*

*The South African Chargé d'Affaires ad interim to the Secretary of
State*

SIR,

I have the honour to refer to your note of today's date setting forth your understanding of the conclusions reached in conversations between representatives of the Government of the Union of South Africa and the Government of the United States with regard to post-war economic settlements. That understanding is as follows:

Our two Governments are prepared to cooperate in formulating a program of agreed action, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 14, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom.

Our Governments have in large measure similar interests in post-war international economic policy. They undertake to enter at an early convenient date into conversations between themselves and with representatives of other United Nations with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by agreed action on the part of our two Governments and other like-minded Governments.

I am instructed to inform you that the Government of the Union of South Africa concurs in the foregoing statement of conclusions and agrees to your suggestion that your note of today's date, and this reply should be regarded as placing on record the understanding of our two Governments in this matter.

Accept, Sir, the renewed assurances of my highest consideration.

J. R. JORDAAN
Chargé d'Affaires ad interim

LEGATION OF THE UNION OF SOUTH AFRICA,
WASHINGTON, D.C.
17th April, 1945.

The Honourable E. R. STETTINIUS,
*Secretary of State of the United States,
Department of State,
Washington, D.C.*

Memorandum of agreement between the United States of America and Norway respecting civil administration and jurisdiction in liberated Norwegian territory. Signed May 16, 1944.

May 16, 1944
[T. I. A. S. 1514]

MEMORANDUM OF AGREEMENT BETWEEN NORWAY AND THE UNITED STATES OF AMERICA RESPECTING THE ARRANGEMENTS FOR CIVIL ADMINISTRATION AND JURISDICTION IN NORWEGIAN TERRITORY LIBERATED BY AN ALLIED EXPEDITIONARY FORCE

The discussions which have taken place between the representatives of Norway and the United States of America concerning the arrangements to be made for civil administration and jurisdiction in Norwegian territory liberated by an Allied Expeditionary Force under an Allied Commander in Chief have led to agreement upon the following broad conclusions.

The agreed arrangements set out below are intended to be essentially temporary and practical and are designed to facilitate as far as possible the task of the Commander in Chief and to further our common purpose, namely, the speedy expulsion of the Germans from Norway and the final victory of the Allies over Germany.

1. In areas affected by military operations it is necessary to contemplate a first or military phase during which the Commander in Chief of the Expeditionary Force on land must, to the full extent necessitated by the military situation, exercise supreme responsibility and authority.

Responsibility and authority of Commander in Chief.

2. As soon as, and to such extent as, in the opinion of the Commander in Chief, the military situation permits, the Norwegian Government will be notified in order that it may resume the exercise of responsibility for the civil administration, subject to such special arrangements as may be required in areas of vital importance to the Allied forces, such as ports, lines of communication and airfields, and without prejudice to the enjoyment by the Allied forces of such other facilities as may be necessary for the prosecution of the war to its final conclusion.

Resumption of responsibility by Norwegian Government.

3. *a.* During the first phase the Commander in Chief will make the fullest possible use of the advice and assistance which will be tendered to him through Norwegian liaison officers attached to his staff for civil affairs and included in the personnel of a Norwegian military mission to be appointed by the Norwegian Government. He will also make the fullest possible use of loyal Norwegian local authorities.

Assistance by Norwegian liaison officers.

b. The Norwegian liaison officers referred to in sub paragraph *a* above will, so far as possible, be employed as intermediaries between the Allied military authorities and the Norwegian local authorities.

Reorganization of Norwegian administrative and judicial services.

4. During the first phase the Norwegian Government will assist the Commander in Chief by reorganizing or re-establishing the Norwegian administrative and judicial services through whose collaboration the Commander in Chief can discharge his supreme responsibility. For this purpose the Norwegian Government will act through its representatives on the spot, who, for practical reasons, will be included in the Norwegian military mission referred to in sub paragraph 3*a* above.

5. The appointment of the Norwegian administrative and judicial services will be effected by the competent Norwegian authorities in accordance with Norwegian law. If during the first phase (see paragraph 1 above) conditions should necessitate appointments in the Norwegian administrative or judicial services, the competent representative of the Norwegian Government will, upon the request of the Commander in Chief and after consultation with him, then appoint the requisite officials.

Norwegians with Allied Expeditionary Force.

6. Members of the Norwegian armed forces serving in Norwegian units with the Allied Expeditionary Force in Norwegian territory shall come under the exclusive jurisdiction of Norwegian courts. Other Norwegians, who, at the time of entering Norway as members of the Allied Expeditionary Force, are serving in conditions which render them subject to Allied naval, military or air force law, will not be regarded as members of the Norwegian armed forces for this purpose.

Jurisdiction over civilians.

7. In the exercise of jurisdiction over civilians, the Norwegian Government will make the necessary arrangements for insuring the speedy trial in the vicinity by Norwegian courts of such civilians as are alleged to have committed offenses against the persons, property, or security of the Allied forces, without prejudice however to the power of the Commander in Chief, if military necessity requires, to bring to trial before a military court any person alleged to have committed an offense of this nature.

Members of Allied forces, etc.

8. Without prejudice to the provisions of paragraph 15, Allied service courts and authorities will have exclusive jurisdiction over all members of the Allied forces respectively and over all persons of non-Norwegian nationality not belonging to such forces who are employed by or who accompany those forces and are subject to Allied naval, military or air force law. The question of jurisdiction over such merchant seamen as are not subject to Allied service law will require special consideration and should form the subject of a separate agreement.

Merchant seamen.

Arrests by Norwegian police.

9. Persons thus subject to the exclusive jurisdiction of Allied service courts and authorities may, however, be arrested by the Norwegian police for offenses against Norwegian law, and detained until they can be handed over for disposal to the appropriate Allied service authority. A certificate signed by an Allied officer of field rank or its equivalent, that the person to whom it refers belongs to one of the classes mentioned in paragraph 8, shall be conclusive. The procedure for handing over such persons is a matter for local arrangement.

10. The Allied Commander in Chief and the Norwegian authorities will take the necessary steps to provide machinery for such mutual assistance as may be required in making investigations, collecting evidence, and securing the attendance of witnesses in relation to cases triable under Allied or Norwegian jurisdiction.

Investigations, etc.

11. There shall be established by the respective Allies claims commissions to examine and dispose of claims for compensation for damage or injury preferred by Norwegian civilians against the Allied forces exclusive of claims for damage or injury resulting from enemy action or operations against the enemy.

Claims Commissions.

12. Members of the Allied forces and organizations and persons employed by or accompanying those forces, and all property belonging to them or to the Allied Governments, shall be exempt from all Norwegian taxation (including customs) except as may be subsequently agreed between the Allied and Norwegian Governments. The Allied authorities will take the necessary steps to insure that such property is not sold to the public in Norway except in agreement with the Norwegian Government.

Tax exemption.

13. The Commander in Chief shall have power to requisition billets and supplies and make use of lands, buildings, transportation and other services for the military needs of the forces under his command. Requisitions will be effected where possible through Norwegian authorities and in accordance with Norwegian law. For this purpose the fullest use will be made of Norwegian liaison officers attached to the staff of the Commander in Chief.

Requisition of billets and supplies.

14. The immunity from Norwegian jurisdiction and taxation resulting from paragraphs 8 and 12 will extend to such selected civilian officials and employees of the Allied Governments present in Norway on duty in furtherance of the purposes of the Allied Expeditionary Force as may from time to time be notified by the Commander in Chief to the competent Norwegian authority.

15. Should circumstances in future be such as to require provision to be made for the exercise of jurisdiction in civil matters over non-Norwegian members of the Allied forces present in Norway, the Allied Governments concerned and the Norwegian Government will consult together as to the measures to be adopted.

16. Other questions arising as a result of the liberation of Norwegian territory by an Allied Expeditionary Force (in particular questions relating to finance and currency and the attribution of the cost of maintaining the civil administration during the first or military phase) which are not dealt with in this agreement shall be regarded as remaining open and shall form the subject of further negotiation as circumstances may require.

IN WITNESS WHEREOF, this instrument has been executed in duplicate as of this 16th day of May, 1944, on behalf of the parties hereto under the respective authorizations hereinafter set forth.

I hereby execute this instrument in behalf of Norway in accordance with the following authorization:

"We Haakon, King of Norway, in accordance with Royal Decree of 3 March, 1944, hereby authorize and empower our Minister for Foreign Affairs, Monsieur Trygve Lie, to sign an agreement between Norway and the United States of America concerning civil administration and jurisdiction in Norwegian territory liberated by an allied expeditionary force.

LONDON, 3 March, 1944.

(s) HAAKON R"

L.S.

TRYGVE LIE
*Minister for Foreign Affairs of
Norway*

Pursuant to instructions from the Joint Chiefs of Staff, I hereby execute this instrument in behalf of the United States of America.

DWIGHT D EISENHOWER
General, United States Army

Articles of agreement between the United States of America and Belgium respecting air transport services. Signed at Brussels April 5, 1946; effective April 5, 1946. And provisional agreement.

April 5, 1946
[T. I. A. B. 1515]

AGREEMENT

BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE BELGIAN GOVERNMENT RELATING TO AIR SERVICES BETWEEN THEIR RESPECTIVE TERRITORIES

ACCORD

ENTRE LE GOUVERNEMENT DES ETATS UNIS D'AMERIQUE ET LE GOUVERNEMENT BELGE RELATIF AUX SERVICES AERIENS ENTRE LEURS TERRITOIRES RESPECTIFS

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE BELGIAN GOVERNMENT, considering

- that the possibilities of commercial aviation as a means of transport have greatly increased,
- that it is desirable to organize the international air services in a safe and orderly manner and to further as much as possible the development of international cooperation in this field, and
- that the Agreements hitherto contracted between the two governments with respect to the operation of air services should be replaced by a more general agreement in harmony with the new conditions of air transport, have appointed their representatives, who, duly authorized, have agreed upon the following:

ARTICLE 1.

The Contracting Parties grant to each other the rights specified in the Annex hereto for the establishment of the international air services set forth in that Annex, or as

LE GOUVERNEMENT DES ETATS UNIS D'AMERIQUE ET LE GOUVERNEMENT BELGE, considérant

- que les possibilités de l'Aviation Commerciale, en tant que mode de transport, se sont considérablement accrues,
- qu'il convient d'organiser d'une manière sûre et ordonnée les services aériens internationaux, et de poursuivre dans la plus large mesure possible le développement de la coopération internationale dans ce domaine, et
- que les accords antérieurement conclus entre les deux Gouvernements en matière d'exploitation de services aériens doivent être remplacés par un accord plus général adapté aux conditions nouvelles des transports aériens, ont désigné des Représentants à cet effet, lesquels dûment autorisés sont convenus des dispositions suivantes:

ARTICLE 1.

Les Parties Contractantes s'accordent l'une à l'autre les droits spécifiés à l'annexe ci-jointe en vue de l'établissement des services aériens internationaux énu-

"Agreed services."

Post, p. 1591.

amended in accordance with Article XII of the present Agreement (hereinafter referred to as the "agreed services").

mérés à cette Annexe, sans préjudice d'amendements qui seraient apportés à celle-ci conformément à l'Article XII du présent accord.

ARTICLE II

Inauguration of agreed services.

a) The agreed services may be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted, on condition that:

ARTICLE II

a) Lesdits services peuvent être inaugurés immédiatement ou à une date ultérieure, au choix de la Partie Contractante à laquelle les droits sont accordés, à condition que

Designation of air carrier or carriers.

(1) the Contracting Party to whom the rights have been granted shall have designated an air carrier or carriers for the specified route or routes.

(1) la Partie Contractante à laquelle les droits ont été accordés ait désigné une ou plusieurs entreprises de transport aérien pour exploiter la ou les routes spécifiées, et que

Operating permission.

(2) the Contracting Party which grants the rights shall have given the appropriate operating permission to the air carrier or carriers concerned pursuant to paragraph (b) of this Article which (subject to the provisions of Article VI) it shall do with the least possible delay.

(2) la Partie Contractante qui accorde les droits ait donné, dans les conditions prévues au paragraphe (b) du présent article, à l'entreprise ou aux entreprises intéressées l'autorisation d'exploitation requise, ce qu'elle devra faire dans le plus court délai possible, sous réserve des dispositions de l'Article VI.

Post, p. 1588.

b) The designated air carrier or carriers may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights that it or they is or are qualified to fulfill the conditions prescribed by or under the laws and regulations normally applied by those authorities to the operations of commercial air carriers.

b) L'entreprise ou les entreprises ainsi désignées pourront être requises par les autorités aéronautiques de la Partie Contractante qui accorde les droits de satisfaire aux conditions, prescrites aux termes des lois et règlements normalement appliqués par ces mêmes autorités, en matière d'exploitation de transports aériens commerciaux.

ARTICLE III

Charges.

a) The charges which either Contracting Party may impose or permit to be imposed on the designated air carrier or carriers of the other Contracting Party for the use of airports and other

ARTICLE III

a) Les taux des taxes imposés pour l'utilisation des aéroports et autres facilités à l'entreprise ou aux entreprises de transport aérien de l'une ou l'autre Partie Contractante ne seront pas plus élevés

facilities shall not be higher than would be paid for the use of such air ports and facilities by its national aircraft employed in similar international air services.

b) Fuel, lubricating oils and spare parts introduced into, or taken on board aircraft in, the territory of one Contracting Party by, or on behalf of, any designated air carrier of the other Contracting Party and intended solely for use by the aircraft of such carrier shall be accorded, with respect to customs duties, inspection fees and other charges imposed by the former Contracting Party, treatment not less favorable than that granted to national air carriers engaged in international air services or such carriers of the most favored nation.

c) Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of any designated air carrier of one Contracting Party shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees or similar duties or charges, even though such supplies be used by such aircraft on flights within that territory.

que ceux qui seraient payés pour l'utilisation desdits aéroports et facilités par leurs aéronefs nationaux employés à des services internationaux similaires.

b) Les carburants, les huiles lubrifiantes et les pièces de rechange introduits ou pris à bord sur le territoire d'une Partie Contractante par toute entreprise de transport aérien désignée par l'autre Partie Contractante ou pour le compte d'une telle entreprise, et destinés uniquement à l'usage des appareils de cette entreprise, bénéficieront d'un traitement aussi favorable que le traitement appliqué aux entreprises nationales exploitant des services aériens internationaux ou à celles de la nation la plus favorisée en ce qui concerne l'imposition de droits de douane, de frais d'inspection ou autres droits et taxes nationaux.

c) Les carburants, les huiles lubrifiantes, les pièces de rechange, l'équipement normal et les provisions de bord demeurant à bord des aéronefs utilisés par toute entreprise désignée par une Partie Contractante, seront, sur le territoire de l'autre Partie Contractante, exempts de droits de douane, frais d'inspection ou autres droits et taxes similaires, même au cas où ces approvisionnements seraient employés ou consommés par ces aéronefs au cours de vols au-dessus dudit territoire.

Fuel, lubricating oils and spare parts.

ARTICLE IV

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party and still in force shall be recognized as valid by the other Contracting Party for the purpose of operation

ARTICLE IV

Les certificats de navigabilité, les brevets d'aptitude et les licences délivrés ou validés par l'une des Parties Contractantes et non périmés, seront reconnus valables par l'autre Partie Contractante, aux fins d'exploitation des

Certificates of airworthiness, etc.

of the agreed services. Each Contracting Party reserves the right, however, to refuse to recognize for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

routes et des services spécifiés à l'Annexe. Chaque Partie Contractante se réserve cependant le droit de ne pas reconnaître valables pour la circulation au-dessus de son propre territoire les brevets d'aptitude et licences délivrés à ses propres ressortissants par un autre Etat.

ARTICLE V

ARTICLE V

Laws and regulations.

a) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other Contracting Party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

a) Les lois et règlements d'une Partie Contractante relatifs à l'entrée et à la sortie de son territoire des aéronefs employés à la navigation internationale, ou relatifs à l'exploitation et à la navigation desdits aéronefs durant leur présence dans les limites de son territoire, s'appliqueront aux aéronefs de l'autre Partie Contractante, lesquels devront s'y conformer à l'arrivée, au départ et durant leur présence dans les limites du territoire de la Partie Contractante mentionnée en premier lieu.

b) The laws and regulations of each Contracting Party as to the admission to, sojourn in and departure from its territory of passengers, crew and cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs and quarantine, shall be observed.

b) Les lois et règlements d'une Partie Contractante relatifs à l'admission sur son territoire, au séjour et à la sortie de passagers, d'équipages, ou de marchandises transportés par aéronefs tels que ceux régissant l'entrée, les formalités de sortie, l'immigration, les passeports, les douanes et la quarantaine, seront également appliqués.

ARTICLE VI

ARTICLE VI

Withholding or revocation of certificate or permit.

Each Contracting Party reserves the right to withhold or revoke a certificate or permit to an air carrier designated by the other Contracting Party in the event that it is not satisfied that substantial ownership and effective control of such carrier are vested in nationals

Chaque Partie Contractante se réserve le droit de refuser une autorisation d'exploitation à une entreprise désignée par l'autre Partie Contractante ou de révoquer une telle autorisation, lorsqu'elle n'a pas la preuve qu'une part importante de la propriété et

of either Contracting Party, or in case of failure by that carrier to comply with the laws and regulations referred to in Article V hereof, or otherwise to fulfill the conditions under which the rights are granted in accordance with this Agreement and its Annex.

le contrôle effectif de cette entreprise sont entre les mains de nationaux de l'une ou l'autre des Parties Contractantes ou lorsque cette entreprise de transport aérien ne se conforme pas aux lois et règlements visés à l'Article V ou ne remplit pas les obligations que lui imposent le présent Accord et son Annexe.

ARTICLE VII

In a spirit of close collaboration, the aeronautical authorities of the two Contracting Parties will consult regularly with a view to assuring the observance of the principles and the implementation of the provisions outlined in the present Agreement and its Annex.

ARTICLE VII
Dans un esprit d'étroite collaboration, les autorités aéronautiques des deux Parties Contractantes se consulteront régulièrement en vue de s'assurer de l'application des principes définis au présent Accord et à son Annexe et de leur exécution satisfaisante.

Consultation.

ARTICLE VIII

For the purpose of the present Agreement and its Annex:

a) The term "territory" as applied to each Contracting Party shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection, mandate, or trusteeship of such Contracting Party;

b) The term "aeronautical authorities" shall mean in the case of the United States the Civil Aeronautics Board and in the case of Belgium "l'Administration de l'Aéronautique Civile" and in both cases any person or body authorized to perform the functions presently exercised by the above mentioned bodies;

c) The term "international air services" shall have the meaning specified in Article 96 of the Convention on International Civil

ARTICLE VIII
Pour l'application du présent Accord et de son Annexe,

a) le mot "territoire" s'entendra des régions terrestres et des eaux territoriales y adjacentes sur lesquelles l'une ou l'autre des Parties Contractantes exerce sa souveraineté, sa suzeraineté, son protectorat, un mandat ou une tutelle;

b) l'expression "autorités aéronautiques" s'entendra, en ce qui concerne les Etats-Unis, du "Civil Aeronautics Board" et, en ce qui concerne la Belgique de l'Administration de l'Aéronautique Civile, ou, dans les deux cas, de toute personne ou de tout organisme qui seraient habilités à assumer les fonctions actuellement exercées par les organismes précités;

c) L'expression "service aérien international" s'entendra dans le sens défini par l'article 96 de la Convention sur l'Aviation Civile

"Territory."

"Aeronautical authorities."

"International air services."

Aviation signed at Chicago on December 7, 1944.^[1] Internationale signée à Chicago le 7 décembre 1944.

ARTICLE IX

ARTICLE IX

Disputes.

Except as otherwise provided in this Agreement or its Annex, any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its Annex which cannot be settled through consultation, shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization, in accordance with the provisions of Article III, Section 6 (8) of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944, or its successor.

Sous réserve d'autres dispositions du présent Accord ou de son Annexe, tout différend entre les Parties Contractantes relatif à l'interprétation ou à l'application du présent Accord ou de son Annexe qui ne pourrait être réglé par la voie de négociations directes sera soumis pour avis consultatif au Conseil Intérimaire de l'Organisation Provisoire de l'Aviation Civile Internationale conformément aux dispositions de l'Article III, section 6 (8) de l'Accord intérimaire sur l'Aviation Civile Internationale signé à Chicago le 7 décembre 1944 ou à l'organisme appelé à lui succéder.

59 Stat. 1521.

ARTICLE X

ARTICLE X

The present Agreement supercedes the Provisional Agreement concluded between the two Contracting Parties by an exchange of notes signed February 1, 1946.

Le présent Accord met fin à l'arrangement provisoire conclu entre les Parties Contractantes, par échange de lettres le 1er février 1946.

Post, p. 1605.

The present Agreement shall in no way affect the provisions of the Agreement concluded between the Belgian Congo Colony and a United States air carrier signed August 22, and September 15, 1941, [2] or any amendments thereof.

Il n'affecte en rien les stipulations de l'accord conclu entre la Colonie du Congo Belge et une entreprise américaine de transport aérien, signé le 22 août et le 15 septembre 1941, non plus que des amendements qui y auraient été apportés.

ARTICLE XI

ARTICLE XI

Registration of Agreement.

This Agreement and all relative contracts shall be registered with the Provisional International Civil Aviation Organization set up by the Interim Agreement on Inter-

Le présent Accord et tous les contrats y relatifs seront enregistrés à l'Organisation Provisoire de l'Aviation Civile Internationale instituée par l'Accord Intérimaire

¹ [International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents, Department of State publication 2282, p. 85.]

² [Not printed.]

national Civil Aviation signed at Chicago December 7, 1944, or its successor.

sur l'Aviation Civile Internationale, signé le 7 décembre 1944 à Chicago, ou à l'organisme appelé à lui succéder.

59 Stat. 1516.

ARTICLE XII

a) This Agreement, including the provisions of the Annex thereof, will come into force on the day it is signed.

b) Either Contracting Party may at any time request consultation with the other with a view to initiating any amendments of this Agreement or its Annex which may be desirable in the light of experience. If a multilateral air convention enters into force in relation to both Contracting Parties, such consultation shall take place with a view to amending the present Agreement or its Annex so as to conform to the provisions of such a convention.

c) Except as otherwise provided in this Agreement or its Annex, if either of the Contracting Parties considers it desirable to modify the terms of the Annex to this Agreement it may request consultation between the aeronautical authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. Any modification in the Annex agreed to by said aeronautical authorities shall come into effect when it has been confirmed by an exchange of diplomatic notes.

d) When the procedure for a consultation provided for in paragraph b) of the present Article has been initiated, either Contracting Party may at any time give notice to the other of its desire

ARTICLE XII

a) Le présent Accord et son Annexe entreront en vigueur à la date de la signature dudit Accord.

b) Chacune des Parties Contractantes peut à tout moment demander à se consulter avec l'autre en vue d'apporter au présent Accord ou à son Annexe tout amendement qui, à l'expérience, paraîtrait désirable. Si une convention aéronautique multilatérale entre en vigueur entre les deux Parties Contractantes, une telle consultation sera de droit, à l'effet de mettre les clauses du Présent Accord ou de son Annexe en concordance avec les dispositions de ladite Convention.

c) Sous réserve d'autres dispositions du présent Accord ou de son Annexe, si l'une des Parties Contractantes ne souhaite modifier les termes que de l'Annexe au présent Accord, elle peut demander que la consultation ait lieu entre les autorités aéronautiques des deux Parties Contractantes, cette consultation devant commencer dans un délai de soixante jours à compter de la date de la demande. Toute modification à l'Annexe convenue entre lesdites autorités entrera en vigueur dès qu'elle aura été confirmée par un échange de notes diplomatiques.

d) Une fois engagée, la procédure de consultation prévue au paragraphe b) du présent Article, chaque Partie Contractante pourra à tout moment notifier à l'autre son désir de mettre fin au

Entry into force.

Amendments.

Modification of terms in Annex.

Notice of desire to terminate Agreement.

to terminate this Agreement. Such notice shall be simultaneously communicated to the Provisional International Civil Aviation Organization, or its successor.

présent Accord. Une telle notification devra être faite simultanément à l'Organisation Provisoire de l'Aviation Civile Internationale ou à l'organisme appelé à lui succéder.

Termination of Agreement.

This Agreement shall terminate one year after the date of receipt of the notice to terminate by the other Contracting Party unless the notice is withdrawn by Agreement before the expiration of this period. In the absence of acknowledgment of receipt by the other Contracting Party, notice shall be deemed to have been received fourteen days after the receipt of the notice by the Provisional International Civil Aviation Organization, or its successor.

Le présent Accord prendra fin une année après le jour de réception de la notification par l'autre Partie Contractante, à moins que ladite notification soit retirée d'un commun accord avant l'expiration de cette période. Au cas où la Partie Contractante qui recevrait une telle notification n'en accuserait pas réception, la notification sera tenue pour reçue quatorze jours après sa réception par l'Organisation Provisoire de l'Aviation Civile Internationale ou l'organisme qui lui aurait succédé.

Done at Brussels, this fifth day of April, 1946, in duplicate in the English and French languages, each of which shall be of equal authenticity.

Fait à Bruxelles, le cinq avril 1946, en double exemplaire, dans les langues anglaise et française, l'une et l'autre faisant également foi.

For the Government of the United States of America,
Pour le Gouvernement des Etats-Unis d'Amérique,

For the Belgian Government,
Pour le Gouvernement belge,

ALAN G. KIRK

P. H. SPAAK

[SEAL]

[SEAL]

ANNEX

SECTION I.

The Government of the United States of America grants to the Belgian Government the right to conduct air transport services by one or more air carriers of Belgian nationality designated by the latter country on the routes, specified in the Schedule attached, which transit or serve commercially the territory of the United States of America.

SECTION II.

The Belgian Government grants to the Government of the United States of America the right to conduct air transport services by one or more air carriers of United States nationality designated by the latter country on the routes, specified in the attached Schedule, which transit or serve commercially Belgian territory.

SECTION III.

One or more air carriers designated by each of the Contracting Parties under the conditions provided in this Agreement will enjoy, in the territory of the other Contracting Party, rights of transit, of stops for non-traffic purposes and of commercial entry and departure for international traffic in passengers, cargo and mail at the points enumerated and on each of the routes specified in the attached Schedule at all airports open to international traffic.

ANNEXE

SECTION I.

Le Gouvernement des Etats-Unis d'Amérique accorde au Gouvernement belge le droit de faire assurer par une ou plusieurs entreprises belges de transport aérien désignées par lui, des services aériens sur les lignes mentionnées au tableau ci-annexé qui traversent ou desservent le territoire des Etats-Unis d'Amérique.

Right granted to Belgian Government.

SECTION II.

Le Gouvernement belge accorde au Gouvernement des Etats-Unis d'Amérique le droit de faire assurer par une ou plusieurs entreprises de transport aérien des Etats-Unis désignées par lui, des services aériens sur les lignes mentionnées au tableau ci-annexé qui traversent ou desservent le territoire belge.

Right granted to U. S. Government.

SECTION III.

L'entreprise ou les entreprises de transport aérien désignées par chacune des Parties Contractantes dans les conditions fixées à l'Accord jouiront dans le territoire de l'autre Partie Contractante, aux points énumérés et sur chaque itinéraire décrit au tableau ci-annexé, du droit de transit, du droit d'escale pour raisons non commerciales et du droit de débarquer et d'embarquer en trafic international des passagers, du courrier et des marchandises sur tout aéroport ouvert au trafic international.

Rights of transit, etc.

SECTION IV.

SECTION IV.

It is agreed between the Contracting Parties:

Il est entendu entre les Parties Contractantes:

a) That the two Governments desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a mean of promoting friendly understanding and good will among peoples and insuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries;

a) que les deux Gouvernements désirent provoquer et encourager la plus large distribution possible des avantages procurés par les voyages aériens pour le bien général de l'humanité, aux plus bas tarifs compatibles avec de sains principes économiques et stimuler les voyages aériens internationaux comme moyen de promouvoir une entente amicale et une bonne volonté commune entre les peuples, et assurer en même temps les nombreux bienfaits indirects de ce nouveau mode de transport pour le bien être commun des deux Pays;

b) That in the operation by the air carriers of either Contracting Party of trunk services described in the present Annex, the interests of the air carriers of the other country shall, however, be taken into consideration so as not to affect unduly the services which the latter provide on all or part of the same route.

b) que, dans l'exploitation par les entreprises de chacun des deux Pays des services long-courrier mentionnés à la présente Annexe, les intérêts des entreprises de l'autre Pays seront toutefois pris en considération, afin que ne soient pas indûment affectés les services que ces dernières assureraient sur tout ou partie des mêmes parcours;

c) That the air transport service offered by the carriers of both countries should bear a close relationship to the requirements of the public for such services.

c) que les services assurés par les entreprises des deux pays devront correspondre aux besoins du public en matière de transport aérien;

d) That the services provided by a designated air carrier under this Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such air carrier is a national and the country of ultimate destination of the traffic, and that the right of the air carriers of either country to embark and to disembark at points in the territory of the other country international traffic

d) que lesdits services long-courrier auront pour objet essentiel d'offrir une capacité correspondant à la demande de trafic entre le pays dont ressortit l'entreprise et le pays desservi en dernier lieu; et que le droit pour les entreprises de chacun des deux Pays d'embarquer et de débarquer sur le territoire de l'autre Pays, aux points et sur les itinéraires spécifiés au tableau ci-annexé, du trafic international à destination ou en provenance de pays tiers

Operation of trunk services.

Public demand for services.

Primary objective of services.

destined for or coming from third countries at a point or points specified in the attached Schedule, shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity shall be related:

- 1°) to traffic requirements between the country of origin and the countries of destination;
- 2°) to the requirements of through airline operation and
- 3°) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

sera exercé conformément aux principes généraux de développement ordonné affirmés par les deux Gouvernements, et dans les conditions telles que la capacité soit adaptée;

- 1°) à la demande de trafic entre le pays d'origine et les pays de destination;
- 2°) aux exigences de l'exploitation des services de long courrier; et
- 3°) à la demande de trafic dans les régions traversées, compte tenu des services locaux et régionaux.

SECTION V.

a) The determination of rates in accordance with the following paragraphs shall be made at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit, and the rates charged by any other carriers, as well as the characteristics of each service.

b) The rates to be charged by the air carriers of either Contracting Party between the points in the territory of the United States and points in Belgian territory referred to in this Annex shall, consistent with the provisions of the present Agreement and its Annex, be subject to the approval of the aeronautical authorities of the Contracting Parties, who shall act in accordance with their obligations under the present Annex, within the limits of their legal powers.

c) The Civil Aeronautics Board of the United States having ap-

SECTION V.

a) La fixation des tarifs, conformément à la procédure ci-dessous définie, devra être faite à des taux raisonnables, compte tenu de tous les éléments d'appréciation, et en particulier des frais d'exploitation, de la réalisation d'un bénéfice normal, des tarifs pratiqués par les autres entreprises, ainsi que des caractéristiques présentées par chaque service.

b) Les tarifs à appliquer par les entreprises de chacune des Parties Contractantes pour les parcours prévus au tableau ci-annexé entre les territoires des Etats-Unis d'Amérique et les territoires belges devront être soumis, conformément aux dispositions du présent Accord et de son Annexe à l'approbation des autorités aéronautiques de chacune des Parties Contractantes, lesquelles agiront selon les obligations résultant de la présente Annexe, dans les limites de leurs pouvoirs légaux.

c) Le "Civil Aeronautics Board" des Etats-Unis ayant approuvé

Determination of rates.

Approval of rates.

proved the traffic conference machinery of the International Air Transport Association (hereinafter called "IATA"), for a period of one year beginning in February 1946, any rate agreements concluded through this machinery during this period and involving United States air carriers will be subject to approval by the Board.

pour la période d'une année commençant en février 1946 la procédure des Conférences de trafic de l'Association Internationale des Transports Aériens (ci-après dénommée I. A. T. A.), tous accords de tarifs conclus selon cette procédure pendant ladite période et intéressant des entreprises des Etats-Unis seront soumis à l'approbation dudit "Civil Aeronautics Board".

Proposed rates.

d) Any rate proposed by the air carrier or carriers of either Contracting Party shall be filled with the aeronautical authorities of both Contracting Parties at least thirty days before the proposed date of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both Contracting Parties.

d) Tout tarif proposé par l'entreprise ou les entreprises de chacune des Parties Contractantes devra être soumis aux autorités aéronautiques des deux Parties Contractantes trente jours au moins avant la date prévue pour sa mise en application. Cette période de trente jours pourra être réduite dans des cas particuliers si les Autorités aéronautiques des deux Parties Contractantes en conviennent d'un commun accord.

e) The Contracting Parties agree that the procedure described in paragraphs f, g and h of this Section shall apply:

e) Les Parties Contractantes conviennent que la procédure prévue aux paragraphes f, g et h de la présente Section sera applicable:

1°) if during the period of the Civil Aeronautics Board's approval of the "IATA" traffic conference machinery, either any specific rate agreement is not approved within a reasonable time by either Contracting Party or a conference of "IATA" is unable to agree on a rate, or

1°) lorsque, pendant la période durant laquelle le "Civil Aeronautics Board" approuve la procédure des conférences de trafic de l'I. A. T. A., un accord de tarifs donné n'est pas approuvé dans un délai raisonnable par l'une ou l'autre des Parties Contractantes, ou bien lorsqu'une conférence de l'I. A. T. A. n'a pu établir un tarif, ou

2°) at any time no "IATA" machinery is applicable, or

2°) lorsque, à toute époque, aucune procédure de l'I.A.T.A. n'est applicable, ou

3°) if either Contracting Party at any time withdraws or fails to renew its approval of that part of the "IATA" traffic conference machinery relevant to this Section.

3°) lorsque, à toute époque, l'une ou l'autre des Parties Contractantes retire ou s'abstient de renouveler son approbation à la partie de la procédure des conférences de trafic de l'I.A.T.A. concernant la présente section.

f) In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States, each of the Contracting Parties shall thereafter exercise its authority in such manner as to prevent any rate or rates proposed by one of its carriers for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party from becoming effective, if in the judgment of the aeronautical authorities of the Contracting Party whose air carrier or carriers is or are proposing such rate, that rate is unfair or uneconomic.

If one of the Contracting Parties on receipt of the notification referred to in paragraph (d) above is dissatisfied with the rate proposed by the air carriers of the other Contracting Party, it shall so notify the other Contracting Party prior to the expiry of the first fifteen of the thirty days referred to, and the Contracting Parties shall endeavor to reach agreement on the appropriate rate.

In the event that such agreement is reached, each Contracting Party will exercise its statutory powers to give effect to such Agreement.

If agreement has not been reached at the end of the thirty day period referred to in paragraph d) above, the proposed rate

f) Si les autorités aéronautiques des Etats-Unis reçoivent le pouvoir légal de fixer des tarifs justes et économiques pour le transport aérien international des personnes et des messageries, et de suspendre des tarifs proposés, comme le "Civil Aeronautics Board" est actuellement habilité à le faire en ce qui concerne de tels tarifs à l'intérieur des Etats-Unis, chacune des deux Parties Contractantes exercera ultérieurement son autorité de manière à empêcher d'entrer en application tout tarif proposé par l'une de ses entreprises pour les services reliant le territoire de l'une des Parties Contractantes à celui de l'autre, si, de l'avis des autorités aéronautiques de la Partie Contractante dont l'entreprise propose un tel tarif, ledit tarif n'est pas juste ou économique.

Si l'une des Parties Contractantes, après réception de la notification prévue au paragraphe d) ci-dessus, n'approuve pas le tarif proposé par une entreprise de l'autre Partie Contractante, elle en avisera cette dernière Partie Contractante avant l'expiration de la moitié du délai de trente jours prévu, et les Parties Contractantes s'efforceront d'aboutir à un accord sur un tarif convenable.

Si un tel accord est obtenu, chaque Partie Contractante exercera ses pouvoirs légaux en vue d'en assurer l'application.

Si un accord n'a pas pu être obtenu à l'expiration de la période de trente jours prévue au paragraphe d) ci-dessus, le tarif pro-

Prevention of proposed rates from becoming effective.

Dissatisfaction with proposed rates.

Rate effective provisionally.

may, unless the aeronautical authorities of the country of the air carrier concerned see fit to suspend its application, go into effect provisionally pending the settlement of any dispute in accordance with the procedure outlined in paragraph h) below.

g) Prior to the time when such power may be conferred by law upon the aeronautical authorities of the United States, if one of the Contracting Parties is dissatisfied, with any rate proposed by the air carrier or carriers of either Contracting Party for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party, it shall so notify the other prior to the expiry of the first fifteen of the thirty day period referred to in paragraph d) above, and the Contracting Parties shall endeavor to reach agreement on the appropriate rate.

In the event that such agreement is reached each Contracting Party will use its best efforts to cause such agreed rate to be put into effect by its air carrier or carriers.

It is recognized that if no such agreement can be reached prior to the expiry of such thirty days, the Contracting Party raising the objection to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

h) When in any case under paragraph f) and g) above the aeronautical authorities of the two Contracting Parties cannot agree within a reasonable time upon the appropriate rate after consultation initiated by the com-

posé peut être mis en application à titre provisoire en attendant le règlement du différend conformément à la procédure définie au paragraphe h) ci-dessous, à moins que les autorités aéronautiques du pays de l'entreprise intéressée estiment devoir suspendre cette entrée en application.

g) Aussi longtemps que les autorités aéronautiques des Etats-Unis ne disposeront pas de tels pouvoirs légaux, si l'une des Parties Contractantes n'approuve pas un tarif proposé par une entreprise de l'une ou l'autre des Parties Contractantes pour les services reliant le territoire de l'une des Parties Contractantes à celui de l'autre, ladite Partie Contractante en avisera l'autre avant l'expiration de la moitié du délai de trente jours prévu au paragraphe d) ci-dessus, et les Parties Contractantes s'efforceront d'aboutir à un accord sur un tarif convenable.

Si un tel accord est obtenu, chaque Partie Contractante s'emploiera de son mieux à faire en sorte que le tarif convenu soit mis en application par son entreprise ou ses entreprises.

Il est entendu que, si un tel accord ne peut être obtenu avant l'expiration desdits trente jours, la Partie Contractante qui élève des objections au tarif pourra prendre telle mesure qu'elle estimera nécessaire en vue d'empêcher l'inauguration ou le maintien du service en question au tarif discuté.

h) Au cas où la procédure de consultation définie aux paragraphes f) et g) ci-dessus n'aboutirait pas dans un délai raisonnable à un accord entre les autorités aéronautiques des deux Parties Contractantes sur un tarif convenable,

plaint of one Contracting Party concerning the proposed rate or an existing rate of the air carrier or carriers of the other Contracting Party, upon the request of either, both Contracting Parties shall submit the question to the Provisional International Civil Aviation Organization or to its successor for an advisory report, and each Party will use its best efforts under the powers available to it to put into effect the opinion expressed in such report.

le différend serait, sur la demande de l'une ou l'autre des Parties Contractantes, porté pour avis consultatif devant l'Organisation provisoire de l'Aviation Civile Internationale ou devant l'organisme appelé à lui succéder, et chacune des Parties Contractantes s'emploiera de son mieux, dans les limites des pouvoirs dont elle dispose, pour donner suite à l'opinion exprimée par l'Organisme International.

SECTION VI.

a) For the purpose of the present Section, the term "Transshipment" shall mean the transportation by the same carrier of traffic beyond a certain point on a given route by different aircraft from those employed on the earlier stages of the same route.

b) Transshipment when justified by economy of operation will be permitted at all points mentioned in the attached Schedule in territory of the two Contracting Parties.

c) However, no transshipments will be made in the territory of either Contracting Party which would alter the long range characteristics of the operation or which would be inconsistent with the standards set forth in this Agreement and its Annex and particularly Section IV of this Annex.

SECTION VI.

a) Au sens de la présente Section, l'expression "rupture de charge" à une escale donnée signifie qu'au delà de ce point le trafic sur la ligne considérée est assuré par la même entreprise avec un appareil différent de celui qui a été utilisé sur la même ligne avant ladite escale.

b) Toute rupture de charge justifiée par des raisons d'économie d'exploitation sera admise en tout point du territoire des deux Parties Contractantes mentionné au tableau ci-annexé.

c) Toutefois, aucune rupture de charge ne pourra intervenir sur le territoire de l'une ou l'autre des Parties Contractantes dans les cas où elle modifierait les caractéristiques de l'exploitation d'un service long-courrier, ou serait incompatible avec les principes énoncés dans le présent Accord et son Annexe et particulièrement la Section IV de ladite Annexe.

"Transshipment."

SECTION VII.

Changes made by either Contracting Party in the routes described in the attached Schedule except those which change the

SECTION VII.

Toute modification des lignes aériennes mentionnées au tableau ci-annexé, qui affecterait le tracé de ces lignes sur des territoires

Changes in routes.

points served by these airlines in the territory of the other Contracting Party shall not be considered as modifications of the Annex. The aeronautical authorities of either Contracting Party may therefore proceed unilaterally to make such changes, provided, however, that notice of any change is given without delay to the aeronautical authorities of the other Contracting Party.

If such other aeronautical authorities find that, having regard to the principles set forth in Section IV of the present Annex, interests of their air carrier or carriers are prejudiced by the carriage by the air carrier or carriers of the first Contracting Party of traffic between the territory of the second Contracting Party and the new point in the territory of a third country, the authorities of the two Contracting Parties shall consult with a view to arriving at a satisfactory agreement.

autres que ceux des Parties Contractantes, ne sera pas considérée comme une modification à l'Annexe. Les autorités aéronautiques de chaque Partie Contractante pourront en conséquence procéder unilatéralement à une telle modification, sous réserve toutefois de sa notification sans délai aux autorités aéronautiques de l'autre Partie Contractante.

Si ces dernières estiment, eu égard aux principes énoncés à la section IV de la présente Annexe, que les intérêts de leurs entreprises nationales sont affectés par le fait qu'un trafic est assuré entre leur propre territoire et la nouvelle escale en pays tiers par les entreprises de l'autre pays, elles se concerteront avec les autorités aéronautiques de l'autre Partie Contractante afin de parvenir à un accord satisfaisant.

Ante, p. 1594.

SECTION VIII

After the present Agreement comes into force, the aeronautical authorities of both Contracting Parties will exchange information as promptly as possible concerning the authorizations extended to their respective designated air carriers to render service to, through and from the territory of the other Contracting Party. This will include copies of current certificates and authorizations for service on the routes which are the subject of this Agreement and, for the future, such new authorizations as may be issued together with amendments, exemption orders and authorized service patterns.

SECCIÓN VIII

A partir de l'entrée en vigueur du présent Accord, les autorités aéronautiques des deux Parties Contractantes devront se communiquer aussi rapidement que possible les informations concernant les autorisations données à leur ou leurs propres entreprises désignées pour exploiter les lignes mentionnées au tableau ci-annexé ou des fractions desdites lignes. Ces informations comporteront notamment copie des autorisations accordées, de leurs modifications éventuelles ainsi que tous documents annexés.

Exchange of information.

SCHEDULE

TABLEAU

(Points on any of the routes may, at the option of the air carrier, be omitted on any or all flights.)

(Tout point des routes énumérées ci-dessous pourra, au choix de l'entreprise, ne pas être desservi par certains des services assurés par celle-ci ou par la totalité desdits services).

Routes.

1. ROUTE TO BE SERVED BY THE AIR CARRIERS OF BELGIUM:

Belgium to New York by a direct route via the British Isles and other intermediate points; in both directions.

2. ROUTES TO BE SERVED BY THE AIR CARRIERS OF THE UNITED STATES:

A. The United States to Brussels by a direct route via the British Isles and other intermediate points, and then via intermediate points to India and beyond; in both directions.

B. The United States via the Azores and Dakar (and via South America) and intermediate points to Leopoldville and beyond via intermediate points to the Union of South Africa; in both directions.

1. ROUTE POUVANT ETRE DESERVIE PAR DES ENTREPRISES BELGES DE TRANSPORT AERIEN:

De Belgique à New-York par une route directe via les Iles Britanniques et d'autres points intermédiaires, dans les deux sens.

2. ROUTES POUVANT ETRE DESERVIES PAR DES ENTREPRISES DE TRANSPORT AERIEN DES ETATS-UNIS:

A. Des Etats-Unis à Bruxelles, par une route directe, via les Iles Britanniques et d'autres points intermédiaires, et ensuite via des points intermédiaires vers les Indes Britanniques et au-delà, dans les deux sens.

B. Des Etats-Unis à Léopoldville, soit via les Iles Açores et Dakar, soit via l'Amérique du Sud, et d'autres points intermédiaires, ensuite via des points intermédiaires vers l'Union Sudafricaine, dans les deux sens.

PROTOCOLE DE SIGNATURE

It appeared in the course of negotiations leading up to the conclusion of the Agreement on air services between the territory of the United States of America and Belgian territory signed at Brussels today that the representatives of the two Contracting Parties were in agreement on the following points:

1°) The air carriers of the two Contracting Parties operating on the routes described in the Annex of said Agreement shall enjoy equal opportunity for the operation of the said routes.

2°) To the extent that the carrier or carriers of one of the Governments is temporarily unable to take advantage of such opportunities as a result of the war, the situation will be mutually examined by the two governments for the purpose of aiding as soon as possible the said air carrier or carriers to increasingly make their proper contribution to the services contemplated.

3°) Such airports as may have been constructed on Belgian territory and financed in whole or part by the Government of the United States and which will be open to international civil traffic will be open to the duly authorized air carriers of the United States who will enjoy thereon, on a non-discriminatory basis, rights of transit and non-traffic stop. They will likewise enjoy there the commercial rights which may be granted them by the present Agreement or any other agreement

Rights of U. S. air carriers at certain airports.

PROTOCOLE DE SIGNATURE

Il est apparu au cours des négociations ayant abouti à la conclusion de l'Accord relatif aux services aériens entre le territoire des Etats-Unis d'Amérique et le territoire belge signé à Bruxelles en date de ce jour que les représentants des deux Parties Contractantes étaient d'accord sur les points suivants:

1°) Les entreprises aériennes des deux Parties Contractantes exploitant les lignes mentionnées à l'Annexe au dit Accord doivent pouvoir bénéficier de possibilités égales pour l'exploitation des dites lignes.

2°) Dans la mesure où l'entreprise ou les entreprises de l'un des Gouvernements ne pourraient temporairement bénéficier de telles possibilités, en raison des conséquences de la guerre, la situation serait examinée en commun par les deux Gouvernements à l'effet d'aider aussitôt que possible les dites entreprises à apporter progressivement une contribution appropriée aux services envisagés.

3°) Les aérodromes dont la construction sur les territoires belges aurait été financée en tout ou en partie par le Gouvernement des Etats-Unis et qui seraient affectés au trafic international civil seront ouverts aux entreprises aériennes des Etats-Unis dûment autorisées, qui y jouiront sans discrimination des droits de transit et d'escales pour raisons non commerciales. Elles y jouiront également des droits commerciaux qui leur seraient octroyés par le présent Accord ou par tout autre

now in force or later concluded.

4°) In order to give effect to the provisions of Section V (f) of the Annex to the Agreement, the executive branch of the United States Government will use its best efforts to secure legislation empowering the aeronautical authorities of the United States to fix fair and economic rates for international services and to suspend proposed rates, in the same manner as the Civil Aeronautics Board is qualified to act with respect to air transportation within the United States.

5°) It is recognized that the determination of tariffs to be applied by an air carrier of one Contracting Party between the territory of the other Contracting Party and a third country is a complex question, the overall solution of which cannot be sought through consultation between only two countries. It is noted, furthermore, that the method of determining such tariffs is now being studied by the Provisional International Civil Aviation Organization. It is understood under these circumstances:

a) That, pending the acceptance by both parties of any recommendations which the Provisional International Civil Aviation Organization may make after its study of this matter, such tariffs shall be subject to consideration under the provisions of Section IV(b) of the Annex to the Agreement.

accord maintenu en vigueur ou ultérieurement conclu.

4°) En vue de donner effet aux dispositions de la Section V, f) de l'Annexe à l'Accord, les organes exécutifs du Gouvernement des Etats-Unis s'efforceront d'obtenir que les autorités aéronautiques des Etats-Unis reçoivent les pouvoirs légaux leur permettant de fixer des tarifs justes et économiques pour le transport des personnes et des messageries sur les services aériens internationaux et de suspendre la mise en application des tarifs proposés, de même que le "Civil Aeronautics Board" est habilité à le faire en ce qui concerne les transports aériens à l'intérieur des Etats-Unis.

5°) Il est reconnu que la fixation des tarifs à appliquer par une entreprise ressortissant d'une Partie Contractante entre le territoire de l'autre Partie Contractante et celui d'un pays tiers est une question complexe dont la solution d'ensemble ne peut être recherchée par des consultations entre deux Pays seulement. Il est pris acte, au demeurant, de ce que les conditions de fixation desdits tarifs sont actuellement étudiées par l'Organisation Provisoire de l'Aviation Civile Internationale. Il est entendu dans ces conditions:

a) qu'en attendant l'acceptation par les deux Parties Contractantes des recommandations que l'Organisation Provisoire de l'Aviation Civile Internationale serait amenée à faire en conclusion de ses travaux sur ce point, de tels tarifs seront appréciés en fonction des dispositions de la Section IV b) de l'Annexe à l'Accord.

Ante, p. 1597.

Determination of tariffs.

Ante, p. 1594.

b) That in case the Provisional International Civil Aviation Organization fails to establish a means of determining such rates satisfactory to both Contracting Parties, the consultation provided for in Article XII(b) of the Agreement shall be in order.

Ante, p. 1591.

6°) It is understood that the United States air carrier or air carriers operating on the route listed in the Annex as Route n° 2 B will afford reasonable service at Léopoldville.

b) qu'au cas où l'organisation Provisoire de l'Aviation Civile Internationale ne parviendrait pas à établir des conditions de fixation desdits tarifs donnant satisfaction aux deux Parties Contractantes, la consultation prévue à l'article XII b) de l'Accord serait de droit.

6°) Il est entendu que l'entreprise ou les entreprises de transport aérien des Etats-Unis qui assureront l'exploitation de la route figurant au tableau annexé sous le Numéro 2 B effectueront un service raisonnable à Léopoldville.

Done at Brussels, this fifth day of April, 1946, in duplicate in the English and French languages, each of which shall be of equal authenticity.

Fait à Bruxelles, le cinq avril 1946, en double exemplaire, dans les langues anglaise et française, l'une et l'autre faisant également foi.

For the Government of the United States of America,
Pour le Gouvernement des Etats-Unis d'Amérique,

For the Belgian Government,
Pour le Gouvernement belge,

ALAN G. KIRK

P. H. SPAAK

[SEAL]

[SEAL]

*The Belgian Acting Minister for Foreign Affairs to the American
Chargé d'Affaires ad interim*

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES
ET DU
COMMERCE EXTÉRIEUR

BRUXELLES, le 1 Feb 1946

Direction Générale du
Commerce Extérieur
Section: B/Com
Nos 604/50742

MONSIEUR LE CHARGÉ D'AFFAIRES,

J'ai l'honneur d'accuser la réception de la lettre du 25 octobre 1945 n° 371, par laquelle vous avez bien voulu proposer de rendre effectif, sur une base provisoire, le projet d'accord concernant l'établissement de lignes d'aviation civile, qui fait actuellement l'objet de négociations entre nos deux Gouvernements.

En attendant l'aboutissement de ces négociations et sans préjudice du résultat de celles-ci, le Gouvernement belge est également désireux de ne pas entraver l'établissement de services de transports aériens actuellement reconnus comme possibles et désirables.

En conséquence, il serait d'accord pour mettre provisoirement en vigueur ce projet, qui est d'ailleurs conforme dans ses neuf articles, à la Résolution VIII adoptée à la Conférence de Chicago, en vue de faciliter le prompt établissement des services d'aviation civile désignés ci-après:

- A. Les organismes exploitants des Etats-Unis d'Amérique autorisés en vertu du présent arrangement auront le droit de survol et d'atterrissage non commercial sur le territoire belge, ainsi que le droit d'embarquer et de débarquer à Bruxelles, en trafic international, des passagers, de la poste et des marchandises sur l'itinéraire suivant:

Des Etats-Unis par l'Atlantique Nord à Londres, Bruxelles et au-delà vers l'Inde par des points intermédiaires en Europe Centrale et le Proche Orient, dans les deux directions.

- B. Les organismes exploitants de Belgique autorisés en vertu du présent arrangement auront le droit de survol et d'atterrissage non commercial sur le territoire des Etats-Unis d'Amérique ainsi que le droit d'embarquer et de débarquer à New-York, en trafic international, des passagers, de la poste et des marchandises sur l'itinéraire suivant;

de Belgique à New-York via des points intermédiaires de l'Atlantique Nord, dans les deux directions.

Bien qu'il soit reconnu que les conditions d'exploitation puissent nécessiter le changement de matériel aux escales intermédiaires, il est entendu qu'il ne pourra être usé de ce droit en vue de changer le caractère de long courrier des services spécifiés.

Avant de pouvoir entreprendre les opérations visées dans le présent arrangement, les organismes exploitants désignés par chaque Gouvernement pour exploiter les lignes spécifiées ci-dessus, pourront être

mis dans l'obligation d'obtenir à cet effet des autorités compétentes de l'autre Gouvernement, l'autorisation requise en vertu des règlements et usages généralement appliqués par ces autorités.

En attendant la conclusion d'un accord bilatéral de trafic aérien, le présent arrangement provisoire aura une durée de validité initiale de trois mois à dater du 1er. février 1946. A l'expiration de cette période, il restera en vigueur par tacite reconduction sauf dénonciation par l'un des deux Gouvernements en tout temps avec préavis d'un mois.

Veuillez agréer, Monsieur le Chargé d'Affaires, l'assurance de ma considération la plus distinguée.

HERMAN VOS

Monsieur JEFFERSON PATTERSON,
Chargé d'Affaires a.i. des Etats-Unis d'Amérique,
à Bruxelles.

Translation

MINISTRY
OF
FOREIGN AFFAIRS
AND OF
FOREIGN COMMERCE
Division of Foreign Commerce
Section: B/Com
Nos 604/50742

BRUSSELS, *Feb. 1, 1946*

MR. CHARGÉ D'AFFAIRES:

[For English translation see note no. 542 of February 1, 1946 from the American Chargé d'Affaires ad interim to the Belgian Acting Minister for Foreign Affairs.]

Please accept, Mr. Chargé d'Affaires, the assurance of my most distinguished consideration.

HERMAN VOS

Mr. JEFFERSON PATTERSON,
Chargé d'Affaires a.i. of the
United States of America,
Brussels.

*The American Chargé d'Affaires ad interim to the Belgian Acting
Minister for Foreign Affairs*

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 542

Brussels, February 1, 1946

EXCELLENCY:

I have the honor to acknowledge receipt of Your Excellency's note of February 1, 1946, reading as follows:

"I have the honor to acknowledge receipt of Note no. 371, of October 25, 1945, by which you were good enough to propose putting into effect on a provisional basis the draft agreement for establishment of civil aviation lines, which is at present the subject of negotiations between our two Governments.

"The Belgian Government likewise is desirous of not hindering the establishment of air transport services which are actually considered possible and desirable pending conclusion of these negotiations and without prejudicing the results thereof.

"In consequence, it would agree to put this draft, which moreover conforms in its nine articles to Resolution VIII adopted by the Chicago Conference, into force provisionally, in order to facilitate the prompt establishment of the following civil air services:

- A. Airline operators of the United States of America authorized under this agreement are accorded rights of transit and non-traffic stop in the territory of Belgium, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Brussels, on the following route:

The United States over the North Atlantic to London, Brussels, and thence to India via intermediate points in Central Europe and the Near East; in both directions.

- B. Airline operators of Belgium authorized under this agreement are accorded rights of transit and non-traffic stop in the territory of the United States of America, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at New York, on the following route:

Belgium via intermediate points over the North Atlantic to New York; in both directions.

"While it is recognized that operating conditions may necessitate the changing of equipment at intermediary stops, it is understood that this right cannot be availed of for the purpose of changing the long range character of the services described.

"The airline operators designated by each Government to operate the services described above may be required to qualify before the competent aeronautical authorities of the other government under the regulations and requirements normally applied by these authorities, before being permitted to engage in the operations contemplated by this agreement.

"Pending the conclusion of a formal bilateral air transport agreement, this interim arrangement will be valid for an initial period of three months beginning February 1, 1946, renewable automatically thereafter but subject to denunciation on one month's notice by either Government at any time after the expiration of the initial period."

I take pleasure in informing Your Excellency that my Government agrees to the foregoing.

Please accept, Excellency, the renewed assurances of my highest consideration.

JEFFERSON PATTERSON

Chargé d'Affaires ad interim

His Excellency

Monsieur HERMAN VOS,

Acting Minister for Foreign Affairs,

Brussels.

Agreement between the United States of America and Poland respecting economic and financial cooperation. Effected by exchange of notes signed at Washington April 24, 1946.

April 24, 1946
[T. I. A. S. 1516]

The Acting Secretary of State to the Polish Ambassador

DEPARTMENT OF STATE

WASHINGTON

April 24, 1946

EXCELLENCY :

The Government of the United States, desirous of aiding the people of Poland in their efforts to repair war damages and to reconstruct the Polish economy, expresses its satisfaction at the successful conclusion of the negotiations concerning the opening of credits of \$40,000,000 to the Provisional Government of Poland by the Export-Import Bank of Washington, D. C., and the satisfactory conclusion of arrangements for extending credits up to \$50,000,000 for the purchase by Poland of United States surplus property held abroad.

The Government of the United States hopes that these agreements will prove to be the first step toward durable and mutually beneficial economic and financial cooperation between the Governments of the two countries. It believes, however, that such cooperation can develop fully only if

(1) a general framework is established within which economic relations between Poland and the United States can be effectively organized on the basis of principles set forth in Article VII of the Mutual Aid Agreement of July 1, 1942, so as to result in the elimination of all forms of discriminatory treatment in international commerce, and the reduction of tariffs and other trade barriers;

(2) the Provisional Government of Poland is in accord with the general tenor of the "Proposals for Expansion of World Trade and Employment" recently transmitted to the Provisional Government of Poland by the Government of the United States, and undertakes together with the Government of the United States to abstain, pending the participation of the two Governments in the general international conference on trade and employment contemplated by the "Proposals", from adopting new measures which would prejudice the objectives of the conference;

(3) the Provisional Government of Poland will continue to accord to nationals and corporations of the United States the treatment provided for in the Treaty of Friendship, Commerce and Consular Rights between the United States and Poland, signed June 15, 1931;

(4) the Government of the United States and the Provisional Government of Poland will make both adequate and effective compensation to nationals and corporations of the other country whose properties are requisitioned or nationalized;

56 Stat. 1544.

48 Stat. 1507.

Compensation for property requisitioned.

Consultation.

(5) the Provisional Government of Poland and the Government of the United States agree to afford each other adequate opportunity for consultation regarding the matters mentioned above, and the Provisional Government of Poland, recognizing that it is the normal practice of the Government of the United States to make public comprehensive information concerning its international economic relations, agrees to make available to the Government of the United States full information, similar in scope and character to that normally made public by the United States, concerning the international economic relations of Poland.

The Government of the United States undertakes herewith to honor and to discharge faithfully the obligations which relate to the United States specified in points (1) through (5) above, and would be pleased to receive a parallel undertaking from the Provisional Government of Poland with respect to those obligations specified in points (1) through (5) above which relate to Poland.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
OSKAR LANGE,
Ambassador of Poland.

The Polish Ambassador to the Secretary of State

AMBASADA R.P.
W WASHINGTONIE

APRIL 24, 1946.

SIR,

The receipt is acknowledged, on behalf of the Provisional Government of Poland of your note of April 24, 1946, reading as follows:

"The Government of the United States, desirous of aiding the people of Poland in their efforts to repair war damages and to reconstruct the Polish economy, expresses its satisfaction at the successful conclusion of the negotiations concerning the opening of credits of forty (40) million dollars to the Provisional Government of Poland by the Export-Import Bank of Washington, D. C., and the satisfactory conclusion of arrangements for extending credits up to fifty (50) million dollars for the purchase by Poland of United States surplus property held abroad.

"The Government of the United States hopes that these agreements will prove to be the first step toward durable and mutually beneficial economic and financial cooperation between the Governments of the two countries. It believes, however, that such cooperation can develop fully only if

(1) a general framework is established within which economic relations between Poland and the United States can be effectively organized on the basis of principles set forth in Article VII of the

56 Stat. 1544.

Mutual Aid Agreement of July 1, 1942, so as to result in the elimination of all forms of discriminatory treatment in international commerce, and the reduction of tariffs and other trade barriers;

(2) the Provisional Government of Poland is in accord with the general tenor of the 'Proposals for Expansion of World Trade and Employment' recently transmitted to the Provisional Government of Poland by the Government of the United States, and undertakes together with the Government of the United States to abstain, pending the participation of the two Governments in the general international conference on trade and employment contemplated by the 'Proposals', from adopting new measures which would prejudice the objectives of the conference;

(3) the Provisional Government of Poland will continue to accord to nationals and corporations of the United States the treatment provided for in the Treaty of Friendship, Commerce and Consular Rights between the United States and Poland, signed June 15, 1931;

48 Stat. 1507.

(4) the Government of the United States and the Provisional Government of Poland will make both adequate and effective compensation to nationals and corporations of the other country whose properties are requisitioned or nationalized;

(5) the Provisional Government of Poland and the Government of the United States agree to afford each other adequate opportunity for consultation regarding the matters mentioned above, and the Provisional Government of Poland, recognizing that it is the normal practice of the Government of the United States to make public comprehensive information concerning its international economic relations, agrees to make available to the Government of the United States full information, similar in scope and character to that normally made public by the United States, concerning the international economic relations of Poland.

"The Government of the United States undertakes herewith to honor and to discharge faithfully the obligations which relate to the United States, specified in points (1) through (5) above, and would be pleased to receive a parallel undertaking from the Provisional Government of Poland with respect to those obligations specified in points (1) through (5) above which relate to Poland."

Under instructions from my Government, I have the honor to communicate to you the following:

The Provisional Government of Poland shares the views of the United States as expressed by the Secretary of State and undertakes herewith to honor and to discharge faithfully the obligations which relate to Poland specified in points (1) through (5) of the note under reference.

Accept, Sir, the renewed assurances of my highest consideration.

OSCAR LANGE

The Honorable

JAMES F. BYRNES,

Secretary of State.

December 21, 1943,
and July 20, 1945
[T. I. A. S. 1517]

Agreement between the United States of America and Brazil respecting purchase of Brazilian rice surpluses. Effected by exchange of notes signed at Rio de Janeiro December 21, 1943. And exchange of notes of July 20, 1945, extending the agreement.

The American Ambassador to the Brazilian Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Rio de Janeiro, December 21, 1943.

No. 1968

EXCELLENCY:

I have the honor to refer to the recent conversations between representatives of the Government of Brazil, the United Kingdom and the United States of America concerning the exportable surplus of rice produced in Brazil. As a result of these conversations I am happy to confirm the understanding of my Government in this connection to be as follows:

1. The Governments of the United States of America and of the United Kingdom undertake to purchase the exportable surplus of rice produced in Brazil from the 1943-1944 and 1944-1945 crops of the types and qualities and under the terms specified in the attached schedule, and the Government of Brazil undertakes to sell or to cause to be sold such surplus, to be made available for shipment from month to month during the twelve months immediately after harvesting, i. e. until April 30, 1945 and April 30, 1946, respectively. In order to avoid deterioration through long storage the Government of Brazil, by means of full utilization of milling facilities, will make every endeavor to make available for shipment as large a proportion as possible of the surplus during the months of May to September in each of the years 1944 and 1945.

2. The prices stated in the attached schedule shall be applicable for rice of the 1943-1944 crop; prices for the 1944-1945 crop shall be established not later than July 31, 1944, by agreement between the three governments.

3. The Government of Brazil undertakes to take such action as shall be necessary to limit exports of rice to those destined to the United States of America, the United Kingdom or their respective nominees.

4. In order, however, that Brazil may maintain its normal channels of trade so far as consistent with the present emergency and to assure equitable supplies to the other American Republics and to the French and Dutch Possessions in the Western Hemisphere, it is understood that there is excepted from the foregoing undertakings rice to an amount sufficient to satisfy the essential needs of these countries

Purchase of exportable rice surplus.

Prices.

Limitation on exports.

normally supplied by Brazil which, under the provisions of this Agreement, are to be represented by the following provisional quota for each of the two crops, which shall not be exceeded without prior consultation and agreement with the Governments of the United States of America and the United Kingdom, namely, a total of 10,000 metric tons for Argentina, French Guiana, Bolivia, Peru, Venezuela, Colombia, Paraguay, Uruguay, and the Dutch and French West Indies.

5. The prices for rice exported to these countries shall not exceed the level of prices fixed for sales to the United States of America and the United Kingdom.

6. It is understood that rice shall be made available for export only after provision is made for meeting Brazilian domestic needs, including seed requirements for the purposes of this agreement.

7. Purchases by the Governments of the United States of America and the United Kingdom shall be made on their behalf by such agency or agencies as shall be designated by them from time to time, it being contemplated that such purchases may be implemented by commercial contracts (containing terms consistent with the understanding set forth herein, including delivery terms) entered into with the interested trade associations or regular exporters, their overseas representatives, or otherwise.

8. The British Ministry of Food has been designated to act as such agency until further notice from the two Governments.

9. In view of the undertaking of the Governments of the United States of America and the United Kingdom, the Government of Brazil undertakes to prevent the imposition of additional or increased export taxes and other taxes and charges on rice or freight, whether Federal, State or otherwise, during the term of this Agreement.

10. The Brazilian Government undertakes to give wide publicity to such provisions of the Agreement as will provide an incentive to maximum production of the qualities of rice specified in the attached schedule, which is made a part of this Agreement as Appendix No. 1.

11. All doubts and difficulties originating during the life of this Agreement, with respect to the United States of America, will be settled between the Commission to Control the Washington Agreements, and the Government of the United States of America.

Settlement of doubts
and difficulties.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

JEFFERSON CAFFERY

His Excellency

DR. OSWALDO ARANHA,

Minister for Foreign Affairs,

Rio de Janeiro.

SCHEDULE

1. *Types and Qualities*

The qualities named hereunder as "Japan" and "Blue Rose" and "Agulha" shall be understood to be the dry dressed processed product of these qualities containing maximum ten percent "brokens" and maximum one fourth of one percent yellow grains.

2. *Prices*

a) The price for purchases by the agency of the Ministry of Food for "Japan" shall be £29/14/9 (twenty-nine pounds, fourteen shillings and nine pence payable in Sterling) per long ton of 2,240 pounds, f.o.b. ocean going vessel at Rio Grande.

The price for purchases of "Agulha" by the agency of the Ministry of Food shall be £29/14/9 (twenty-nine pounds, fourteen shillings, and nine pence payable in Sterling) per long ton of 2,240 pounds, f.o.b. ocean going vessel at Brazilian ports. Shipments of "Agulha" rice at such price shall not be inferior to the type sample which has been approved and deposited with representatives of each Government.

A premium of £1/(one pound Sterling) per long ton of 2,240 pounds over the above price for "Japan" or "Agulha" shall be paid for "Blue Rose".

The above prices are on the basis of single packing of 100 pounds net in new, strong, jute bags.

"Japan."

b) The price for purchases by an agency of the United States of America for "Japan" shall be \$5.35 (five dollars thirty-five cents payable in U.S.A. currency) per 100 pounds f.o.b. ocean going vessel at Rio Grande.

"Agulha."

The price for purchases of "Agulha" by an agency of the United States of America shall be \$5.35 (five dollars and thirty-five cents payable in United States currency) per 100 pounds, f.o.b. ocean going vessel at Brazilian ports. Shipments of "Agulha" rice at such price shall not be inferior to the type sample which has been approved and deposited with representatives of each Government.

"Blue Rose."

A premium of \$0.18 (eighteen cents U.S.A. currency) per 100 pounds over the above price for "Japan" or "Agulha" shall be paid for "Blue Rose".

The above prices are on the basis of single packing of 100 pounds net in new, strong, jute bags.

c) Although the prices named are on an f.o.b. basis it is agreed that contracts entered into may be on c.i.f. or c. and f. terms with the appropriate charges added to the prices named.

d) The prices named shall be inclusive of all costs, charges, profit and commissions of Brazilian exporters and of all taxes, charges and dues incident to export.

Other types.

e) The price for surpluses of types of rice other than those specified above shall be determined upon the basis of samples of the various qualities of such surpluses provided to the buying agency or agencies designated by the Governments of the United States of America and the United Kingdom. Such samples shall be fully representative and

shall be jointly drawn by representatives nominated by the Government of Brazil and the buying agency.

3. General

a) Not more than 20% of the total exportable surplus from Rio Grande do Sul shall be "Blue Rose".

b) Shipments from the State of Rio Grande do Sul shall be made from the port of Rio Grande, and shipments from other States shall be made from a port or ports to be mutually agreed upon between buyer and seller.

c) Single packing shall be in new, strong, jute bags, but size of packing and whether double or single, and if double, whether the inner bag be jute or cotton, shall be determined by mutual agreement between buyer and seller.

d) For purchases made by the agency of the Ministry of Food, the contracts of Rice Brokers Limited, London, shall be used, the material provisions of which are set forth in an attachment (Appendix No. 1) to this schedule.

e) For purchases made by an agency of the United States of America, the contracts of such agency shall be used, the material provisions of which are set forth in an attachment (Appendix No. 2) to this schedule.

Post, p. 1617.

f) The Brazilian Government will procure that all shippers of rice under this agreement shall be responsible for the quality of the rice shipped and for full compliance with the terms of this Agreement.

g) The rice purchased under this Agreement will enjoy priority for its rapid movement to sea ports in Brazil.

Appendix No. 1
to Schedule

MATERIAL PROVISIONS OF CONTRACT OF RICE BROKERS LTD.

1. Shipment or shipments made to be declared by sellers not later than twentyone days after clearance of the vessel (steam or motor) at loading port, subject to confirmation by mail. Each shipment to be considered a separate contract.

2. The goods to be at buyers' risk from the time when they are on board the vessel (steam or motor) at port of shipment.

3. Buyers to give sellers due notice when vessel is expected to arrive at loading port. Should vessel to be declared or any substitute fail to arrive at port or ports of loading and be ready to load by (expiry of shipment date in contract), or buyers fail to provide the necessary tonnage, then charges at the rate of one shilling per ton of 1016 kilos per week to be paid by buyers.

4. Payment to be made by cash in London for amount of shipping invoice not later than seven days after arrival of vessel at port of discharge, or not later than 90 days from date of bill of lading, whichever is the earlier, in exchange for on board bills of lading and/or approved delivery orders and/or freight release authorizing delivery

together with certificate of weight, duly in order. Certificate of origin to be furnished by sellers where required.

5. Sellers to deliver the rice overside and buyers to take the rice, including loose rice and allotted sweepings in accordance with conditions of Charter Party (or bills of lading if no Charter Party) from ship's side, paying all expenses therefrom, including the filling and repairing of bags, new bags and lighterage, port dues and import dues, if incurred.

6. The rice is not to be rejected on account of inferior quality but the buyers are to be entitled to an allowance, to be ascertained, if necessary, by arbitration as provided for in Clause No. 8 should the sound average of any shipment turn out inferior to about as per the quality contracted for as described above. The samples are to be drawn when landing not sea or ship damaged and their correctness certified and forwarded to the London Rice Brokers' Association. Sampling to be carried out in accordance with the prevailing custom of the port.

7. All goods included in this contract are guaranteed to contain not more than one-half per cent, added mineral matter and to be of the nature, substance and quality stated or described and to conform with the requirements of the Sale of Food and Drugs Act and of all regulations affecting such goods including the regulations relative to preservatives and coloring matter. Broken rice not of British origin is guaranteed to contain less than two per cent of whole rice.

8. Any dispute arising on this contract shall be referred for settlement to the arbitration of two members of this Association or their umpire, being also a member of this Association. Each party to appoint one arbitrator and having the right of rejecting one nominee (the term member to include associate member). In the event of any party omitting to nominate an arbitrator within ten days of receipt of notice of appointment of an arbitrator by the other party, or of the arbitrators failing to agree on the appointment of an umpire, the Committee of the London Rice Brokers' Association, in either case, shall have power to appoint one forthwith, who shall act on behalf of and as if nominated by the party or parties in default. Arbitration on quality shall be claimed and the Claimant's arbitrator shall be nominated within 14 days of receipt in London of the arbitration sample or samples by the buyer or broker which sample shall be forwarded to London with due despatch or within 14 days of vessel breaking bulk whichever be the later and the arbitration held without delay. Claims for arbitration other than arbitration on quality shall be made and the claimant's arbitrator shall be nominated without undue delay. No claims can be entertained unless made and arbitrator nominated within six months after the arrival of the vessel or within six months of the date of any breach or default complained of whichever be the later date. The parties to the arbitration shall have the right of appealing against any award except on questions of law, within five clear working days to the London Rice Brokers' Association, whose decision except on questions of law shall be final. Any

payments arising out of the award are to be made within one week of the date thereof.

9. Should shipment be delayed or prevented by prohibition of export, riots, strikes, lock-outs, civil commotion, earthquake, floods, official declaration of plague infection, or by the consequences of such occurrences, the contract shipment period shall be extended by one month. If at the expiration of that period, shipment is still prevented by any of the above causes, such part of the contract as has been postponed shall be void unless a further extension is mutually agreed. Should war and/or hostilities and/or the consequences thereof prevent sellers from fulfilling the contract or any part thereof, such part of the contract as sellers are so prevented from fulfilling shall be void.

Appendix No. 2
to Schedule

PRINCIPAL PROVISIONS OF CONTRACT FOR RICE PURCHASES BY AGENCY
OF UNITED STATES GOVERNMENT (OTHER THAN STIPULATIONS CON-
TAINED IN THE AGREEMENT)

1. The contracts shall specify the kind, crop, quantity and quality of rice purchased; type and size of packing, with the price per 100 pounds net shipping weight f. o. b. ocean going vessel at designated Brazilian port, for shipment to foreign port designated by buyer, direct or indirect, with or without transshipment, during month designated by buyer.

2. Rice to be at buyer's risk from time it is on board designated ocean going vessel for export to foreign destination. Buyer to provide marine and war risk insurance, if any.

3. Seller to make rice available in month designated by buyer and to notify latter when ready for shipment. Should buyer fail to provide vessel space during month for which rice is purchased for shipment, buyer shall be responsible for storage and insurance, beginning 30 days after notification that rice is ready for shipment at designated port of shipment within the contract time. Charges for such storage and any insurance to be at rate to be determined and set forth in contract, but in any event the rate for storage shall not exceed the prevailing rate. Warehouses for storage and companies with which insurance is placed first shall be approved by the buying agency for the United States.

Shipment.

4. Full payment for rice to be made against usual and required shipping documents, including on-board bill of lading, certificate of weight, and certificate of inspection as to grade and quality issued by Instituto Rio Grandense de Arroz for rice produced in the State of Rio Grande do Sul.

Payment.

5. Such certificate of inspection to be issued by Ministry of Agriculture of the particular State in which other purchased rice has been produced. The buying agency representing the United States shall have the right to be represented in the inspection of rice purchased for

Certificates of in-
spection and weight.

the account of the United States. Certificate of weight to be issued by a public weigher or by other, as may be agreed upon by buyer and seller. All expenses for weighing, sampling, and certification to be paid by the seller.

Settlement of questions.

6. Any questions arising under the contract, unless otherwise resolved, are to be settled by arbitration in New Orleans in accordance with the rules of the New Orleans Board of Trade, or in New York in accordance with the rules of the New York Produce Exchange.

7. Each shipment to stand as a separate sale or contract.

The Brazilian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DAS RELAÇÕES EXTERIORES,
RIO DE JANEIRO.

Em 21 de Dezembro de 1943.

DEC/DAI/459/842.16 (22) (42)

SENHOR EMBAIXADOR,

Tenho a honra de acusar recebimento da nota nº 1968, datada de hoje, pela qual Vossa Excelência, referindo-se aos recentes entendimentos entre as autoridades brasileiras e os representantes dos Governos dos Estados Unidos da América e da Grã-Bretanha, sôbre as sobras exportáveis de arroz produzido no Brasil, propõe seja assentado um acôrdo nas seguintes bases :

1. Os Governos dos Estados Unidos da América e do Reino Unido da Grã-Bretanha e Irlanda do Norte comprometem-se a adquirir o excedente exportável do arroz produzido no Brasil referente às safras de 1943-1944 e de 1944-1945, dos tipos, qualidades e conforme as condições da tabela anexa, comprometendose o Govêrno Brasileiro a vender, ou fazer com que seja vendido o referido excedente, que ficará disponível para embarque de mês a mês durante os doze meses imediatamente posteriores à safra, isto é, até 30 de Abril de 1945 e 30 de Abril de 1946, respectivamente.
2. Afim-de evitar a deterioração ocasionada por longo armazenamento, o Govêrno Brasileiro, utilizando em tôda a sua capacidade a aparelhagem de beneficiamento, empregará os melhores esforços no sentido de facilitar o embarque da maior quantidade possível do excedente, durante os meses de Maio a Setembro em cada um dos anos de 1944 e 1945.
3. Os preços estabelecidos na relação anexa serão aplicáveis ao arroz da safra de 1943-1944; os preços para a safra de 1944-1945 serão fixados até 31 de Julho de 1944, mediante entendimento entre os três Governos signatários dêste Acôrdo.
4. O Govêrno Brasileiro se compromete a adotar as medidas que se tornarem necessárias para restringir aos Estados Unidos da América, ao Reino Unido da Grã-Bretanha e Irlanda do Norte, ou às suas respectivas entidades designadas, as exportações de arroz.

5. Afim-de que o Brasil possa manter as suas vias normais de comércio, tanto quanto o permita a atual emergência e para assegurar um suprimento equitativo a outras Repúblicas americanas e às possessões francesas e holandesas do Hemisfério Ocidental, fica entendido que se excetua dos compromissos precedentes uma quantidade de arroz suficiente para as necessidades essenciais desses países normalmente supridos pelo Brasil, a qual, nos termos do presente Acôrdo, será representada pelas seguintes quotas provisórias, relativas a cada uma das safras citadas, e que não serão ultrapassadas sem prévia consulta e entendimento com os Governos dos Estados Unidos da América e do Reino Unido da Grã-Bretanha e Irlanda do Norte, ou seja, um total de 10.000 (dez mil) toneladas métricas para os seguintes países: Argentina, Guiana Francesa, Bolívia, Perú, Venezuela, Colômbia, Paraguai, Uruguai, Índias Ocidentais Holandesas e Índias Ocidentais Francesas.

6. Os preços do arroz exportado para os países mencionados na cláusula anterior não deverão ultrapassar o nível dos preços estabelecidos para as vendas aos Estados Unidos da América e ao Reino Unido da Grã-Bretanha e Irlanda do Norte.

7. Fica entendido que o arroz somente será considerado disponível para exportação nos têrmos do presente Acôrdo, após tomadas as medidas que atendam às necessidades do mercado interno do Brasil, bem como da produção de sementes necessárias ao cumprimento dêste Acôrdo.

8. As compras pelos Govêrnos dos Estados Unidos da América e do Reino Unido da Grã-Bretanha e Irlanda do Norte serão feitas, em seu nome pela Agência ou Agências que forem por êsses Governos periodicamente designadas, entendendose que tais compras poderão ser efetuadas mediante contratos comerciais (contendo condições que obedeçam aos têrmos do presente Acôrdo, inclusive condições de entrega) celebrados com Associações Comerciais interessadas, ou com exportadores usuais, ou seus representantes no estrangeiro, ou por qualquer outra forma.

9. O Ministério da Alimentação (Ministry of Food) do Reino Unido da Grã-Bretanha e Irlanda do Norte fica designado para agir na qualidade de Agência referida, até novas instruções dos Governos dos Estados Unidos da América e do Reino Unido da Grã-Bretanha e Irlanda do Norte.

10. Em vista do compromisso assumido pelos Governos dos Estados Unidos da América e do Reino Unido da Grã-Bretanha e Irlanda do Norte, o Govêrno Brasileiro se compromete a não aumentar nem criar novos impostos ou taxas de exportação ou quaisquer outros encargos sôbre o arroz ou seu frete, quer sejam federais quer estaduais, ou outros, durante a vigência do presente Acôrdo.

11. O Govêrno Brasileiro se compromete a dar ampla publicidade às cláusulas do presente Acôrdo de modo a constituir incentivo à máxima

produção de arroz das qualidades especificadas na tabela que faz parte do presente Acôrdo, como anexo nº 1.

12. Tôdas as dúvidas e dificuldades surgidas durante a vigência do presente Acôrdo, no que se refere aos Estados Unidos da América, serão resolvidas mediante entendimento entre a Comissão de Contrôlo dos Acordos de Washington e o Govêrno dos Estados Unidos da América.

13. Em resposta, cabe-me declarar a Vossa Excelência que o Govêrno Brasileiro aceita o referido acôrdo nas bases acima sugeridas, e lhe dá, desde já, sua inteira aprovação.

Aproveito o ensêjo para reiterar a Vossa Excelência os protestos da minha mais alta consideração.

OSWALDO ARANHA

A Sua Excelência o Senhor JEFFERSON CAFFERY,
Embaixador dos Estados Unidos da América.

TABELA

1. *Tipos E Qualidades*

Entendem-se pelas qualidades abaixo denominadas "Japão", "Blue Rose" e "Agulha", o produto preparado, beneficiado e sêco, que contenha no máximo 10% (dez por cento) de quebrados e no máximo $\frac{1}{4}$ % (um quarto de um por cento) de grãos amarelos.

2. *Preços*

a) O preço a ser pago nas compras efetuadas pela Agência do "Ministério da Alimentação" (Ministry of Food) pela qualidade "Japão" será de £ 29-14-9 (vinte e nove libras, quatorze chelins e nove pence, pagáveis em moeda esterlina) FOB navio oceânico, pôrto do Rio Grande, por tonelada de 2.240 libras-pêso.

O preço a ser pago nas compras efetuadas pela Agência do Ministério da Alimentação (Ministry of Food) pela qualidade "Agulha", será de £ 29-14-9 (vinte e nove libras, quatorze chelins e nove pence, pagáveis em moeda esterlina) FOB navio oceânico, portos brasileiros, por tonelada de 2.240 libras-pêso. A qualidade do arroz "Agulha" dêste preço não deverá ser inferior à das amostras que foram aprovadas e entregues aos representantes de cada Govêrno signatário dêste Acôrdo.

Além do preço estabelecido para o arroz "Japão" ou "Agulha", deverá ser pago pelo "Blue Rose" um prêmio de £ 1 (uma libra esterlina) por tonelada de 2.240 libras-pêso.

Os preços acima serão pagos na base de uma só embalagem de 100 (cem) libras líquidas, em sacaria de juta, nova e resistente.

b) O preço a ser pago nas compras efetuadas por uma Agência dos Estados Unidos da América pela qualidade "Japão" será de U.S. \$5.35

(cinco dólares e trinta e cinco centavos, pagáveis em moeda norte-americana) FOB navio oceânico, pôrto do Rio Grande, para cada 100 (cem) libras-pêso.

O preço a ser pago nas compras efetuadas por uma Agência dos Estados Unidos da América pela qualidade "Agulha" será de US\$5.35 (cinco dólares e trinta e cinco centavos, pagáveis em moeda norte-americana) FOB navio oceânico, portos brasileiros, para cada 100 (cem) libras-pêso. Os embarques de arroz "Agulha" dêste preço não deverão ser inferiores ao das amostras que foram aprovadas e entregues aos representantes de cada Govêrno.

Além do preço estabelecido para o "Japão" ou "Agulha", deverá ser pago pelo "Blue Rose" um prêmio de US\$ 0,18 (dezoito centavos, pagáveis em moeda norte-americana) para cada 100 (cem) libras-pêso.

Os preços acima serão pagos na base de uma só embalagem de 100 (cem) libras líquidas, em sacaria de juta nova e resistente.

c) Conquanto os preços sejam estipulados na base de entrega FOB, concorda-se em que os contratos poderão ser efetuados mediante entrega CIF ou C e F, desde que as despesas decorrentes dessas condições sejam somadas aos preços estipulados,

d) Os preços estipulados incluirão custo, despesas, lucros e comissões dos exportadores brasileiros, bem como todos os impostos, taxas e encargos sôbre a exportação.

e) O preço para os excedentes de outros tipos de arroz que não os especificados acima, será determinado com base nas amostras das diversas qualidades dos referidos excedentes, fornecidas à Agência ou Agências compradoras designadas pelos Governos dos Estados Unidos da América e do Reino Unido da Grã-Bretanha e Irlanda do Norte. As referidas amostras serão representativas de tôda a safra e serão tiradas conjuntamente pelos representantes nomeados pelo Govêrno do Brasil e da Agência compradora.

3.

Geral

a) O total do excedente exportável procedente do Estado do Rio Grande do Sul não deverá conter mais de 20% (vinte por cento) da qualidade "Blue Rose".

b) Os embarques do Estado do Rio Grande do Sul serão feitos pelo pôrto do Rio Grande, e os dos outros Estados pelo pôrto ou portos a serem determinados por entendimento mútuo entre comprador e vendedor.

c) A embalagem simples será feita em sacaria de juta nova e resistente; entre comprador e vendedor se estabelecerá, por entendimento mútuo, a dimensão da embalagem e se a mesma será simples ou dupla e neste último caso, se o saco interno será de juta ou algodão.

d) Nas compras efetuadas pela agência do Ministério da Alimentação (Ministry of Food), serão utilizados os contratos de Rice Brokers Limited, Londres cujas condições principais se acham transcritas ao anexo n° 1 desta Tabela.

e) Nas compras efetuadas por uma agência dos Estados Unidos da América serão utilizados os contratos dessa Agência, cujas condições principais se acham transcritas no anexo nº 2 desta Tabela.

f) O Governo Brasileiro tomará as devidas providências para que todos os exportadores de arroz sejam responsáveis pela qualidade do arroz embarcado e pelo fiel cumprimento das cláusulas do presente acôrdo no que lhes disser respeito.

g) O arroz adquirido nos têrmos do presente acôrdo gozará de prioridade para o seu transporte rápido para os portos marítimos do Brasil.

ANEXO Nº 1 DA
TABELA

CLÁUSULAS DO CONTRATO DA FIRMA
RICE BROKERS LIMITED, LONDRES

1. As declarações de embarque, ou embarques, a serem feitas pelos vendedores, não deverão ultrapassar o prazo de vinte e um dias após a saída do navio (a vapor ou a motor) do pôrto de embarque, sujeitas a confirmação pelo correio. Cada embarque deverá ser considerado como contrato em separado.

2. Correrão por conta dos compradores os riscos das mercadorias, desde o momento de sua colocação a bordo do navio (a vapor ou a motor), no pôrto de embarque.

3. Os compradores comunicarão aos vendedores a data em que é esperado o navio no pôrto de embarque. No caso do navio esperado, ou seu qualquer substituto, não chegar ao pôrto, ou portos, de embarque ou não se achar pronto para ser carregado no dia do vencimento do prazo de embarque no contrato ou, ainda, se os compradores deixarem de fornecer a necessária praça, deverão êstes pagar as respectivas despesas, à razão de um shilling por tonelada de 1016ks., por semana.

4. A liquidação do total da fatura de embarque, a ser feita, à vista, em Londres, não deverá ultrapassar o prazo de 7 dias após a chegada do navio ao pôrto de desembarque ou o de 90 dias após a data do conhecimento de embarque, dêstes prazos vigorando o que primeiro vencer-se, e será feita mediante a apresentação do conhecimento de embarque e/ou ordens de entrega devidamente aprovadas e/ou quitação de frete autorizando a entrega, bem como o certificado de peso, tudo na devida ordem. O certificado de origem, quando solicitado, será fornecido pelos vendedores.

5. Os vendedores entregarão e os compradores receberão o arroz, no costado do navio, inclusive o arroz a granel e o de varredura, segundo as condições da carta de fretamento (ou, no caso desta não existir, as do conhecimento de carga), pagarão tôdas as despesas daí decorrentes, nelas incluídas ensacamento, consêrto de sacas, novas sacas, alvarengagem e, no caso de as haver, taxas portuárias e de importação.

6. O arroz não será rejeitado sob a alegação de ser de qualidade inferior, tendo, no entanto, os compradores direito a uma tolerância, a ser estabelecida, se necessário, por arbitragem, segundo o que determina a cláusula 8, caso a qualidade média de qualquer embarque venha a ser inferior à qualidade estipulada, como ficou acima especificado. As amostras deverão ser colhidas por ocasião do desembarque, não apresentando dano causado pelo mar ou navio, sendo seu certificado de qualidade remetido à London Rice Brokers Association. A retirada das amostras será feita baseada nas normas adotadas no pôrto.

7. Todos os gêneros que constam do presente contrato, não poderão conter mais de meio por cento de substância mineral, devendo sua natureza, composição e qualidade serem discriminadas e declaradas segundo as exigências do Sale of Food and Drugs Act (Lei da venda de gêneros e drogas) e de todos os regulamentos, inclusive os referentes à sua conservação e coloração. O arroz quebrado que não seja de origem britânica, deverá conter menos de dois por cento de arroz não quebrado.

8. Qualquer dúvida decorrente do presente contrato deverá ser submetida ao julgamento de dois membros da London Rice Brokers Association ou de seu árbitro que deverá ser, também, membro desta Associação. Cada parte indicará um árbitro, tendo o direito de rejeitar um dos que forem indicados. (Entende-se pelo termo "membro" tanto o membro como o associado). No caso de uma das partes deixar de indicar um árbitro dentro do prazo de dez dias do recebimento da comunicação, feita pela outra parte, de que esta já fez tal indicação, ou no caso de os árbitros não concordarem com a indicação de um terceiro árbitro, a Comissão da London Rice Brokers Association, em qualquer dos dois casos, terá o poder de indicar um quarto árbitro, o qual agirá em nome, ou como se fôra indicado pela parte, ou partes, faltosas. A decisão de qualidade deverá ser solicitada e o árbitro solicitador deverá ser indicado dentro de 14 dias do recebimento da amostra, ou amostras, em Londres, pelo comprador ou corretor, amostra esta que deverá ser enviada àquela Capital, devidamente despachada, ou dentro de 14 dias após o início da descarga do navio, vigorando o prazo que vencer-se por último, sendo a decisão tomada sem demora. As solicitações de arbitragem que não sejam de arbitragem sobre a qualidade, devem ser feitas, e, para êsse fim, ser indicado o árbitro solicitador no mais breve prazo possível. As reclamações, bem como a indicação do árbitro, não serão levadas em conta se ultrapassarem o prazo de seis meses após a chegada do navio ou seis meses após a data de qualquer infração ou omissão havida, vigorando o prazo que vencer-se por último. Ambas as partes terão o direito de recorrer da sentença dos árbitros, exceto no que concerne a questões jurídicas, dentro do prazo de cinco dias úteis, recurso êsse dirigido à London Rice Brokers Association, cuja decisão, exceto no que diz respeito a questões jurídicas, será definitiva. Quaisquer pagamentos decorrentes da sentença, deverão ser feitos dentro do prazo de uma semana a partir da data da mesma.

9. Caso o embarque seja adiado ou suspenso em virtude de proibição de exportação, motins, greves, paralizações de indústrias, revoluções, terremotos, enchentes, declaração oficial de epidemia, ou em virtude de consequências desses acontecimentos, o prazo do contrato de embarque será prorrogado por um mês. Se ao terminar êste prazo, o embarque ainda estiver suspenso devido a qualquer das causas citadas, a parte do contrato que fôra adiada deverá ser anulada, a menos que haja uma nova prorrogação do prazo, aceita por ambas as partes. Em caso de guerra e/ou hostilidades e/ou consequências daí advindas impedirem os vendedores de cumprir o contrato ou qualquer de suas partes, a parte do contrato que, pelas razões acima, deixou de ser cumprida pelos vendedores, será anulada.

ANEXO N° 2
DA TABELA

PRINCIPAIS CLÁUSULAS DOS CONTRATOS PARA COMPRA DE ARROZ PELA
AGÊNCIA DO GOVÉRNO DOS ESTADOS UNIDOS DA AMÉRICA (ALÉM DAS
ESTIPULAÇÕES CONTIDAS NO ACÔRDO).

1. Os contratos deverão especificar a espécie, safra, quantidade e qualidade de arroz comprado; tipo e dimensão da embalagem com o preço por 100 libras líquidas; pêso de embarque f. o. b. vapor oceânico em determinado pôrto brasileiro, para embarque a pôrto estrangeiro designado pelo comprador, direta ou indiretamente, com ou sem transbordo, durante o mês designado pelo comprador.

2. O arroz ficará a risco do comprador desde o momento em que estiver a bordo do vapor oceânico que for designado para levá-lo ao ponto de destino no estrangeiro. Os seguros marítimo e contra riscos de guerra, se os houver, ficarão a cargo do comprador.

3. O vendedor deverá fornecer o arroz no mês designado pelo comprador e notificá-lo quando o arroz se achar pronto para embarque. Caso o comprador deixe de fornecer praça marítima durante o mês em que o arroz for comprado para embarque, o comprador será responsável pela armazenagem e pelo seguro, a contar de 30 dias após a data da notificação de que o arroz se acha pronto para embarque, no pôrto de embarque determinado dentro do prazo contratual. As despesas de tal armazenagem e de qualquer seguro devem estar de acôrdo com o que for determinado e estipulado em contrato mas as despesas de armazenagem não deverão exceder, de qualquer forma, a taxa corrente nesta data. Os armazens de depósito e as companhias de seguro, empregados para êsse fim deverão primeiramente ser aprovados pela Agência compradora dos Estados Unidos.

4. O pagamento integral das compras de arroz será feito contra os documentos de embarque, usuais e exigidos incluindo o conhecimento de embarque, certificado de pêso e certificado de inspeção relativo ao tipo e qualidade emitido pelo Instituto Riograndense de Arroz, para arroz produzido no Estado do Rio Grande do Sul.

5. Esse certificado de inspeção será emitido pela Secretaria da Agricultura do Estado em que tenha sido produzido o arroz comprado em outras fontes que não o Estado do Rio Grande do Sul. A Agência compradora designada pelos Estados Unidos terá o direito de ter representantes na inspeção do arroz comprado, por conta dos Estados Unidos da América. O certificado de pêso será emitido por um pesador público ou por quem tenha sido para isso autorizado, mediante acôrdo entre comprador e vendedor. Tôdas as despesas de pesagem, coleta de amostras e certificados, deverão correr por conta do vendedor.

6. Quaisquer dúvidas surgidas na execução dêste contrato, a não ser que resolvidas por outro modo, deverão ser dirimidas por arbitragem em New Orleans, de acôrdo com os regulamentos da Câmara de Comércio de New Orleans, ou em Nova York, de acôrdo com os regulamentos da Bolsa de Produtos de Nova York.

7. Cada embarque é considerado como um contrato, ou venda, em separado.

Translation

MINISTRY OF FOREIGN AFFAIRS,

Rio de Janeiro, December 21, 1943.

DEC/DAI/459/842.16 (22) (42)

MR. AMBASSADOR,

I have the honor to acknowledge the receipt of note no. 1968 of today's date, whereby Your Excellency, referring to the recent conversations between Brazilian authorities and representatives of the Governments of the United States of America and of Great Britain regarding the exportable surpluses of rice produced in Brazil, suggests that an agreement be made on the following bases:

Amé, p. 1612.

1. The Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland undertake to purchase the exportable surplus of rice produced in Brazil with reference to the 1943-1944 and 1944-1945 crops of the types and qualities and under the terms specified in the attached schedule, and the Brazilian Government undertakes to sell or cause to be sold such surplus, to be made available for shipment from month to month during the twelve months immediately following the harvest, that is, until April 30, 1945 and April 30, 1946, respectively.

2. In order to avoid deterioration through long storage the Brazilian Government, by means of full utilization of milling facilities, will make every endeavor to make available for shipment as large a proportion as possible of the surplus during the months of May to September in each of the years 1944 and 1945.

3. The prices stated in the attached schedule shall be applicable to the rice of the 1943-1944 crop; the prices for the 1944-1945 crop shall be established not later than July 31, 1944 by an understanding between the three Governments signatory to this Agreement.

4. The Brazilian Government undertakes to take such action as shall be necessary to limit exports of rice to those destined to the United States of America, the United Kingdom of Great Britain and Northern Ireland or their respective nominees.
5. In order that Brazil may maintain its normal channels of trade, so far as consistent with the present emergency and to assure equitable supplies to the other American Republics and the French and Dutch possessions in the Western Hemisphere, it is understood that there is excepted from the foregoing undertakings rice to an amount sufficient to satisfy the essential needs of those countries normally supplied by Brazil which, under the provisions of this Agreement, are to be represented by the following provisional quota, for each one of the two crops, which shall not be exceeded without prior consultation and agreement with the Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland, namely, a total of 10,000 (ten thousand) metric tons for the following countries: Argentina, French Guiana, Bolivia, Peru, Venezuela, Colombia, Paraguay, Uruguay, and the Dutch and French West Indies.
6. The prices of rice exported to the countries mentioned in the foregoing clause shall not exceed the level of the prices fixed for sales to the United States of America and to the United Kingdom of Great Britain and Northern Ireland.
7. It is understood that the rice shall be made available for export only under the terms of this agreement, after provision is made for meeting the needs of the domestic market of Brazil, including the production of seeds necessary for the purposes of this Agreement.
8. Purchases by the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland shall be made on their behalf by the Agency or Agencies that may be designated periodically by those Governments, it being contemplated that such purchases may be implemented by commercial contracts (containing terms consistent with the terms of this Agreement, including delivery conditions) drawn up with interested trade associations or regular exporters, their overseas representatives, or otherwise.
9. The Ministry of Food of the United Kingdom of Great Britain and Northern Ireland has been designated to act as such agency until further notice from the Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland.
10. In view of the undertaking of the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland, the Brazilian Government undertakes not to increase or create new duties or export taxes or any other charges on rice or freight, whether Federal, State or otherwise, during the term of this Agreement.
11. The Brazilian Government undertakes to give wide publicity to such provisions of the Agreement as will provide an incentive to

maximum production of the qualities of rice specified in the attached schedule, which is made a part of this Agreement as Appendix No. 1.

Ante, p. 1615.

12. All doubts and difficulties originating during the life of this Agreement, with respect to the United States of America, will be settled between the Commission for the Control of the Washington Agreements, and the Government of the United States of America.

13. In reply, I have the honor to declare to Your Excellency that the Brazilian Government accepts the Agreement referred to on the bases suggested above, and gives to it, as of this date, its full approval.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

OSWALDO ARANHA

His Excellency

JEFFERSON CAFFERY,

Ambassador of the United States of America.

SCHEDULE

1. *Types and Qualities*

By the qualities specified below as "Japão", "Blue Rose" and "Aguilha", is understood the prepared, improved and dry product, which shall contain a maximum of 10% (ten per cent) broken grains and a maximum of $\frac{1}{4}$ % (one fourth of one per cent) yellow grains.

2. *Prices*

a) The price to be paid for the purchases made by the agency of the Ministry of Food of the "Japão" quality, shall be £ 29-14-9 (twenty-nine pounds, fourteen shillings and ninepence, payable in sterling) FOB ocean steamer, port of Rio Grande, per ton of 2,240 lbs.

The price to be paid for the purchases made by the agency of the Ministry of Food of the "Aguilha" quality shall be £ 29-14-9 (twenty-nine pounds, fourteen shillings and ninepence, payable in sterling) FOB ocean steamer, Brazilian ports, per ton of 2,240 lbs. The "Aguilha" quality rice of this price shall not be inferior to the samples that were approved by and submitted to the representatives of each Government signatory to this Agreement.

In addition to the price established for the "Japão" or "Aguilha" rice, a premium of £ 1 (one pound sterling) per ton of 2,240 lbs. shall be paid for the "Blue Rose".

The above prices shall be paid on the basis of a single packing of 100 (one hundred) pounds net in new and resistant jute sacking.

b) The price to be paid for the purchases made by an agency of the United States of America of the "Japão" quality shall be US \$ 5.35 (five dollars and thirty-five cents, payable in United States currency) FOB ocean steamer, port of Rio Grande, per 100 (one hundred) lbs.

The price to be paid for purchases made by an agency of the United States of America for the "Agulha" quality shall be US \$ 5.35 (five dollars and thirty-five cents, payable in United States currency) FOB ocean steamer, Brazilian ports, per 100 (one hundred) lbs. The shipments of the "Agulha" rice of this price shall not be inferior to the samples that were approved by and submitted to the representatives of each Government.

In addition to the price established for the "Japão" or "Agulha", a premium of US \$ 0.18 (eighteen cents, payable in United States currency) per 100 (one hundred) lbs. shall be paid for the "Blue Rose".

The above prices shall be paid on the basis of a single packing of 100 (one hundred) pounds net in new and resistant jute sacking.

c) Notwithstanding the fact that the prices are stipulated on the basis of an FOB delivery, it is agreed that the contracts can be made for CIF or C and F delivery, provided the expenses incurred by those conditions are added to the prices stipulated.

d) The prices stipulated shall include the cost, expenses, profits and commissions of the Brazilian exporters, as well as all the duties, taxes and charges on the exportation.

e) The price for the surpluses of other types of rice which are not specified above shall be determined on the basis of the samples of the various qualities of the said surpluses submitted to the purchasing agency or agencies designated by the Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland. The said samples shall be representative of the entire crop and shall be taken jointly by the representatives appointed by the Government of Brazil and by the purchasing Agency.

3.

General

a) The total of the exportable surplus originating in the State of Rio Grande do Sul shall not contain more than 20% (twenty per cent) of the "Blue Rose" quality.

b) The shipments from the State of Rio Grande do Sul shall be made from the port of Rio Grande, and from the other States from the port or ports to be determined by mutual agreement between the purchaser and the vendor.

c) The single packing shall be made in new and resistant jute sacking; the dimensions of the packing and whether or not it shall be single or double shall be established by mutual agreement between the purchaser and the vendor, and in the latter case, whether or not the inner sack shall be of jute or cotton.

d) In the purchases made by the agency of the Ministry of Food, the contracts of Rice Brokers Limited, London, the principal conditions of which are transcribed in annex No. 1 of this Schedule, shall be used.

e) In the purchases made by an agency of the United States of America, the contracts of that agency, the principal conditions of which are transcribed in annex No. 2 of this Schedule, shall be used.

f) The Brazilian Government shall take the necessary steps to the

and that all rice exporters may be responsible for the quality of the rice shipped and for the faithful fulfilment of the clauses of the present agreement in so far as concerns them.

g) The rice acquired under the terms of the present agreement shall enjoy a priority for its rapid transportation to the seaports of Brazil.

ANNEX NO. 1 OF THE
SCHEDULE

CLAUSES OF THE CONTRACT OF THE FIRM OF RICE BROKERS LIMITED,
LONDON

1. The declarations of shipment or shipments, to be made by the sellers shall not be delayed beyond a period of twenty-one days after the sailing of the vessel (steamship or motorboat) from the port of embarkation, subject to confirmation by mail. Each shipment shall be considered as a separate contract.

2. Cargo risks, from the time of the placement of the goods on board the vessel (steamship or motorboat) in the port of embarkation, shall be for the account of the purchasers.

3. The purchasers shall communicate to the sellers the date on which the vessel is expected in the port of embarkation. In case the expected vessel or its substitute does not arrive in the port or ports of embarkation, or is not ready to be loaded on the day of the expiration of the period of shipment in the contract or, again, if the purchasers fail to provide the necessary space, the latter shall pay the expenses incurred, at the rate of one shilling per week per ton of 1016 kilos.

4. The settlement of the invoice total, to be made at sight in London, shall not be deferred beyond a period of 7 days after the arrival of the ship in the port of disembarkation or a period of 90 days after the date of the bill of lading; of these periods the one which expires first shall be effective. [The settlement] shall be made through the presentation of the bill of lading and/or duly approved orders for delivery and/or freight receipt authorizing the delivery, as well as the certificate of weight, all in proper order. The certificate of origin, when requested, shall be furnished by the sellers.

5. The sellers shall deliver and the purchasers shall receive the rice alongside the vessel, including rice in bulk and rice chaff, according to the terms of the charter party (or, in case this does not exist, according to those of the bill of lading); [the purchasers] shall pay all the expenses connected therewith, including sacking, repair of sacks, new sacks, warehousing and, in case there are any, port dues and import duties.

6. The rice shall not be rejected on the allegation that it is of inferior quality; however, the purchasers shall be entitled to an allowance to be established, if necessary, by arbitration, as provided in Clause 8, in case the average quality of any shipment should happen to be inferior to the quality stipulated, as specified above. Samples, not showing damage done by the sea or vessel, shall be obtained at the

time of the disembarkation; the certificate of their quality shall be sent to the London Rice Brokers Association. The removal of the samples shall be made on the basis of the regulations adopted in the port.

7. No goods covered in the present contract may contain more than $\frac{1}{2}$ of 1% in mineral matter; their nature, composition and quality shall be designated and declared according to the requirements of the Sale of Food and Drugs Act (*Lei da venda de gêneros e drogas*) and of all the regulations, including those relating to their preservation and coloring. Broken rice which is not of British origin shall contain less than two per cent of unbroken rice.

8. Any question arising from the present contract shall be submitted to the judgment of two members of the London Rice Brokers Association or of its arbitrator, who shall also be a member of this Association. Each party shall designate an arbitrator, and shall have the right to reject one of those who are designated. (By the term "member" is meant the member as well as the associate). In case one of the parties fails to designate an arbitrator within the period of ten days from the receipt of the communication from the other party that he has made such a designation, or in case the arbitrators do not agree to the designation of a third arbitrator, the Commission of the London Rice Brokers Association, in either of the two cases, shall have the power to designate a fourth arbitrator, who will act in the name of, or as if he were designated by, the defaultant party or parties. A decision on quality must be requested and the arbitrator-solicitor designated within 14 days from the receipt of the sample or samples, in London, by the purchaser or broker, which sample shall be sent to that capital, duly dispatched; or within 14 days after the beginning of the unloading of the vessel, the period which expires last being effective, and the decision being made without delay. Requests for arbitration which are not for arbitration concerning quality must be made and, to that end, the arbitrator-solicitor designated as soon as possible. The claims, as well as the designation of the arbitrator, shall not be considered if they are made after a period of six months after the arrival of the vessel or six months after the date of any violation or omission made, the period which expires last being effective. Both parties shall have the right to appeal the decision of the arbitrators, except when legal questions are involved, within the period of five working days; such an appeal shall be addressed to the London Rice Brokers Association, whose decision, except with respect to legal questions, shall be final. Any payments resulting from the decision shall be made within a period of one week from the date of the same.

9. In case the shipment is postponed or suspended by reason of prohibition of exportation, mutinies, strikes, paralyzation of industries, revolutions, earthquakes, floods, official declaration of an epidemic, or by reason of the consequences of such occurrences, the period of the shipping contract shall be extended for one month. If at the termination of this period, the shipment is still suspended due to any

of the aforesaid causes, the part of the contract which was postponed shall be void, unless there is a new extension of the period, accepted by both parties. In case war and/or hostilities and/or consequences resulting therefrom prevent the sellers from fulfilling the contract or any of its parts, the part of the contract which, for the above reasons, could not be fulfilled by the purchasers shall be void.

ANNEX NO. 2
OF THE SCHEDULE

MAIN CLAUSES OF THE CONTRACTS FOR THE PURCHASE OF RICE BY THE
GOVERNMENT AGENCY OF THE UNITED STATES OF AMERICA (IN ADDI-
TION TO THE STIPULATIONS CONTAINED IN THE AGREEMENT).

1. The contracts shall specify the type, crop, quantity and quality of rice purchased; the type and dimensions of the packing, with the price per 100 pounds net; weight of shipment f. o. b. ocean steamer in a specified Brazilian port for shipment to a foreign port designated by the purchaser, directly or indirectly, with or without transshipment, during the month designated by the purchaser.

2. The rice shall be at the risk of the purchaser from the time it is on board the ocean steamer designated to carry it to the point of destination in the foreign country. The maritime and war-risk insurance, if there is any, shall be for the account of the purchaser.

3. The seller shall furnish the rice in the month designated by the purchaser and notify him when the rice is ready for shipment. In case the purchaser fails to provide shipping space during the month in which the rice is purchased for shipment, the purchaser shall be liable for the warehousing and for the insurance, beginning 30 days after the date of the notification that the rice is ready for shipment in the designated port of embarkation within the contractual period. The charges for such warehousing and for any insurance must be in accordance with the specifications and stipulations of the contract, but the charges for warehousing shall in no wise exceed the current rate on that date. The warehouses and the insurance companies employed for that purpose, shall first be approved by the United States Purchasing Agency.

4. The total payment for the purchases of rice shall be made against the customary and required shipping documents, including the bill of lading, certificate of weight, and certificate of inspection respecting the type and quality, issued by the Instituto Riograndense de Arroz, [Rio Grande Rice Institute] for rice produced in the State of Rio Grande do Sul.

5. That certificate of inspection shall be issued by the Department of Agriculture of the State in which the rice purchased from sources other than the State of Rio Grande do Sul was produced. The Purchasing Agency designated by the United States shall be entitled to have representatives at the inspection of the rice purchased for the account of the United States of America. The certificate of weight shall be issued by a public weigher or by someone who has been

authorized for that purpose by agreement between purchaser and seller. All the expenses of weighing, sampling and certificates shall be for the account of the seller.

6. Any questions arising in the execution of this contract, if they cannot be settled in any other way, shall be decided by arbitration in New Orleans, in accordance with the regulations of the New Orleans Chamber of Commerce, or in New York, in accordance with the regulations of the New York Produce Exchange.

7. Each shipment shall be considered as a separate contract or sale.

*The American Ambassador to the Brazilian Acting Minister for
Foreign Affairs*

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 195

Rio de Janeiro, July 20, 1945.

EXCELLENCY:

I have the honor to inform Your Excellency that, following conversations recently held between representatives of the Governments of Brazil, the United Kingdom and the United States of America in regard to the price to be paid for the exportable surplus of the 1944-1945 Brazilian rice crop and the extension of the existing Agreement to the 1945-1946 crop, the Government of the United States, acting jointly with the Government of the United Kingdom, agrees to pay an increase of 10 per cent on the basic price which was established for the exportable surplus of the 1943-1944 Brazilian rice crop of specified types and qualities, under the terms set forth in the Schedule incorporated in the exchange of notes of December 21, 1943 establishing an Agreement for the purchase and sale of rice.

Ante, p. 1614.

2. The Government of the United States agrees also that the maximum allowable content of broken rice, known as "brokens", referred to in Clause number 1, captioned "Types and Qualities", of the Schedule which constitutes Appendix number 1 to the exchange of notes of December 21, 1943, shall be increased from 10 per cent to 20 per cent.

3. All the terms and conditions of the Agreement established by the exchange of notes of December 21, 1943 and enclosures thereto shall remain unchanged, save for the above stated modifications in the basic price and in the percentage of broken rice.

4. Moreover, the Government of the United States agrees that all the terms and conditions of the Agreement established by the exchange of notes of December 21, 1943 and enclosures thereto, with the modifications in the basic price and in the percentage of broken rice herein stated, shall apply to the exportable surplus of the 1945-1946 Brazilian rice crop of the specified types and qualities, with the understanding that the exportable surplus of the 1945-1946 crop shall be made available for shipment in periods corresponding to those established for the 1943-1944 and 1944-1945 crops, particularly in so far as the months May to September, 1946, are concerned.

I shall be grateful if Your Excellency will be so good as to convey to me the concurrence of the Brazilian Government in the terms of this Agreement.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

ADOLF A. BERLE JR.

His Excellency

Dr. PEDRO LEÃO VELOSO,

Acting Minister for Foreign Affairs,

Rio de Janeiro.

*The Brazilian Acting Minister for Foreign Affairs to the American
Ambassador*

MINISTERIO DAS RELAÇÕES EXTERIORES,

RIO DE JANEIRO.

DEC/SEI/SPE/DAI/164/842.16 (42) (22)

Em 20 de julho de 1945.

SENHOR EMBAIXADOR,

Tenho a honra de acusar o recebimento da nota nº 195, datada de hoje, pela qual Vossa Excelência referindo-se aos recentes entendimentos entre as autoridades brasileiras e os representantes dos Governos dos Estados Unidos da América e do Reino-Unido da Grã-Bretanha, a respeito do preço a ser pago pelas sobras exportáveis de arroz brasileiro da safra de 1944-1945, e à prorrogação do Acôrdo em vigor até a safra de 1945-1946, propõe seja assentado um Acôrdo nas seguintes bases:

1. O Govêrno dos Estados Unidos da América, juntamente com o Govêrno do Reino-Unido da Grã-Bretanha, concorda em pagar um acréscimo de 10% sôbre o preço básico estabelecido pelo excedente exportável de arroz referente à safra brasileira de 1943-1944, dos tipos e qualidades especificados e conforme as condições da tabela anexa às notas trocadas em 21 de dezembro de 1943, que estabelecem o Acôrdo para a compra e venda do excedente exportável de arroz da safra brasileira de 1944-1945.
2. O Govêrno dos Estados Unidos da América concorda também em que a quantidade máxima tolerada de arroz quebrado, conhecido como "quebrados", referida na cláusula nº 1 (Tipos e qualidades), da tabela que constitue o anexo nº 1 da troca de notas de 21 de dezembro de 1943, seja aumentada de 10% para 20%.
3. Todas as cláusulas e condições do Acôrdo estabelecido por troca de notas em 21 de dezembro de 1943 e anexos permanecerão em vigor, salvo quanto às modificações no preço básico e na percentagem de arroz quebrado acima referidas.
4. Além disso, o Govêrno dos Estados Unidos da América concorda em que todas as cláusulas e condições do Acôrdo firmado por troca de notas, e anexos, em 21 de dezembro de 1943 com as modificações no preço básico e na percentagem de quebrados estipulada neste instrumento,

serão aplicadas ao excedente exportável relativo à safra brasileira de 1945-1946, dos tipos e qualidades especificados na tabela anexada ao Acôrdo. Fica, outrossim, entendido que o excedente exportável da safra de 1945-1946 estará disponível para embarque dentro dos prazos fixados no caso das safras de 1943-1944 e 1944-1945, principalmente durante os meses de maio a setembro de 1946.

5. Em resposta, cabe-me declarar a Vossa Excelência que o Govêrno brasileiro aceita o referido Acôrdo nas bases acima sugeridas, e lhe dá, desde já, sua inteira aprovação.

Aproveito o ensejo para reiterar a Vossa Excelência os protestos da minha mais alta consideração.

P. LEÃO VELLOSO

A Sua Excelência o Senhor ADOLPHO BERLE JUNIOR,
Embaixador dos Estados Unidos da América.

Translation

MINISTRY OF FOREIGN AFFAIRS,
RIO DE JANEIRO.

DEC/SEI/SPE/DAI/164/842.16 (42) (22)

July 20, 1945.

MR. AMBASSADOR:

Ante, p. 1632.

I have the honor to acknowledge the receipt of note no. 195 of this date, whereby Your Excellency, referring to the recent conversations between Brazilian authorities and representatives of the Governments of the United States of America and of the United Kingdom of Great Britain, with respect to the price to be paid for exportable surpluses of the 1944-1945 Brazilian rice crop, and the extension of the Agreement now in force to the 1945-1946 crop, proposes that an Agreement be approved on the following bases:

1. The Government of the United States of America, acting jointly with the Government of the United Kingdom of Great Britain, agrees to pay an increase of 10 per cent on the basic price established for the exportable surplus of the 1943-1944 Brazilian rice crop of specified types and qualities, under the terms set forth in the Schedule incorporated in the exchange of notes of December 21, 1943, which establish an Agreement for the purchase and sale of the exportable surplus of the 1944-1945 Brazilian rice crop.
2. The Government of the United States of America also agrees that the maximum allowable content of broken rice, known as "brokens", referred to in clause no. 1 (Types and qualities), of the Schedule which constitutes annex no. 1 to the exchange of notes of December 21, 1943, shall be increased from 10 per cent to 20 per cent.
3. All the terms and conditions of the Agreement established by the exchange of notes of December 21, 1943 and enclosures thereto shall remain unchanged, save for the above-stated modifications in the basic price and in the percentage of broken rice.

4. Moreover, the Government of the United States of America agrees that all the terms and conditions of the Agreement established by the exchange of notes, and annexes, of December 21, 1943, with the modifications in the basic price and in the percentage of broken rice herein stated, shall apply to the exportable surplus of the 1945-1946 Brazilian rice crop of the types and qualities specified in the table annexed to the Agreement. It is furthermore understood that the exportable surplus of the 1945-1946 crop shall be made available for shipment in periods corresponding to those established for the 1943-1944 and 1944-1945 crops, particularly in so far as the months of May to September 1946 are concerned.

5. In reply, I have the honor to inform Your Excellency that the Brazilian Government accepts the said Agreement on the terms suggested above, and gives to it, as of this date, its full approval.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

P. LEÃO VELLOSO

His Excellency

ADOLPH BERLE, Junior,

Ambassador of the United States of America.

December 4, 1945
[T. I. A. S. 1518]

Agreement between the Government of the United States of America and certain Governments of the British Commonwealth and protocol between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland respecting telecommunications. Signed at Bermuda December 4, 1945.

AGREEMENT BY THE GOVERNMENTS REPRESENTED AT THE BERMUDA TELECOMMUNICATIONS CONFERENCE 1945.

The Delegations of the Governments of
the United States of America,
the United Kingdom of Great Britain and Northern Ireland,
Canada,
Australia,
New Zealand,
Union of South Africa,
India, and
Southern Rhodesia,

assembled in Conference in Bermuda from November 21 to December 4, 1945, have reached agreement as follows:

ARTICLE I. RADIOTELEGRAPH CIRCUITS

Section 1. Existing direct radiotelegraph circuits.

- (i) United Kingdom: The circuits between the United States and the United Kingdom shall be retained, subject to examination as to the number required and to consultation between the two Governments before any of these circuits is discontinued.
- (ii) Australia, New Zealand and India: One circuit shall be retained between the United States and each of these countries.
- (iii) Bermuda: Both circuits between the United States and Bermuda may be retained, subject to the agreement of the Government of Bermuda.
- (iv) The Gambia, the Gold Coast and British Guiana: The circuits between the United States and these British Colonies shall be discontinued.

Section 2. New direct radiotelegraph circuits.

- (i) South Africa: The Governments of the United States and of the Union of South Africa shall promptly undertake a joint study to determine whether traffic and other conditions justify the establishment of a direct circuit between the two countries.

- (ii) Jamaica: One direct circuit shall be established between the United States and Jamaica, subject to the agreement of the Government of Jamaica.
- (iii) Palestine: One direct circuit shall be established between the United States and Palestine, subject to the agreement of the Palestine Government.
- (iv) Ceylon, Federated Malay States (Singapore) and Hong Kong: The Government of the United Kingdom in consultation with the authorities of the territories concerned, shall undertake a study to determine whether traffic or other conditions warrant the establishment of direct circuits between the United States and Ceylon, the Federated Malay States (Singapore) and Hong Kong respectively.

Section 3. General considerations.

The signatory Governments agree to present, for the consideration of the next International Telecommunications Conference, a statement, along the lines set forth in Annex A, relating to the general factors governing the establishment of direct radiotelegraph circuits.

Post, p. 1643.

Section 4. Exclusive arrangements.

The signatory Governments shall neither support nor approve efforts by telecommunications companies subject to their respective jurisdictions to prevent or obstruct the establishment of direct circuits between the United States or British Commonwealth points and other countries, and will take such steps as may be appropriate to discourage any such efforts.

Section 5. Transit traffic.

The traffic normally handled over direct radiotelegraph circuits shall be restricted to traffic originating in and destined for the countries between which the circuits are operated. This does not preclude the use of such circuits as "voies de secours" in emergency. Transit traffic may be handled over direct radiotelegraph circuits in any case where it is agreed that it would otherwise be subject to excessive delay.

ARTICLE II. TELEGRAPH RATES

Section 6. Ceiling rates.

- (i) The ceiling rate between the United States on the one hand and the countries of the British Commonwealth on the other shall be 30 cents or 1s. 6d. per ordinary full rate word.
- (ii) The ceiling rate between the United States on the one hand and the countries of the British Commonwealth on the other shall be 20 cents or 1s. per word for code (CDE) telegrams.
- (iii) For categories of telegrams charged at lower rates, the existing international proportions of the ordinary rate shall be maintained.

- (iv) These arrangements shall not involve any increase in existing rates.

Section 7. Press rates.

- (i) The ceiling rate for Press traffic between the United States and the countries of the British Commonwealth shall be 6-½ cents or 4d. per ordinary word. No rate already below this ceiling of 6-½ cents or 4d. per word shall be increased.

Note: The existing Press rate within the British Commonwealth of 1d. per ordinary word may be extended to press traffic between the countries of the British Commonwealth and any other country.

Section 8. Terminal and transit charges.

- (i) The terminal and transit charges for traffic to which the ceiling rate of 30 cents or 1s. 6d. per ordinary full rate word applies shall be uniform.
- (ii) For the purposes of applying these charges countries shall be classified in two categories, as follows:

- (a) Countries of extensive area, such as Canada, Australia, India, South Africa, and the Continental United States.
- (b) All other countries.

- (iii) For traffic to which the ceiling rate applies, the terminal and transit charges for an ordinary full rate word shall be:

- (a) A terminal charge of 4 cents or 2½d. for countries in category (a) and 2-½ cents or 1½d. for countries in category (b).
- (b) A transit charge of 3-¼ cents or 2d. for countries in category (a) and 1-¾ cents or 1d. for countries in category (b).

- (iv) Terminal and transit charges for other classifications of traffic shall be proportional to the charges collected.
- (v) No terminal or transit charge shall exceed the charges prescribed in paragraphs (iii) and (iv) above. Subject to this provision, existing terminal and transit charges at rates below the proposed new ceiling shall be maintained pending review by the interested parties.
- (vi) Terminal and transit charges shall be regarded as payments for services rendered. The terminal charges are payable for traffic originating in or destined for a country. The transit charges are payable for traffic carried across the territory of a country for onward transmission beyond that country. All terminal and transit charges shall be included in the ceiling rate and shall not be additional thereto.

- (vii) These arrangements shall not involve any increase in existing terminal and transit charges.

Note:

Provided the charges accruing to the other international carriers are not affected, the division of the charges between an international carrier and its corresponding domestic carrier shall be of no concern to the other international carriers.

Section 9. Division of tolls.

- (i) In the case of direct radiotelegraph circuits, the portion of the tolls remaining after deduction of terminal and transit charges shall be divided equally between the transmitting and receiving organisations.
- (ii) Reductions in payments for services over indirect routes resulting from the introduction of reduced rates shall be borne by those concerned in the same proportion as the present charges are now divided.
- (iii) The application of paragraphs (i) and (ii) of this Section to existing contracts and the specific arrangements to give effect to them shall be considered by the parties concerned.

Reduction in payment for services over indirect routes.

Section 10. Currency.

In view of the fact that the gold franc system of telegraph charges and accounting is unsatisfactory in present conditions, the fixing of tariffs and the settlement of accounts between the United States and the countries of the British Commonwealth shall be governed by the following general principles:

- (i) The tariffs shall be drawn up in dollars and in sterling, and the tariffs so expressed shall be approximately equivalent at \$4.03 to £1.
- (ii) In the event of an alteration in the average of the buying and selling rates for telegraphic transfer of dollars and sterling by more than 2 per cent from \$4.03 to £1, arrangements shall be made promptly, at the request of any country, for consultation on the adjustment of tariffs, which shall be drawn up in dollars and sterling and which shall be approximately equivalent at an agreed rate of exchange.
- (iii) In any country other than the United States and the United Kingdom, the schedule of charges in local currency for messages shall at all times be the approximate equivalent of the tariffs drawn up in dollars and in sterling at the average of the buying and selling rates for telegraphic transfers of the currency in terms of dollars or sterling. Minor fluctuations in the exchange rates shall not of themselves require a modification of the schedule of charges in local currency. In fixing collection charges in its local currency, a country shall be entitled to vary the precise

Tariffs.

Request for consultation.

Charges in local currency.

- equivalent of the dollar-sterling tariff to the nearest convenient unit.
- (iv) The balance due as between the parties concerned shall be calculated in accordance with the tariffs drawn up in dollars and sterling, and settlement shall be made in the currency of the country of the creditor party on the basis of \$4.03 to £1. In the case of a request for consultation in accordance with paragraph (ii) of this Section, obligations incurred prior to the date of such request shall be settled on the basis of \$4.03 to £1. The basis of settlement of balances arising in respect of the period between the date of such request and the date when new tariffs as provided in paragraph (ii) of this Section become effective shall be a matter for agreement between the parties concerned. On and after the date when new tariffs become effective settlement shall be made on the basis of the new agreed dollar-sterling rate of exchange.
 - (v) In extending to other countries the new ceiling rate of 30 cents or 1s.6d. the United States and the countries of the British Commonwealth shall seek to achieve the establishment of a tariff drawn up on a dollar-sterling basis or, failing agreement on the part of the other country to adopt that basis, of tariffs giving effect as far as practicable to the principles underlying the dollar-sterling basis.
 - (vi) Should the International Monetary Fund provided for in the Bretton Woods Agreements be established, any necessary modifications in the provisions above should be considered by the authorities concerned.

Section 11. Effective date.

The arrangements provided in this Article shall be brought into force as soon as possible and not later than April 1st 1946. So far as practicable they shall be introduced as from a common date.

Note: All references in this Article to dollars and cents, and to pounds, shillings and pence, are to United States and United Kingdom currencies respectively.

ARTICLE III. PRESS COMMUNICATIONS.

Section 12. Private point to point channels for Press.

Private channels for point to point press traffic shall be provided where the available channels are sufficient. Charges may be based on time, words, or cost, whichever may be agreed upon by the parties concerned.

Section 13. Reception of multiple address press radiocommunications.

(i) The reception of press radio communications addressed to multiple destinations and transmitted from the United States or the countries of the British Commonwealth shall be permitted within their respective territories in all cases where the recipients are authorised by the sender to receive such communications.

(ii) The Governments of the United States and of the United Kingdom and Canada will permit within their respective territories the private reception of such communications either through the recipients' own radio receiving installation or through other private installations. In the United Kingdom such permission may be conditional on the service not being offered to third parties except in the case of recognised news agencies.

Private reception.

(iii) The Governments of Australia, New Zealand, South Africa, India and the United Kingdom on behalf of her colonies will arrange for the reception of such communications through the respective telegraph administrations and will retain the power to exercise their discretion as to the granting of permission to private recipients for the reception of such communications through their own installations or through other private installations.

Note: The position of Southern Rhodesia under Section 13 is reserved.

ARTICLE IV. CABLES.

Section 14. (i) In order to secure the optimum development of telecommunications services, and in view of the important strategic role which cables as well as radio play in a co-ordinated telecommunications system, research and development work in both cable and radio communication shall be fostered and promoted. The use of improvements such as submarine repeaters and multi-channel operation shall wherever possible be encouraged.

(ii) Inasmuch as the trans-Atlantic cables form an integral part of a world telecommunication system, uniform procedures and techniques shall be adopted in their operation. The present arrangements for mutual consultation and co-operative action with respect to the trans-Atlantic cables shall be continued.

Adoption of uniform procedures and techniques.

ARTICLE V. STANDARDISATION.

Section 15. The Governments of the British Commonwealth shall support a recommendation, to be made by the United States Government, to the International Telegraph Consultative Committee (CCIT) and the International Consultative Committee for Radiocommunications (CCIR) on the question of standardisation of modern Telecommunication methods along the following lines:—

In order to further the development and wide-spread use of modern telecommunication systems susceptible to interconnection and interchange of messages and in the interests of conservation of the radio frequency spectrum, it is proposed that the CCIT study the establishment of

a standardised switching system for international telegraph communications based upon a standard five unit code of operation.

Further, it is proposed that the CCIR study the establishment of standards for:-

- (a) Carrier shift operation for single channel telegraph circuits.
- (b) Multi-tone operation for multi-channel telegraph circuits.
- (c) Performance specifications for phototelegraphic equipment to provide for inter-working, including modulation equipment for radio transmissions.

ARTICLE VI. GENERAL PROVISIONS

Section 16 Consultation

(i) The parties to this Agreement shall consult on all matters coming within its purview.

(ii) The parties to this Agreement shall, at the earliest stage, advise one another regarding all intended changes in rates on routes of interest to one another.

Section 17. Acceptance.

By their approval of this Agreement, all Governments will accept it both on their own behalf and in respect of all their colonies, overseas territories, all territories under their protection, suzerainty, or authority and all territories in respect of which they exercise a mandate, subject to any necessary reservations. The United States will endeavour to obtain the adherence of the Commonwealth of the Philippines to this Agreement.

Section 18. Entry into force.

This Agreement shall come into force as between the several signatory Governments upon the receipt by the United Kingdom Government of the respective notifications of their approval. [1] The United Kingdom Government shall on receipt of such notifications inform all other signatory Governments.

Signed JAMES CLEMENT DUNN
PAUL A. PORTER
GEORGE P. BAKER

(on behalf of the Delegation of the United States)

¹ [Notes of acceptance have been received by the United Kingdom Government from the following countries: Canada, Mar. 1, 1946; Southern Rhodesia, Mar. 9, 1946; the United Kingdom, Mar. 13, 1946, subject to the following reservations: "1) The Agreement cannot be applied to Anglo-French Condominium in the New Hebrides to which the Empire Rate Scheme does not apply. 11) In order to avoid any discrimination contrary to the terms of the Mandate, the provisions of Section 8 of the Agreement cannot be accepted in respect of Palestine insofar as they relate to transit charges."; the Commonwealth of Australia, Mar. 20, 1946; New Zealand, Mar. 23, 1946, "subject to reservation of Article III, Section 12"; the Union of South Africa, Mar. 27, 1946; India, Mar. 29, 1946; and the United States of America, Mar. 15, 1946.]

Signed W RAYMOND BIRCHALL.
 RODNEY A. GALLOP.
 R. J. P. HARVEY

(on behalf of the Delegation of the United Kingdom)

Signed F. H. SOWARD
 WALTER A. RUSH

(on behalf of the Delegation of Canada)

Signed S. H. WITT
 (on behalf of the Delegation of Australia)

Signed P. N. CRYER
 (on behalf of the Delegation of New Zealand)

Signed E. C. SMITH
 (on behalf of the Delegation of the Union of South Africa)

Signed G. V. BEWOOR.
 (on behalf of the Delegation of India)

Signed W RAYMOND BIRCHALL.
 (on behalf of the Delegation of Southern Rhodesia)

(Signed) W. W. SHAW-ZAMBRA
Secretary of the Conference.

Belmont Manor Hotel,
 Bermuda.

4th December, 1945.

ANNEX A

General Conditions Governing the Establishment of Direct Radiotelegraph Circuits

- (i) The desirability of establishing any direct radio circuit between two countries is a matter involving a judgment on its merits by the Governments of both the countries concerned. It is essential that conditions, particularly economic conditions, and the requirements of the users, at both ends of a proposed circuit should be fully considered in each case.
- (ii) The governing conditions for the establishment of direct radio circuits are those of traffic and service, with the expeditious disposal of traffic as the main objective.
- (iii) The existence of both radio and cables is essential in the general interest of world telecommunications as a whole. Provision of direct radio circuits should therefore have regard to existing channels of communication.
- (iv) It is recognised that in certain cases a circuit might be deemed necessary for political reasons.

BERMUDA TELECOMMUNICATIONS CONFERENCE 1945

P R O T O C O L

between

THE GOVERNMENTS OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND AND OF THE UNITED STATES OF AMERICA

covering

EXCLUSIVE TELECOMMUNICATIONS ARRANGEMENTS

The UNITED KINGDOM and UNITED STATES DELEGATIONS agree that:—

Saudi Arabian
agreement.

1. The United Kingdom Government will inform the Saudi Arabian Government that they understand that the United States Government are anxious that the Saudi Arabian Government should modify their agreement with the Eastern Telegraph Company in such a way as to permit of the erection by a United States Company of a radiotelegraph station, to be the property of the Saudi Arabian Government, for the purpose of operating a direct radiotelegraph circuit between Saudi Arabia and the United States, and that if the Saudi Arabian Government wish to avail themselves of this offer, the United Kingdom Government would not wish the agreement between the Eastern Telegraph Company and the Saudi Arabian Government to stand in their way. It is understood that the question of any further modifications of the concession required to permit of the operation of other direct radiotelegraph circuits by the Saudi Arabian Government would be for determination by the latter.

Direct radiotele-
graph circuit to
Greece.

2. Should the Greek and United States Governments desire to establish a direct radiotelegraph circuit between their two countries, the United Kingdom Government will agree to promote the establishment of such a circuit as soon as the new United Kingdom body succeeds to the rights and obligations of Cable and Wireless Limited.
3. Should the United Kingdom Government desire to open direct radiotelegraph circuits with any countries with which United States companies may have exclusive arrangements, the United States Government will use their good offices with the United States companies and the Governments concerned to meet these requests.
4. Should it hereafter appear that any companies under the jurisdiction of the United Kingdom or the United States Governments hold exclusive arrangements in countries other than those referred to above, and should the United Kingdom or United States Government, as the case may be, desire to see established direct

radiotelegraph circuits with such countries, the other Government will use their good offices with their companies and the Governments concerned to this end.

5. All direct radiotelegraph circuits set up under this Protocol shall, subject to the concurrence of the Governments concerned, be open to transit traffic only on the conditions set out in the Agreement signed at the Bermuda Telecommunications Conference 1945.

Ante, p. 1636.

Signed JAMES CLEMENT DUNN
PAUL A. PORTER
GEORGE P. BAKER

(on behalf of the Delegation of the United States)

Signed W RAYMOND BIRCHALL.
RODNEY A. GALLOP.
R. J. P. HARVEY

(on behalf of the Delegation of the United Kingdom)

Signed W. W. SHAW-ZAMBRA
Secretary of the Conference

Belmont Manor Hotel,
Bermuda
4th December, 1945.

October 23 and December 5, 1945, and March 21, 1946

[T. I. A. S. 1519]

Agreement between the United States of America and Denmark amending the agreement of December 16, 1944, respecting air transport services. Effected by exchanges of notes signed at Washington October 23 and December 5, 1945, and March 21, 1946; effective March 21, 1946.

The Danish Minister to the Secretary of State

ROYAL DANISH LEGATION
WASHINGTON, D.C.

OCTOBER 23, 1945

SIR,

On December 16, 1944, an Agreement Relating To Air Transport Services was concluded between Denmark and the United States of America, effective provisionally from January 1, 1945. Acting upon instruction from my Government, I now have the honor to advise you that by Royal decree of September 29, 1945, this Air Transport Agreement has been confirmed by the Danish Government.

58 Stat. 1458.

At the same time I beg to inform you that I have been instructed to discuss with the American authorities the following two amendments to the Agreement (I and II) of which No. I is proposed by the Danish Government and No. II by the American Government :

I

The Danish Government would appreciate as a matter of reciprocity to have the last lines of paragraph B in the Annex to the Air Transport Agreement amended to read as follows:

58 Stat. 1461.

“Denmark to the United States and points beyond via immediate points; in both directions.”

II

With reference to paragraph A of the Annex to the Air Transport Agreement, the American Government has expressed a wish through the American Legation in Copenhagen that a clause be inserted at the end of the paragraph, reading as follows:

58 Stat. 1461.

“Rights of transit and non-traffic stop are granted United States airlines in the territory of Greenland on a route between the United States and Europe.”

I shall be much obliged if you will be good enough to inform me whether the American Government is prepared to conclude a revised

Agreement containing the above mentioned amendments to the text of the Annex to the Air Transport Agreement.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

HENRIK KAUFFMANN

The Honorable

JAMES F. BYRNES

Secretary of State

Department of State

Washington, D.C.

The Secretary of State to the Danish Minister

DEC 5 1945

SIR:

I have received your note of October 23, 1945 in which you advise the Department that by Royal decree of September 29, 1945 the Air Transport Agreement between the United States of America and Denmark, effective provisionally from January 1, 1945, has been confirmed by the Danish Government.

58 Stat. 1458.

The Department is gratified at this action, and is pleased to advise you that it considers this agreement as being definitively in force as from the date of the aforementioned Royal decree.

You also inform the Department that you have been instructed to discuss with the American authorities two amendments to the Agreement as follows.

1. A change of the last lines in Section B of the Annex amending them to read as follows:

58 Stat. 1461.

“Denmark to the United States and points beyond, via intermediate points; in both directions.”

I am pleased to inform you that the Department agrees to this change in wording suggested by the Danish Government.

You also inform the Department that the Danish Government accepts the suggestion of the American Government that a clause be inserted at the end of Section A of the Annex, the effect of which would be to grant rights of transit and non-traffic stop in Greenland to United States airlines operating between the United States and Europe. Since the first paragraph of Section A already grants these rights to United States air services operating on the route to Denmark, it is now suggested for purposes of clarity that the proposed final paragraph of Section A read as follows:

58 Stat. 1461.

“Rights of transit and non-traffic stop with respect to Greenland are also granted to United States airlines on a route or routes between the United States and Europe.”

If the revisions of Sections A and B of the Annex as set forth above are agreeable to the Danish Government, my Government will be pleased to consider the revised Agreement effective as from the date of the Danish Government's reply of acceptance.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

WILLIAM L. CLAYTON

The Honorable

HENRIK DE KAUFFMANN,
Minister of Denmark.

The Danish Minister to the Secretary of State

ROYAL DANISH LEGATION
WASHINGTON, D.C.

93.D.b/1 (2)

MARCH 21, 1946

SIR:

I have the honor to advise you that after receiving your note of December 5th regarding the Air Transport Agreement between the United States of America and Denmark of December 16, 1944, I passed the contents of the note on to the Ministry for Foreign Affairs in Copenhagen.

I have now been instructed to inform you that the Danish Government agrees to the two amendments to Section A and B of the Annex to the Agreement as set forth in your aforementioned note and that the revised Agreement will become effective as from today's date.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

HENRIK KAUFFMANN

The Honorable

JAMES F. BYRNES

Secretary of State
Department of State
Washington, D. C.

Declaration regarding Germany by the United States of America and the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and the Provisional Government of the French Republic. Signed at Berlin June 5, 1945; effective June 5, 1945.

June 5, 1945

[T. I. A. S. 1520]

Declaration regarding the defeat of Germany and the assumption of supreme authority with respect to Germany by the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of the French Republic.[¹]

The German armed forces on land, at sea and in the air have been completely defeated and have surrendered unconditionally and Germany, which bears responsibility for the war, is no longer capable of resisting the will of the victorious Powers. The unconditional surrender of Germany has thereby been effected, and Germany has become subject to such requirements as may now or hereafter be imposed upon her.

There is no central Government or authority in Germany capable of accepting responsibility for the maintenance of order, the administration of the country and compliance with the requirements of the victorious Powers.

It is in these circumstances necessary, without prejudice to any subsequent decisions that may be taken respecting Germany, to make provision for the cessation of any further hostilities on the part of the German armed forces, for the maintenance of order in Germany and for the administration of the country, and to announce the immediate requirements with which Germany must comply.

The Representatives of the Supreme Commands of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom and the French Republic, hereinafter called the "Allied Representatives," acting by authority of their respective Governments and in the interests of the United Nations, accordingly make the following Declaration:-

The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of the French Republic, hereby assume supreme authority with respect to Germany, including all the powers possessed by the German Government, the High Command and any state, municipal, or local government or authority. The assumption, for the purposes stated above, of the said authority and powers does not effect the annexation of Germany.

The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of

¹ [The English and Russian texts are printed from signed originals; the French text is printed from a copy certified by the French Ministry of Foreign Affairs; German text not printed.]

the French Republic, will hereafter determine the boundaries of Germany or any part thereof and the status of Germany or of any area at present being part of German territory.

In virtue of the supreme authority and powers thus assumed by the four Governments, the Allied Representatives announce the following requirements arising from the complete defeat and unconditional surrender of Germany with which Germany must comply:-

ARTICLE 1.

Germany, and all German military, naval and air authorities and all forces under German control shall immediately cease hostilities in all theatres of war against the forces of the United Nations on land, at sea and in the air.

ARTICLE 2.

(a) All armed forces of Germany or under German control, wherever they may be situated, including land, air, anti-aircraft and naval forces, the S.S., S.A. and Gestapo, and all other forces or auxiliary organisations equipped with weapons, shall be completely disarmed, handing over their weapons and equipment to local Allied Commanders or to officers designated by the Allied Representatives.

(b) The personnel of the formations and units of all the forces referred to in paragraph (a) above shall, at the discretion of the Commander-in-Chief of the Armed Forces of the Allied State concerned, be declared to be prisoners of war, pending further decisions, and shall be subject to such conditions and directions as may be prescribed by the respective Allied Representatives.

(c) All forces referred to in paragraph (a) above, wherever they may be, will remain in their present positions pending instructions from the Allied Representatives.

(d) Evacuation by the said forces of all territories outside the frontiers of Germany as they existed on the 31st December, 1937, will proceed according to instructions to be given by the Allied Representatives.

(e) Detachments of civil police to be armed with small arms only, for the maintenance of order and for guard duties, will be designated by the Allied Representatives.

ARTICLE 3.

(a) All aircraft of any kind or nationality in Germany or German-occupied or controlled territories or waters, military, naval or civil, other than aircraft in the service of the Allies, will remain on the ground, on the water or aboard ships pending further instructions.

(b) All German or German-controlled aircraft in or over territories or waters not occupied or controlled by Germany will proceed to Germany or to such other place or places as may be specified by the Allied Representatives.

ARTICLE 4.

(a) All German or German-controlled naval vessels, surface and submarine, auxiliary naval craft, and merchant and other shipping, wherever such vessels may be at the time of this Declaration, and all other merchant ships of whatever nationality in German ports, will remain in or proceed immediately to ports and bases as specified by the Allied Representatives. The crews of such vessels will remain on board pending further instructions.

(b) All ships and vessels of the United Nations, whether or not title has been transferred as the result of prize court or other proceedings, which are at the disposal of Germany or under German control at the time of this Declaration, will proceed at the dates and to the ports or bases specified by the Allied Representatives.

ARTICLE 5.

(a) All or any of the following articles in the possession of the German armed forces or under German control or at German disposal will be held intact and in good condition at the disposal of the Allied Representatives, for such purposes and at such times and places as they may prescribe-

- (i) all arms, ammunition, explosives, military equipment, stores and supplies and other implements of war of all kinds and all other war material;
- (ii) all naval vessels of all classes, both surface and submarine, auxiliary naval craft and all merchant shipping, whether afloat, under repair or construction, built or building;

- (iii) all aircraft of all kinds, aviation and anti-aircraft equipment and devices;
- (iv) all transportation and communications facilities and equipment, by land, water or air;
- (v) all military installations and establishments, including airfields, seaplane bases, ports and naval bases, storage depots, permanent and temporary land and coast fortifications, fortresses and other fortified areas, together with plans and drawings of all such fortifications, installations and establishments;
- (vi) all factories, plants, shops, research institutions, laboratories, testing stations, technical data, patents, plans, drawings and inventions, designed or intended to produce or to facilitate the production or use of the articles, materials and facilities referred to in sub-paragraphs (i), (ii), (iii), (iv) and (v) above or otherwise to further the conduct of war.

(b) At the demand of the Allied Representatives the following will be furnished:-

- (i) the labour, services and plant required for the maintenance or operation of any of the six categories mentioned in paragraph (a) above; and
- (ii) any information or records that may be required by the Allied Representatives in connection with the same.

(c) At the demand of the Allied Representatives all facilities will be provided for the movement of Allied troops and agencies, their equipment and supplies, on the railways, roads and other land communications or by sea, river or air. All means of transportation will be maintained in good order and repair, and the labour, services and plant necessary therefor will be furnished.

ARTICLE 6.

(a) The German authorities will release to the Allied Representatives, in accordance with the procedure to be laid down by them, all prisoners of war at present in their power, belonging to the forces of the United Nations, and will furnish full lists of

these persons, indicating the places of their detention in Germany or territory occupied by Germany. Pending the release of such prisoners of war, the German authorities and people will protect them in their persons and property and provide them with adequate food, clothing, shelter, medical attention and money in accordance with their rank or official position.

(b) The German authorities and people will in like manner provide for and release all other nationals of the United Nations who are confined, interned or otherwise under restraint, and all other persons who may be confined, interned or otherwise under restraint for political reasons or as a result of any Nazi action, law or regulation which discriminates on the ground of race, colour, creed or political belief.

(c) The German authorities will, at the demand of the Allied Representatives, hand over control of places of detention to such officers as may be designated for the purpose by the Allied Representatives.

ARTICLE 7.

The German authorities concerned will furnish to the Allied Representatives:-

- (a) full information regarding the forces referred to in Article 2(a), and, in particular, will furnish forthwith all information which the Allied Representatives may require concerning the numbers, locations and dispositions of such forces, whether located inside or outside Germany;
- (b) complete and detailed information concerning mines, minefields and other obstacles to movement by land, sea or air, and the safety lanes in connection therewith. All such safety lanes will be kept open and clearly marked; all mines, minefields and other dangerous obstacles will as far as possible be rendered safe, and all aids to navigation will be reinstated. Unarmed German military and civilian personnel with the necessary equipment will be made available and utilised for the above purposes and for the removal of mines, minefields and other obstacles as directed by the Allied Representatives.

ARTICLE 8.

There shall be no destruction, removal, concealment, transfer or scuttling of, or damage to, any

military, naval, air, shipping, port, industrial and other like property and facilities and all records and archives, wherever they may be situated, except as may be directed by the Allied Representatives.

ARTICLE 9.

Pending the institution of control by the Allied Representatives over all means of communication, all radio and telecommunication installations and other forms of wire or wireless communications, whether ashore or afloat, under German control, will cease transmission except as directed by the Allied Representatives.

ARTICLE 10.

The forces, ~~nationals~~, ships, aircraft, military equipment, and other property in Germany or in German control or service or at German disposal, of any other country at war with any of the Allies, will be subject to the provisions of this Declaration and of any proclamations, orders, ordinances or instructions issued thereunder.

ARTICLE 11.

(a) The principal Nazi leaders as specified by the Allied Representatives, and all persons from time to time named or designated by rank, office or employment by the Allied Representatives as being suspected of having committed, ordered or abetted war crimes or analogous offences, will be apprehended and surrendered to the Allied Representatives.

(b) The same will apply in the case of any national of any of the United Nations who is alleged to have committed an offence against his national law, and who may at any time be named or designated by rank, office or employment by the Allied Representatives.

(c) The German authorities and people will comply with any instructions given by the Allied Representatives for the apprehension and surrender of such persons.

ARTICLE 12.

The Allied Representatives will station forces and civil agencies in any or all parts of Germany as they may determine.

ARTICLE 13.

(a) In the exercise of the supreme authority with respect to Germany assumed by the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of the French Republic, the four Allied Governments will take such steps, including the complete disarmament and demilitarisation of Germany, as they deem requisite for future peace and security.

(b) The Allied Representatives will impose on Germany additional political, administrative, economic, financial, military and other requirements arising from the complete defeat of Germany. The Allied Representatives, or persons or agencies duly designated to act on their authority, will issue proclamations, orders, ordinances and instructions for the purpose of laying down such additional requirements, and of giving effect to the other provisions of this Declaration. All German authorities and the German people shall carry out unconditionally the requirements of the Allied Representatives, and shall fully comply with all such proclamations, orders, ordinances and instructions.

ARTICLE 14.

This Declaration enters into force and effect at the date and hour set forth below. In the event of failure on the part of the German authorities or people promptly and completely to fulfil their obligations hereby or hereafter imposed, the Allied Representatives will take whatever action may be deemed by them to be appropriate under the circumstances.

ARTICLE 15.

This Declaration is drawn up in the English, Russian, French and German languages. The English, Russian and French are the only authentic texts.

5 June 1945

Berlin

The word "nationals" has been omitted pending check. Hours--Central European Time

Signed by the Allied Representatives:

Dwight D. Eisenhower General of the Army, U.S.A.
B. L. Montgomery
F. de Lattre-Tassigny Général d'Armée [1]
G. Zhukov
Field-Marshal
Field-Marshal

¹[The above signatures are: Dwight D Eisenhower, General of the Army, U.S.A.; G. Zhukov; B. L. Montgomery, Field-Marshal; F. de Lattre-Tassigny, Général d'Armée.]

Д Е К Л А Р А Ц И Я

**О ПОРАЖЕНИИ ГЕРМАНИИ И ВЗЯТИИ НА СЕБЯ ВЕРХОВНОЙ ВЛАСТИ
В ОТНОШЕНИИ ГЕРМАНИИ ПРАВИТЕЛЬСТВАМИ СОЮЗА СОВЕТСКИХ
СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК, СОЕДИНЕННОГО КОРОЛЕВСТВА И
СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ И ВРЕМЕННОМ ПРАВИТЕЛЬСТВОМ
ФРАНЦУЗСКОЙ РЕСПУБЛИКИ.**

Германские вооруженные силы на суше, на море и в воздухе потерпели полное поражение и безоговорочно капитулировали, и Германия, которая несет ответственность за войну, не способна больше противостоять воле держав-победительниц. Тем самым безоговорочная капитуляция Германии осуществлена, и Германия поставила себя в зависимость от таких требований, которые могут быть сейчас или впоследствии ей навязаны.

В Германии нет центрального правительства или власти, способной взять на себя ответственность за сохранение порядка, управление страной и за выполнение требований держав-победительниц.

Именно при этих обстоятельствах необходимо без ущерба для последующих решений, которые могут быть приняты по отношению к Германии, распорядиться о прекращении дальнейших военных действий со стороны германских вооруженных сил, сохранения порядка в Германии и об управлении страной и объявить те непосредственные требования, которые Германия обязана выполнить.

Представители Верховных Командований Союза Советских Социалистических Республик, Соединенного Королевства, Соединенных Штатов Америки и Французской Республики, в дальнейшем называемые "представители союзников", действуя по уполномочию своих соответствующих правительств и в интересах Объединенных наций, провозглашают в соответствии с этим следующую

Декларацию:

Правительства Союза Советских Социалистических Республик, Соединенного Королевства и Соединенных Штатов Америки и Временное Правительство Французской Республики, настоящим берут на себя верховную власть в Германии, включая всю власть, которой располагают германское правительство, верховное командование и любое областное, муниципальное или местное правительство, или власть. Взятие на себя такой власти, прав и полномочий для вышеуказанных целей не является аннексией Германии.

Правительства Союза Советских Социалистических Республик, Соединенного Королевства и Соединенных Штатов Америки и Временное Правительство Французской Республики впоследствии установят границы Германии или любой части ее, а также определят статут Германии или любого района, который в настоящее время является частью германской территории.

В силу верховной власти, прав и полномочий, взятых на себя четырьмя правительствами, представители союзников объявляют следующие требования, возникающие из полного поражения и безоговорочной капитуляции Германии, которые Германия обязана выполнить:

Статья 1.

Германия и все германские военные, военно-морские и военно-воздушные власти и все вооруженные силы под германским контролем немедленно прекращают военные действия на всех театрах войны против вооруженных сил Объединенных наций на суше, на море и в воздухе.

Статья 2.

а/ все вооруженные силы Германии или находящиеся под

германским контролем, где бы они ни располагались, включая сухопутные, воздушные, противовоздушные и военно-морские силы, СС, СА и гестапо, а также все другие силы или вспомогательные организации, имеющие оружие, должны быть полностью разоружены с передачей своего вооружения и имущества местным союзным командующим или офицерам, назначенным представителями союзников.

б/ Личный состав соединений и частей всех сил, упомянутых выше в п. "а", об"является военнопленным по усмотрению Главнокомандующего вооруженных сил соответствующего союзного государства впредь до дальнейших решений и подчиняется таким условиям и распоряжениям, которые могут быть предписаны соответствующими представителями союзников.

в/ Все вооруженные силы, упомянутые выше в п. "а", где бы они ни находились, остаются на своих местах впредь до получения распоряжений от представителей союзников.

г/ Эвакуация упомянутых вооруженных сил со всех территорий, расположенных вне границ Германии, существовавших на 31 декабря 1937 года, осуществляется согласно указаниям, которые будут даны представителями союзников.

д/ Отряды гражданской полиции, подпадающие вооружению только ручным оружием для поддержания порядка и несения охраны, будут определяться представителями союзников.

Статья 3.

а/ Все военные, морские и гражданские самолеты любого типа и государственной принадлежности, находящиеся в Германии или на оккупированных или контролируемых Германией территориях или водах, за исключением тех, которые обслуживают союзников, должны остаться на земле, воде или на борту судов, впредь до дальнейших распоряжений.

в/ Все германские или находящиеся в распоряжении Германии самолеты на территориях или в водах, не оккупированных и не контролируемых Германией или над ними, должны направляться в Германию или в такое другое место или места, которые будут указаны представителями союзников.

Статья 4.

а/ Все германские или контролируемые Германией военноморские корабли, надводные и подводные, вспомогательные, а также торговые и другие суда, где бы они ни находились во время издания настоящей Декларации, и все другие торговые суда какой бы то ни было национальности, находящиеся в германских портах, должны оставаться на месте или немедленно отправиться в порты или базы, указанные представителями союзников. Команды этих судов остаются на борту впредь до дальнейших распоряжений.

в/ Все корабли и суда Объединенных наций, находящиеся во время издания настоящей Декларации в распоряжении или под контролем Германии, независимо от того, передано или не передано право владения ими в результате решения призового суда или как-нибудь иначе, должны направляться в порты или базы и в сроки, указанные представителями союзников.

Статья 5.

а/ Все или любой из следующих предметов, находящихся в распоряжении германских вооруженных сил или под германским контролем или в распоряжении Германии, должны быть сохранены неповрежденными и в хорошем состоянии и предоставлены в распоряжение представителей союзников для такого назначения и в такие сроки и в местах, которые они могут предписать:

1/ Все оружие, боеприпасы, взрывчатые вещества, военное оборудование, склады и запасы и всякого рода другие ору-

для войны и все остальные военные материалы;

2/ Все военно-морские суда всех классов как надводные, так и подводные, вспомогательные военно-морские суда и все торговые суда, находящиеся на плаву, в ремонте, построенные или строящиеся;

3/ Все самолеты всех типов, авиационное и противовоздушное оборудование и установки;

4/ Все оборудование и средства связи и транспорта по суше, воде и воздуху;

5/ Все военные установки и учреждения, включая аэродромы и гидроавиабазы, порты и военно-морские базы, склады, постоянные и временные внутренние и береговые укрепления, крепости и другие укрепленные районы вместе с планами и чертежами всех таких укреплений, установок и учреждений;

6/ Все фабрики, заводы, мастерские, исследовательские институты, лаборатории, испытательные станции, технические данные, патенты, планы, чертежи и изобретения, рассчитанные или предназначенные для производства или содействия производству или применению предметов, материалов и средств, упомянутых выше в п.п. 1, 2, 3, 4 и 5, или иным образом предназначенные способствовать ведению войны.

в/ По требованию представителей союзников должны быть предоставлены:

1/ Рабочая сила, обслуживание и оборудование, необходимые для содержания или эксплуатации всего входящего в любую из шести категорий, упомянутых в п. "а";

2/ Любые сведения и документы, которые представители союзников могут в связи с этим потребовать.

с/ По требованию представителей союзников должны быть предоставлены все средства для перевозки союзных войск и ор-

ганов, их имущества и предметов снабжения по железным дорогам, шоссе и другим наземным путям сообщения или по морю, рекам или по воздуху. Все средства транспорта должны содержаться в порядке и исправности, а также должны быть представлены рабочая сила, обслуживание и оборудование, необходимые для этого.

Статья 6.

а/ Германские власти должны передать представителям союзников в соответствии с порядком, который будет ими установлен, всех находящихся в их власти военнопленных, принадлежащих к вооруженным силам Объединенных наций, и представить полные списки этих лиц с указанием мест их заключения в Германии и на территории, оккупированной Германией. Заряд до освобождения таких военнопленных германские власти и народ должны охранять их жизнь и имущество и обеспечить их достаточным питанием, одеждой, кровом, лечебной помощью и денежным содержанием согласно их званиям и должностям.

б/ Германские власти и народ должны подобным же образом обеспечить и освободить всех других граждан Объединенных наций, которые заключены, интернированы или подвергнуты другого рода ограничениям, и всех других лиц, которые могут оказаться заключенными, интернированными или подвергнутыми другого рода ограничениям по политическим соображениям или в результате каких бы то ни было нацистских мер, закона или постановления, которые устанавливают дискриминацию на основании расовой принадлежности, цвета кожи, вероисповедания или политических воззрений.

в/ Германские власти по требованию представителей союзников должны передать контроль над местами заключения офицерам, которые могут быть назначены с этой целью представи-

телями союзников.

Статья 7.

Соответствующие германские власти должны представить представителям союзников:

а/ Полную информацию относительно вооруженных сил, упомянутых в ст. 2 п. "а", и, в частности, должны немедленно представить все сведения, которые могут потребовать представители союзников относительно численного состава, размещения и расположения таких вооруженных сил, независимо от того, находятся они внутри или вне Германии;

б/ Полную и подробную информацию относительно мин, минных полей и других препятствий движению по суше, морю и воздуху, а также о существующих безопасных проходах. Все такие безопасные проходы должны держаться открытыми и ясно обозначенными; все мины, минные поля и другие опасные препятствия по мере возможности должны быть обезврежены и все навигационное оборудование должно быть восстановлено. Невооруженный германский военный и гражданский персонал с необходимым оборудованием должен быть предоставлен и использован для вышеуказанных целей, а также для удаления мин, обезвреживания минных полей и устранения других препятствий по указанию представителей союзников.

Статья 8.

Не должно быть никакого разрушения, перемещения, сокрытия, передачи, затопления или повреждения того или иного военного, военно-морского, воздушного, судоходного, портового, промышленного и другого подобного оборудования и имущества, а также всех документов и архивов, где бы они ни находились, за исключением тех случаев, когда это будет указано представителями союзников.

Статья 9.

Впредь до установления контроля представителей союзников над всеми средствами связи, все телеграфные, телефонные и радиоустановки и другие виды проводочной и беспроводочной связи как на суше, так и на воде, находящиеся под германским контролем, должны прекратить передачу, за исключением производимой по распоряжению представителей союзников.

Статья 10.

На вооруженные силы, грузы, суда, самолеты, военное имущество и другую собственность, находящуюся в Германии или под ее контролем, на ее службе или в ее распоряжении и принадлежащие любой другой стране, находящейся в состоянии войны с какой-либо союзной державой, распространяются положения этой Декларации и всех издаваемых в соответствии с ней прокламаций, приказов, распоряжений и инструкций.

Статья 11.

а/ Главные нацистские лидеры, указанные представителями союзников, и все лица, чьи имена, ранг, служебное положение или должность будут время от времени указываться представителями союзников в связи с тем, что они подозреваются в совершении, подстрекательстве или издании приказов о проведении военных или аналогичных преступлений, будут арестованы и переданы представителям союзников.

б / Положения пункта "а" относятся к любому гражданину любой из Объединенных наций, который обвиняется в совершении преступления против своего национального закона и чье имя, ранг, служебное положение или должность могут быть в любое время указаны представителями союзников.

с/ Германские власти и народ будут выполнять издаваемые представителями союзников распоряжения об аресте и выдаче та-

ких лиц.

Статья 12.

Представителя союзников будут размещать вооруженные силы и гражданские органы в любой или во всех частях Германии по своему усмотрению.

Статья 13.

а/ При осуществлении Верховной власти в отношении Германии, принятой на себя Правительствами Союза Советских Социалистических Республик, Соединенного Королевства и Соединенных Штатов Америки и Временным Правительством Французской Республики, четыре союзные правительства будут принимать такие меры, включая полное разоружение и демилитаризацию Германии, какие они сочтут необходимыми для будущего мира и безопасности.

б/ Представители союзников навязуют Германии дополнительные политические, административные, экономические, финансовые, военные и другие требования, возникающие в результате полного поражения Германии. Представители союзников или лица или органы, должным образом назначенные действовать по их уполномочию, будут выпускать прокламации, приказы, распоряжения и инструкции с целью установления этих дополнительных требований и проведения в жизнь других положений настоящей Декларации. Все германские власти и германский народ должны безоговорочно выполнять все требования представителей союзников и полностью подчиняться всем этим прокламациям, приказам, распоряжениям и инструкциям.

Статья 14.

Эта Декларация вступает в силу в день и час, указанные ниже. В случае, если германские власти или народ не будут быстро и полностью выполнять возлагаемые на них дан-

ной Декларацией обязательства, представители союзников предпримут любые действия, которые они сочтут целесообразными при этих обстоятельствах.

Статья 15.

Настоящая Декларация составлена на русском, английском, французском и немецком языках. Только русский, английский и французский тексты являются аутентичными.

5 июня 1945 года, г. Берлин.

В 510 слово "грузы" опущено ввиду до выяснения.^[1]

По уполномочию Правительства Союза Советских Социалистических Республик Главнокомандующий Советскими оккупационными войсками в Германии Маршал Советского Союза	По уполномочию Правительства Соединенных Штатов Америки Генерал Армии	По уполномочию Правительства Соединенного Королевства Фельдмаршал	По уполномочию Временного Правительства Французской Респ. блики Генерал
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Г. К. ЖУКОВ.^[2]

Д. ЭЙЗЕНХАУЭР.^[3]

МОНТГОМЕРИ.^[4]

ДЕЛАТРЕ ДЕ ТАССИГНИ.^[5]

St. Zhukov
Dwight D. Eisenhower
B. L. Montgomery Field-Marshal
F. de Lattre Tassigny

¹ [Translation: In No. 10 the word "freight" is omitted pending clarification.]

² [Translation: By authorization of the Government of the Union of Soviet Socialist Republics, the Commander in Chief of the Soviet occupation forces in Germany, Marshal of the Soviet Union

G. K. Zhukov.]

³ [Translation: By authorization of the Government of the United States of America, General of the Army

D. Eisenhower.]

⁴ [Translation: By authorization of the Government of the United Kingdom, Field Marshal

Montgomery.]

⁵ [Translation: By authorization of the Provisional Government of the French Republic, General

Delattre de Tassigny]

⁶ [The above signatures are: G. Zhukov; Dwight D Eisenhower; B. L. Montgomery, Field-Marshall; F. de Lattre Tassigny.]

Le Général d' Armée de LATTRE de TASSIGNY certifie que cette copie est exactement conforme au texte français de la Déclaration signée le 5 Juin 1945 à BERLIN par les Commandants en Chef de la République Française, du Royaume Uni, des Etats-Unis d'Amérique et de l'Union des Républiques Socialistes Soviétiques.

BERLIN, *le 5 Juin 1945.*

F. DE LATTRE

Translation

General de LATTRE de TASSIGNY certifies that this copy is exactly in conformity with the French text of the Declaration signed on June 5, 1945, at BERLIN by the Commanders-in-Chief of the French Republic, the United Kingdom, the United States of America and the Union of Soviet Socialist Republics.

BERLIN, *June 5, 1945.*

F. DE LATTRE

DECLARATION concernant la défaite de l'Allemagne et la prise de l'autorité suprême à l'égard de l'Allemagne par le Gouvernement Provisoire de la République Française et par les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union des Républiques Socialistes Soviétiques.

Les forces armées allemandes, sur terre, sur mer et dans les airs, sont complètement vaincues et ont capitulé sans conditions, et l'Allemagne, qui porte la responsabilité de la guerre, n'est désormais plus en état de résister à la volonté des Puissances victorieuses. De ce fait la capitulation sans conditions de l'Allemagne a été effectuée et l'Allemagne se trouve soumise à toutes les exigences qui peuvent actuellement ou pourraient dans l'avenir lui être imposées.

Il n'existe pas en Allemagne de Gouvernement central ou d'autorité centrale en état d'assumer la responsabilité du maintien de l'ordre, de l'administration du pays et de l'exécution des exigences des Puissances victorieuses.

Il est dans ces circonstances nécessaires, sans préjuger de toutes décisions ultérieures qui pourraient être prises au sujet de l'Allemagne, de prendre les dispositions relatives à la cessation immédiate des hostilités par les forces armées allemandes, au maintien de l'ordre en Allemagne et à l'administration du pays, et de proclamer les premières exigences auxquelles l'Allemagne aura l'obligation de se conformer.

Les Représentants des Commandements suprêmes de la République Française, des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union des Républiques Socialistes Soviétiques, dénomés ci-après les "Représentants Alliés", agissant en vertu des pouvoirs qui leur sont conférés par leurs Gouvernements respectifs et dans l'intérêt des Nations Unies, font, en conséquence, la déclaration suivante:—

Le Gouvernement Provisoire de la République Française, et les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union des Républiques Socialistes Soviétiques assument par les présentes l'autorité suprême à l'égard de l'Allemagne, y compris tous les pouvoirs détenus par le Gouvernement allemand, par le Haut-Commandement allemand et par tout Gouvernement ou autorité d'Etat, municipal ou local. La prise de cette autorité et de ces pouvoirs, pour les buts ci-dessus exposés, n'a pas pour effet d'annexer l'Allemagne.

Le Gouvernement Provisoire de la République Française, et les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union des Républiques Socialistes Soviétiques, détermineront ultérieurement les frontières de l'Allemagne, en tout ou en partie, et le statut de l'Allemagne ou de toute région faisant actuellement partie du territoire allemand.

En vertu de l'autorité suprême et des pouvoirs ainsi assumés par les quatre Gouvernements, les Représentants Alliés annoncent les exigences suivantes auxquelles, à la suite de sa défaite complète et de sa capitulation sans conditions, l'Allemagne aura l'obligation de se conformer : —

ARTICLE 1.

L'Allemagne et toutes les autorités allemandes militaires, navales et aériennes, et toutes les forces sous contrôle allemand, cesseront immédiatement, sur tous les théâtres de guerre, les hostilités contre les forces des Nations Unies, sur terre, sur mer et dans les airs.

ARTICLE 2.

a)- Toutes les forces armées allemandes et sous contrôle allemand, où qu'elles se trouvent, y compris les forces terrestres, aériennes, de défense anti-aérienne, et navales, les S.S., S.A. et la Gestapo, et toutes les autres forces ou organisations auxiliaires armées, seront totalement désarmées, et remettront leurs armes et leur matériel aux Commandants alliés locaux ou aux officiers désignés par les Représentants Alliés.

b)- Le personnel des formations et unités de toutes les forces visées au paragraphe a)- ci-dessus sera, à la discrétion du Commandant en Chef des Forces Armées de l'Etat Allié intéressé, déclaré prisonnier de guerre jusqu'à nouvelle décision, et sera soumis à telles conditions et instructions qui seront prescrites par les Représentants Alliés respectifs.

c)- Toutes les forces visées au paragraphe a)- ci-dessus, où qu'elles se trouvent, resteront sur place jusqu'à nouvelles instructions des Représentants Alliés.

d)- L'évacuation par les dites forces de tous les territoires situés en dehors des frontières de l'Allemagne, telles qu'elles existaient le 31 décembre 1937, sera effectuée selon les instructions qui seront données par les Représentants Alliés.

e)- Des détachements de police civile, dotés seulement d'armes légères, et chargés du maintien de l'ordre et des services de garde, seront désignés par les Représentants Alliés.

ARTICLE 3.

a)- Tous les aéronefs militaires, navals ou civils, de tout genre et de toute nationalité, en Allemagne ou dans les eaux allemandes, dans les territoires occupés ou contrôlés par l'Allemagne ou dans leurs eaux, autres que les aéronefs au service des Alliés, resteront au sol, sur l'eau ou à bord des navires transporteurs, jusqu'à nouvelles instructions.

b)- Tous les aéronefs allemands ou sous contrôle allemand, se trouvant sur des territoires ou des eaux non occupés ou non contrôlés par l'Allemagne ou les survolant, regagneront l'Allemagne ou rejoindront tel endroit ou endroits que les Représentants Alliés indiqueront.

ARTICLE 4.

a)- Tous navires de surface, sous-marins, bâtiments auxiliaires, bateaux marchands et tous autres bateaux, allemands ou sous contrôle allemand, ou que ces navires se trouvent au moment de la présente Déclaration, et tous autres bateaux marchands quelle que soit leur nationalité se trouvant dans les ports allemands, resteront sur place ou rejoindront immédiatement les ports et bases qui seront indiqués par les Représentants Alliés. Les équipages de ces navires resteront à bord jusqu'à nouvel ordre.

b)- Tous les bateaux et navires des Nations Unies, qu'ils aient fait ou non l'objet d'un transfert de propriété à la suite d'une procédure de prise ou par toute autre voie, et qui sont à la disposition de l'Allemagne ou sous contrôle allemand au moment de la présente Déclaration, gagneront les ports ou bases indiqués par les Représentants Alliés, aux dates spécifiées par ceux-ci.

ARTICLE 5.

a)- Tout ou partie des articles mentionnés ci-après se trouvant en possession des Forces armées allemandes ou sous contrôle allemand ou à la disposition de l'Allemagne seront tenus intacts et en bon état à la disposition des Représentants Alliés, pour telles fins, en tels lieux et à tels moments qu'ils prescriront: -

- (i) Tous explosifs, armes, munitions, équipement militaire, stocks et approvisionnement, ainsi que tout autre attirail de guerre de tout genre et tout autre matériel de guerre;
- (ii) Tous navires de guerre de toutes classes, tant navires de surface que sous-marins, bâtiments auxiliaires et tous bateaux marchands, qu'ils soient à flot, en réparation ou en construction, achevés ou non;
- (iii) Tous aéronefs de tous genres, l'équipement et les dispositifs utilisés par l'aviation et par la défense anti-aérienne;

- (iv) Tous moyens et équipement de transport et de communications, par terre, eau ou air;
- (v) Tous établissements et installations militaires, y compris les aérodromes, bases d'hydravions, ports et bases navals, entrepôts, fortifications terrestres et côtières permanentes et temporaires, forteresses et autres régions fortifiées, ainsi que les plans et dessins de tous établissements, fortifications et installations de ce genre;
- (vi) Tous ateliers, fabriques, installations industrielles, établissements de recherches, laboratoires, station d'essai, données techniques, brevets, plans, dessins et inventions, conçus en vue de, ou destinés à produire ou faciliter la production ou l'emploi des articles, matériels et moyens visés aux sous-paragraphes i, ii, iii, iv et v ci-dessus, ou servir de toute autre manière à la conduite de la guerre.

b)- Seront mis, sur leur demande, à la disposition des Représentants Alliés : -

- (i) La main-d'oeuvre, les services et les installations industrielles nécessaires à l'entretien ou au fonctionnement de l'un quelconque des articles visés aux six alinéas du paragraphe a)- ci-dessus et;
- (ii) Tous renseignements ou archives que les Représentants Alliés pourraient exiger à leur sujet.

c)- A la demande des Représentants Alliés, devront être fournis tous moyens nécessaires aux mouvements des troupes et organismes alliés, à leur équipement et à leur approvisionnement, par chemin de fer, route et autres voies de communications terrestres, aussi bien que par mer, voie fluviale ou aérienne. Tous les moyens de transport devront être maintenus en bon état, et la main-d'oeuvre, les services et les installations industrielles nécessaires à cet effet devront être fournis.

ARTICLE 6.

a)- Les autorités allemandes devront libérer en les remettant entre les mains des Représentants Alliés, conformément à la procédure qui sera établie par ceux-ci, tous les prisonniers de guerre se trouvant actuellement en leur pouvoir, et appartenant aux Forces des Nations Unies; elles devront également fournir des listes complètes de ces personnes indiquant leur lieu de détention en Allemagne ou en territoire occupé par l'Allemagne. En attendant la libération de ces prisonniers de guerre, les autorités allemandes et le peuple allemand devront protéger leur personne et leurs biens, et leur fournir, en quantité suffisante, nourriture, vêtements, logement, soins médicaux et de l'argent suivant leur grade ou leur position officielle.

b)- Les autorités allemandes et le peuple allemand devront, de même manière, prendre soin de, et libérer tous les autres ressortissants des Nations Unies qui sont emprisonnés, internés, ou de quelque autre manière sous contrainte; elles devront traiter de même toutes les autres personnes qui sont emprisonnées, internées, ou de quelque autre manière sous contrainte, pour des motifs politiques ou par suite de toute action, loi ou réglementation nazies établissant des discriminations basées sur la race, la couleur, les croyances religieuses ou les opinions politiques.

c)- Les autorités allemandes devront à la demande des Représentants Alliés remettre le contrôle des lieux de détention aux officiers qui seront désignés à cet effet par les Représentants Alliés.

ARTICLE 7.

Les autorités allemandes intéressées devront fournir aux Représentants Alliés :--

a)- Des renseignements complets relatifs aux forces visées à l'Article 2. a)-, et en particulier, fournir immédiatement tous les renseignements demandés par les Représentants Alliés sur les effectifs, les lieux de stationnement et le dispositif de ces forces, qu'elles se trouvent en Allemagne ou hors d'Allemagne;

b)- Des renseignements complets et détaillés relatifs aux mines, champs de mines, et autres obstacles aux mouvements par terre, mer ou air, ainsi qu'aux couloirs de sécurité qui y sont ménagés. Tous ces couloirs de sécurité devront être maintenus libres et nettement jalonnés; toutes les mines, tous les champs de mines et autres obstacles dangereux seront rendus inoffensifs dans la mesure du possible, et tout l'équipement d'aide à la navigation remis en marche. Du personnel militaire et civil allemand non armé et muni de l'outillage nécessaire sera fourni et employé aux tâches définies ci-dessus, et à l'enlèvement des mines, champs de mines et autres obstacles, conformément aux ordres des Représentants Alliés.

ARTICLE 8.

Sont interdits, sauf ordre contraire des Représentants Alliés, tous enlèvement, destruction, dissimulation, transfert, sabordage, ou détérioration portant sur tous biens et installations militaires, navals, aériens, sur tous biens et installations de la marine marchande, sur tous biens et installations portuaires, industriels et autres du même genre, ou sur tous dossiers et archives, ou qu'ils se trouvent.

ARTICLE 9.

En attendant l'institution par les Représentants Alliés d'un contrôle sur tous les moyens de transmission, toutes les installations de radio et de télécommunication et autres formes de transmissions par fil ou sans-fil, à terre ou en mer, sous contrôle allemand, cesseront de fonctionner sauf ordre contraire des Représentants Alliés.

ARTICLE 10.

Les forces, les bateaux, les aéronefs, l'équipement militaire et autres biens se trouvant en Allemagne, ou sous le contrôle, ou au service, ou à la disposition de l'Allemagne, et appartenant à tout autre pays en guerre avec l'un quelconque des Alliés, seront assujettis aux dispositions de la présente Déclaration, ainsi qu'à celles de tous ordres, proclamations, ordonnances ou instructions qui seront promulgués en vertu du présent Instrument.

ARTICLE 11.

a)- Les principaux chefs Nazis, désignés par les Représentants Alliés, et toutes personnes qui, de temps à autre seront désignés par leur nom, ou par leur grade, fonction ou emploi par les Représentants Alliés, comme étant suspects d'avoir commis, ordonné ou d'avoir été complices de crimes de guerre ou d'infractions analogues, seront arrêtés et livrés aux Représentants Alliés.

b)- La même procédure sera appliquée dans le cas de tous ressortissants de l'une quelconque des Nations Unies inculpés d'infraction contre leur loi nationale et qui seront, à n'importe quel moment, désignés par leur nom ou par leur grade, fonction ou emploi par les Représentants Alliés.

c)- Les autorités allemandes et le peuple allemand se conformeront à toutes les instructions données par les Représentants Alliés en vue de l'arrestation et de la livraison de ces individus.

ARTICLE 12.

Les Représentants Alliés installeront des troupes et des organismes civils, à leur discrétion, dans tout ou partie de l'Allemagne.

ARTICLE 13.

a)- Dans l'exercice de l'autorité suprême à l'égard de l'Allemagne assuée par le Gouvernement Provisoire de la République Française et par les Gouvernements des Etats-Unis d'Amérique, du Royaume Uni et de l'Union des Républiques Socialistes Soviétiques, les quatre Gouvernements alliés prendront toutes mesures qu'ils jugeront nécessaires pour assurer la paix et la sécurité futures, y compris le désarmement total et la complète démilitarisation de l'Allemagne.

b)- Les Représentants Alliés imposeront à l'Allemagne toutes exigences additionnelles d'ordre politique, administratif, économique, financier, militaire et autres, qu'appellerait la défaite complète de l'Allemagne. Les Représentants Alliés ou les personnes ou organismes dûment qualifiés pour agir en

leur nom promulgueront les ordres, proclamations, ordonnances et instructions destinés à spécifier ces exigences additionnelles et à donner effet aux autres dispositions de la présente Déclaration. Toutes les autorités allemandes et le peuple allemand exécuteront sans condition les exigences des Représentants Alliés, et se conformeront totalement à tous ces ordres, proclamations, ordonnances et instructions.

ARTICLE 14.

La présente Déclaration entre en vigueur et prend ses effets à la date et à l'heure fixées ci-dessous. En cas de manquement de la part des autorités allemandes ou du peuple allemand à remplir sans délai et complètement les obligations imposées par le présent Acte ou par tous actes ultérieurs, les Représentants Alliés prendront toutes mesures qu'ils estimeront appropriées aux circonstances.

ARTICLE 15.

La présente Déclaration est rédigée en français, anglais, russe et allemand; seuls les textes français, anglais et russe sont authentiques.

(Date et année)

(Lieu)

(Heure de l'Europe Centrale)

Signé par les Représentants Alliés :

(Nom)..... (Titre)

(Nom)..... (Titre)

(Nom)..... (Titre)

(Nom)..... (Titre)

Supplementary agreement between the United States of America and the Republic of Haiti modifying the agreement of September 13, 1941, respecting Haitian finances. Signed at Port-au-Prince May 14, 1946.

May 14, 1946
[T. I. A. S. 1521]

**SUPPLEMENTARY EXECUTIVE ACCORD EXECUTIF ADDITIONNEL
AGREEMENT BETWEEN THE ENTRE LA REPUBLIQUE D'HAITI
REPUBLIC OF HAITI AND THE ET LES ETATS UNIS D'AMERIQUE
UNITED STATES OF AMERICA**

The undersigned representatives of the Governments of the United States of America and the Republic of Haiti, duly authorized by their respective Governments, have agreed upon the following Supplementary Executive Agreement modifying, for the fiscal year ending September 30, 1946, the provisions of Articles VI and VIII of the Executive Agreement of September 13, 1941:

Les soussignés représentant les Gouvernements des Etats-Unis d'Amérique et de la République d'Haiti, dûment autorisés par leur Gouvernement respectif ont conclu l'Accord Exécutif Additionnel suivant, modifiant pour l'exercice fiscal expirant le 30 Septembre 1946 les dispositions des articles 6 et 8 de l'Accord Exécutif du 13 Septembre 1941:

55 Stat. 1353, 1355.

SOLE ARTICLE

The provisions of the Executive Agreement of September 13, 1941 shall continue in full force and effect, except that for the period from October 1, 1945, to September 30, 1946, inclusive:

ARTICLE UNIQUE

Les dispositions de l'Accord Exécutif du 13 Septembre 1941 resteront en vigueur et produiront leurs pleins effets excepté que pour la période du premier octobre 1945 au 30 Septembre 1946 inclusive-ment:

55 Stat. 1348.

The Government of the Republic of Haiti agrees to pay a total of \$700,000 United States currency during the period October 1, 1945 to September 30, 1946, inclusive, on account of the amounts required to be paid under the loan contracts of October 6, 1922, and May 26, 1925, for the amortization of the loans of 1922 and 1923, notwithstanding the provisions of Article VI and Article VIII of the Executive Agreement of September 13, 1941.

Le Gouvernement de la République d'Haiti accepte de payer \$700,000 durant la période du 1er. Octobre 1945 au 30 Septembre 1946 inclusivement sur les montants dont le paiement est requis par les contrats d'emprunt des 6 Octobre 1922 et 26 Mai 1925 pour l'amortissement des emprunts de 1922 et 1923, nonobstant les dispositions des articles 6 et 8 de l'Accord Exécutif du 13 Septembre 1941.

55 Stat. 1353, 1355.

Provided, however, that \$400,000 of the \$700,000 mentioned in the preceding paragraph shall be paid not later than the end of the first half of the fiscal year ending September 30, 1946, and the remaining \$300,000 shall be paid only if the revenue situation and outlook of the finances of the Haitian Government at the end of the first half of the fiscal year ending September 30, 1946 indicate that the receipts for the entire fiscal year reach Gourdes 35,000,000, in which case the \$300,000 shall be paid in monthly installments of \$100,000 in May, June and July, 1946.

Pourvu cependant que \$400.000 des \$700.000 mentionnés au paragraphe précédent soient payés au plus tard à la fin des premiers six mois de l'exercice fiscal expirant le 30 Septembre 1946 et que la balance de \$300.000 soit payée seulement dans le cas où la situation et la perspective des revenus du Gouvernement Haitien à la fin des premiers six mois de l'exercice fiscal expirant le 30 Septembre 1946 indiquent que les recettes pour l'année fiscale entière atteindront la somme de 35.000.000 Gourdes auquel cas les \$300.000 seront payés par tranches mensuelles de \$100.000 aux mois de Mai, Juin et Juillet 1946.

Signed at Port-au-Prince, Haiti in duplicate, in the English and French languages, this 14th day of May nineteen hundred and forty six.

Fait de bonne foi en double, en Français et en Anglais, à Port-au-Prince, le 14 mai mil neuf cent quarante six.

ORME WILSON
[SEAL]

A. LEVELT
[SEAL]

Agreement between the United States of America and Venezuela respecting a military mission. Signed at Washington June 3, 1946; effective June 3, 1946.

June 3, 1946
[T. I. A. S. 1522]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED STATES OF VENEZUELA

ACUERDO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA Y EL GOBIERNO DE LOS ESTADOS UNIDOS DE VENEZUELA

In conformity with the request of the Government of the United States of Venezuela to the Government of the United States of America, the President of the United States of America has authorized the appointment of officers and enlisted men to constitute a Military Mission to the United States of Venezuela under the conditions specified below.

De conformidad con la solicitud del Gobierno de los Estados Unidos de Venezuela al Gobierno de los Estados Unidos de América, el Presidente de los Estados Unidos de América ha autorizado el nombramiento de oficiales y personal subalternó para constituir una Misión Militar a los Estados Unidos de Venezuela de acuerdo con las condiciones estipuladas a continuación.

TITLE I

TÍTULO I

Purpose and Duration

Objeto y Duración

ARTICLE 1. The purpose of this Mission is to cooperate with the Ministry of War and Marine of the United States of Venezuela and with the personnel of the Venezuelan Army with a view to enhancing the latter's technical efficiency.

ARTÍCULO 1. El objeto de esta Misión es cooperar con el Ministerio de Guerra y Marina de los Estados Unidos de Venezuela y con el personal del Ejército venezolano con el fin de acrecentar la eficiencia técnica de éste.

ARTICLE 2. This Mission shall continue for a period of two years from the date of the signing of this Agreement, unless previously terminated or extended as hereinafter provided. Any member of the Mission may be recalled by the Government of the United States of America after the expiration of two years of service, in which case another member shall be furnished to replace him. For its part, the

ARTÍCULO 2. La Misión durará dos años a partir de la fecha de la firma de este Acuerdo, a menos que se dé por terminado antes o que se prorrogue, en la forma prevista más adelante. Cualquier miembro de la Misión podrá ser retirado por el Gobierno de los Estados Unidos de América después de transcurridos dos años de servicio, y en ese caso se nombrará a otro miembro en su lugar. A su vez,

Government of the United States of Venezuela may, under the same conditions, request the replacement of any member of the Mission.

Extension of services of Mission.

ARTICLE 3. If the Government of the United States of Venezuela should desire that the services of the Mission be extended beyond the stipulated period, it shall make a written proposal to that effect six months before the expiration of this Agreement.

Termination of Agreement.

ARTICLE 4. This Agreement may be terminated before the expiration of the period of two years prescribed in Article 2, or before the expiration of the extension authorized in Article 3, in the following manner:

(a) By either of the Governments, subject to three months' written notice to the other Government;

(b) By the recall of the entire personnel of the Mission by the Government of the United States of America or by that of the United States of Venezuela, in the public interest of the United States of America or of the United States of Venezuela, without necessity of compliance with provision (a) of this Article.

Cancellation in case of hostilities.

ARTICLE 5. This Agreement is subject to cancellation by either of the two Governments in the event that one of them is involved in a civil or foreign war.

el Gobierno de los Estados Unidos de Venezuela podrá, dentro de las mismas condiciones, solicitar el reemplazo de cualquier miembro de la Misión.

ARTÍCULO 3. Si el Gobierno de los Estados Unidos de Venezuela deseara que se prorroguen los servicios de la Misión más allá del período estipulado, hará una propuesta por escrito con este objeto seis meses antes de la expiración de este Acuerdo.

ARTÍCULO 4. Este Acuerdo podrá terminarse antes de la expiración del período de dos años prescrito en el Artículo 2, o antes de expirar la prórroga autorizada en el Artículo 3, de la manera siguiente:

(a) Por cualquiera de los dos Gobiernos, siempre que notifique por escrito al otro Gobierno con tres meses de anticipación;

(b) Al retirar el Gobierno de los Estados Unidos de América o el Gobierno de los Estados Unidos de Venezuela a todo el personal de la Misión en interés público de los Estados Unidos de América o de los Estados Unidos de Venezuela, sin necesidad de cumplir con el inciso (a) de este Artículo.

ARTÍCULO 5. Este Acuerdo está sujeto a cancelación por cualquiera de los dos Gobiernos en caso de que uno de ellos se vea envuelto en una guerra civil o extranjera.

TITLE II

Composition and Personnel

ARTICLE 6. This Mission shall consist of such personnel of the United States Army as may be agreed upon by the Ministry of War and Marine of the United States of Venezuela, through its

TÍTULO II

Organización y Personal

ARTÍCULO 6. Esta Misión consistirá de aquel personal del Ejército de los Estados Unidos que convengan el Ministerio de Guerra y Marina de los Estados Unidos de Venezuela por conducto de su

authorized representative in Washington, and by the War Department of the United States of America.

representante autorizado en Washington, y la Secretaría de Guerra de los Estados Unidos de América.

TITLE III

TÍTULO III

Duties, Rank and Precedence *Deberes, Graduación y Precedencia*

ARTICLE 7. The personnel of the Mission shall perform such duties as may be agreed upon between the Ministry of War and Marine of the United States of Venezuela and the Chief of the Mission, it being understood that the members of the Mission shall, during the period that they are at the disposal of the Venezuelan Government, act only as Instructors and that they shall not intervene in matters of command, discipline and administration of the Venezuelan Army, which matters are incumbent solely upon the military authorities of Venezuela.

ARTÍCULO 7. El personal de la Misión desempeñará los deberes que convengan el Ministerio de Guerra y Marina de los Estados Unidos de Venezuela y el Jefe de la Misión, entendiéndose que los miembros de la Misión, durante el período en que estén a disposición del Gobierno Venezolano, actuarán sólo como Instructores y no intervendrán en asuntos de comando, disciplina, y administración del Ejército Venezolano, asuntos que incumben únicamente a las autoridades militares de Venezuela.

ARTICLE 8. The members of the Mission shall be responsible solely to the Ministry of War and Marine of the United States of Venezuela, through the Chief of the Mission.

ARTÍCULO 8. Los miembros de la Misión serán responsables solamente al Ministerio de Guerra y Marina de los Estados Unidos de Venezuela por conducto del Jefe de la Misión.

ARTICLE 9. Each member of the Mission shall serve on it with the rank he holds in the United States Army and shall wear the uniform of his rank in the United States Army, but in view of the mission of instruction which they are to perform they shall have precedence over Venezuelan officers of the same rank, except in cases where, because of the importance of the post held by the Venezuelan officer, Venezuelan military protocol provides for the contrary.

ARTÍCULO 9. Cada miembro de la Misión servirá en ella con la graduación que tenga en el Ejército de los Estados Unidos y usará el uniforme correspondiente a su graduación en el Ejército de los Estados Unidos, pero en vista de la tarea instructiva que le corresponde cumplir, tendrá precedencia sobre los oficiales venezolanos de la misma graduación, excepto en casos en que, debido a la importancia del puesto ocupado por el oficial venezolano, el protocolo militar venezolano disponga lo contrario.

ARTICLE 10. Each member of the Mission shall be entitled to all benefits and privileges which the laws and regulations of the Vene-

ARTÍCULO 10. Cada miembro de la Misión tendrá derecho a todos los beneficios y privilegios que las leyes y reglamentos del Ejército

Benefits and privileges.

zuelan Army provide for Venezuelan officers and subordinate personnel of corresponding rank.

Venezolano otorgan a los oficiales venezolanos y al personal subalterno de la graduación correspondiente.

Disciplinary regulations.

ARTICLE 11. The personnel of the Mission shall be governed by the disciplinary regulations of the United States Army.

ARTÍCULO 11. El personal de la Misión se regirá por los reglamentos disciplinarios del Ejército de los Estados Unidos de América.

TITLE IV

Compensation and Perquisites

ARTICLE 12. Members of the Mission shall receive from the Government of the United States of Venezuela such net annual compensation as may be agreed upon between the Government of the United States of America and the Government of the United States of Venezuela for each member. This compensation shall be paid in twelve (12) equal monthly instalments, each due and payable on the last day of the month. The compensation shall not be subject to any tax now or hereafter in effect in Venezuela or in any of its political or administrative subdivisions. However, should there be, while this Agreement is in effect, any taxes that might affect this compensation, such taxes shall be borne by the Ministry of War and Marine of the United States of Venezuela in order to comply with the provision of this Article that the compensation agreed upon shall be net.

Tax exemption.

ARTICLE 13. The compensation agreed upon as indicated in the preceding Article shall commence upon the date of departure from the United States of America of each member of the Mission and, except as otherwise expressly provided in this Agreement, shall continue, following the termination of duty with the Mission, for the return voyage to the United

TÍTULO IV

Remuneración y Obvenciones

ARTÍCULO 12. Los miembros de la Misión recibirán del Gobierno de los Estados Unidos de Venezuela la remuneración neta anual que acuerden el Gobierno de los Estados Unidos de América y el Gobierno de los Estados Unidos de Venezuela para cada miembro. Se abonará esta remuneración en doce (12) mensualidades iguales, que vencen y deben pagarse el día último de cada mes. La remuneración no estará sujeta a impuesto alguno ahora en vigor o que se imponga en el futuro en Venezuela o en cualquiera de sus dependencias políticas o administrativas. Sin embargo, si durante la vigencia de este Acuerdo existieren impuestos que pudiesen afectar esta remuneración, tales impuestos serán pagados por el Ministerio de Guerra y Marina de los Estados Unidos de Venezuela a fin de cumplir con la disposición de este Artículo de que la remuneración convenida será neta.

ARTÍCULO 13. La remuneración que se convenga según se indica en el Artículo precedente comenzará a devengarse desde la fecha en que cada miembro de la Misión parta de los Estados Unidos de América y, salvo lo que expresamente se dispone en contrario en este Acuerdo, continuará después de la terminación de sus deberes con la Misión, durante el viaje de

States of America and thereafter for the period of any accumulated leave which may be due.

ARTICLE 14. The compensation due for the period of the return trip and accumulated leave shall be paid to a detached member of the Mission before his departure from Venezuela, and such payment shall be computed for travel by the shortest usually traveled route to the port of entry in the United States of America, regardless of the route and method of travel used by the member of the Mission.

ARTICLE 15. Each member of the Mission and his family shall be furnished by the Government of the United States of Venezuela with first-class accommodations for travel, via the shortest usually traveled route, required and performed under this Agreement, between the port of embarkation in the United States of America and his official residence in Venezuela, both for the outward and for the return voyage. The Government of the United States of Venezuela shall also pay all expenses of shipment of household effects, baggage and automobile of each member of the Mission between the port of embarkation in the United States of America and his official residence in Venezuela, as well as all expenses incidental to the transportation of such household effects, baggage and automobile from Venezuela to the port of entry in the United States of America. Transportation of such household effects, baggage and automobile shall be effected in one shipment, and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise

regreso a los Estados Unidos de América y por el período que dure cualquier licencia acumulada a que tenga derecho.

ARTÍCULO 14. La remuneración que se aduede por el período que dure el viaje de regreso y por el de la licencia acumulada se le pagará al miembro de la Misión a quien se retire, antes de su partida de Venezuela y el pago se calculará a base de viaje por la ruta ordinaria más corta hasta el puerto de entrada a los Estados Unidos de América, no importa qué ruta y qué sistema de transporte utilice el miembro de la Misión.

ARTÍCULO 15. El Gobierno de los Estados Unidos de Venezuela proporcionará a cada miembro de la Misión y a su familia pasaje de primera clase, por la ruta ordinaria más corta para el viaje que se requiera y que se efectúe de conformidad con este Acuerdo, entre el puerto de embarque en los Estados Unidos de América y su residencia oficial en Venezuela, tanto para el viaje de ida como para el de regreso. El Gobierno de los Estados Unidos de Venezuela pagará también todos los gastos de transporte de los efectos domésticos, equipaje y automóvil de cada miembro de la Misión entre el puerto de embarque en los Estados Unidos de América y su residencia oficial en Venezuela, y todos los gastos inherentes al transporte de dichos efectos domésticos, equipaje y automóvil desde Venezuela hasta el puerto de entrada en los Estados Unidos de América. El transporte de estos efectos domésticos, equipaje y automóvil se efectuará en un solo embarque, y todos los embarques sucesivos correrán por cuenta de los respectivos miembros de la Misión, excepto lo que se disponga en contrario en este

Travel accommodations.

Shipment of household effects, etc.

provided in this Agreement, or when such shipments are necessitated by circumstances beyond their control. Payment of expenses for the transportation of families, household effects and automobiles, in the case of personnel who may join the Mission for the temporary duty at the request of the Ministry of War and Marine of the United States of Venezuela, shall not be required under this Agreement, but shall be determined by negotiations between the War Department of the United States of America and the authorized representative of the Ministry of War and Marine of the United States of Venezuela in Washington at such time as the detail of personnel for such temporary duty may be agreed upon.

Customs duties.

ARTICLE 16. The Government of the United States of Venezuela shall annually establish a fund not to exceed 25 percent of the aggregate of the annual salaries of the members of the Mission to cover the cost of customs duties for articles imported for the personal use of the members of the Mission and their families. Expenditures from this fund shall be made only on the approval of the Chief of the Mission.

ARTÍCULO 16. El Gobierno de los Estados Unidos de Venezuela establecerá anualmente un fondo que no excederá del 25 por ciento de la totalidad del salario anual de los miembros de la Misión, para cubrir los derechos de aduana de artículos que se importen para uso personal de los miembros de la Misión y sus familias. Sólo se harán desembolsos de este fondo con la aprobación del Jefe de la Misión.

Termination of services; transportation costs.

ARTICLE 17. If the services of any member of the Mission should be terminated for any reason whatsoever before the completion of two years of service, the Government of the United States of Venezuela shall not be obligated to pay the cost of the return to the United States of America of such member, his family, household effects and baggage. It shall in any case pay the costs involved in the movement of the individual's automobile from Venezuela to the port of entry in the United

ARTÍCULO 17. Si antes de completarse dos años de servicio se terminaren los servicios de cualquier miembro de la Misión, por la razón que fuere, el Gobierno de los Estados Unidos de Venezuela no estará obligado a costear el viaje de regreso a los Estados Unidos de América de dicho miembro, su familia, efectos domésticos y equipaje. Pagará en todo caso los gastos que resulten de transportar el automóvil de dicho individuo desde Venezuela hasta el puerto de entrada en los

States of America. Neither shall it be obligated to pay the cost of transporting the replacement for a Mission member whose services are so terminated, his family, household effects and baggage, but costs involved in the movement of the replacement's automobile from the port of embarkation in the United States of America to his official residence in Venezuela shall be borne by the Government of the United States of Venezuela.

ARTICLE 18. Compensation for transportation and traveling expenses in Venezuelan territory on official business of the Venezuelan Government shall be provided by the Government of the United States of Venezuela in accordance with the provisions of Article 10.

ARTICLE 19. The Government of the United States of Venezuela shall provide the Chief of the Mission with a suitable automobile with chauffeur, for use on official business of the Mission.

ARTICLE 20. The Government of the United States of Venezuela shall provide suitable office space and facilities for the use of the members of the Mission.

ARTICLE 21. If any member of the Mission, or any of his family, should die in Venezuela, the Government of the United States of Venezuela shall have the body transported to such place in the United States of America as the surviving members of the family may decide, but the cost to the Government of the United States of Venezuela shall not exceed the cost of transporting the remains from the place of decease to New York City. Should the deceased be a member of the Mission, his

Estados Unidos de América. Tampoco estará obligado a sufragar los gastos de transporte del que venga a reemplazar a un miembro de la Misión cuyos servicios terminan, de su familia, su equipaje y sus efectos domésticos, pero los gastos que resulten del transporte del automóvil del reemplazo, desde el puerto de embarque en los Estados Unidos de América hasta su residencia oficial en Venezuela, deberá sufragarlos el Gobierno de los Estados Unidos de Venezuela.

ARTÍCULO 18. El Gobierno de los Estados Unidos de Venezuela proveerá compensación por gastos de transporte y de viaje en territorio venezolano cuando se trate de asuntos oficiales del Gobierno venezolano, de acuerdo con las disposiciones del Artículo 10.

ARTÍCULO 19. El Gobierno de los Estados Unidos de Venezuela proporcionará al Jefe de la Misión un automóvil adecuado con chófer para la tramitación de asuntos oficiales de la Misión.

ARTÍCULO 20. El Gobierno de los Estados Unidos de Venezuela proporcionará una oficina adecuada, equipada debidamente, para uso de los miembros de la Misión.

ARTÍCULO 21. Si cualquier miembro de la Misión, o cualquier miembro de su familia falleciere en Venezuela, el Gobierno de los Estados Unidos de Venezuela hará trasladar los restos hasta el lugar de los Estados Unidos de América que determinen los familiares sobrevivientes, pero el costo para el Gobierno de los Estados Unidos de Venezuela no excederá del costo del traslado de los restos desde el lugar del fallecimiento hasta la ciudad de Nueva York. Si el fallecido fuere uno de los

Ante, p. 1679.

Motor transportation, etc.

Office space, etc.

Transportation of remains in case of death.

Return transportation for family.

Art. p. 1681.
Compensation due deceased member.

services with the Mission shall be considered to have terminated fifteen (15) days after his death. Return transportation to New York City for the family of the deceased member and for their baggage, household effects and automobile shall be provided as prescribed in Article 15. All compensation due the deceased Mission member, including salary for fifteen (15) days subsequent to his death, and reimbursement for expenses and transportation due the deceased member for travel performed on official business of the Government of the United States of Venezuela, shall be paid to the widow of the deceased member or to any person who may have been designated in writing by the deceased while serving under the terms of this Agreement; but such widow or other person shall not be compensated for accrued leave due and not taken by the deceased. All compensations due the widow, or other person designated by the deceased, under the provisions of this Article, shall be paid within fifteen (15) days of the decease of the said member.

miembros de la Misión, se considerará que sus servicios han terminado quince (15) días después de su muerte. Se proporcionará transporte de regreso a la ciudad de Nueva York para la familia del miembro fallecido y para su equipaje, efectos domésticos y automóvil, de acuerdo con las disposiciones del Artículo 15. Toda remuneración que se adeude al miembro fallecido, incluso su salario por los quince (15) días siguientes a su muerte y cualquier reembolso que se le adeude por gastos y transporte en viajes realizados en asuntos oficiales del Gobierno de los Estados Unidos de Venezuela, se pagarán a la viuda del miembro fallecido o a cualquiera otra persona que el finado haya designado por escrito mientras servía de conformidad con los términos de este Acuerdo; pero no se pagará a la viuda ni a la otra persona por cualquier licencia acumulada a que tuviere derecho el finado y que no haya disfrutado. Toda remuneración que de conformidad con las disposiciones de este Artículo se adeude a la viuda o a la otra persona designada por el finado, se pagará dentro de quince (15) días después de la muerte del miembro de la Misión.

TITLE V

Requisites and Conditions

ARTICLE 22. So long as this Agreement, or any extension thereof, is in effect, the Government of the United States of Venezuela shall not engage the services of any personnel of any other foreign government for duties of any nature connected with the Venezuelan Army except by mutual agreement with the Government of the United States of America.

TÍTULO V

Requisitos y Condiciones

ARTÍCULO 22. Mientras esté en vigor este Acuerdo o cualquier prórroga del mismo, el Gobierno de los Estados Unidos de Venezuela no contratará personal de ningún otro gobierno extranjero para prestar servicios de ninguna naturaleza relacionados con el Ejército Venezolano, excepto por acuerdo mutuo con el Gobierno de los Estados Unidos de América.

Services of personnel of other foreign governments, restriction.

ARTICLE 23. Each member of the Mission shall agree not to divulge or in any way disclose to any foreign government or to any person whatsoever any secret or confidential matter of which he may become cognizant in his capacity as a member of the Mission. This requirement shall continue in force after the termination of service with the Mission and after the expiration or cancellation of this Agreement or any extension thereof.

ARTICLE 24. All writings and inventions made by members of the Mission in connection with and as a result of the performance of official duties as members of the Mission shall be the exclusive property of the Venezuelan Army, provided however that the United States of America shall have the right to publish, use and sell such writings, and to make, have made, use and sell or otherwise dispose of such inventions without payment of royalties to the United States of Venezuela or to the author or inventor.

ARTICLE 25. Throughout this Agreement the term "family" is limited to mean wife and dependent children.

ARTICLE 26. Each member of the Mission shall be entitled to one month's annual leave with pay, or to a proportional part thereof with pay for any fractional part of a year. Unused portions of said leave shall be cumulative from year to year during service as a member of the Mission.

ARTICLE 27. The leave specified in the preceding Article may be spent in Venezuela, in the United

ARTÍCULO 23. Cada miembro de la Misión se comprometerá a no divulgar, ni revelar por ningún medio a gobierno extranjero alguno, o a persona alguna, ningún secreto ni asunto confidencial que pueda llegar a su conocimiento en su capacidad de miembro de la Misión. Este requisito continuará siendo obligatorio aún después de terminar el servicio con la Misión y después de la expiración o cancelación del presente Acuerdo o de cualquier prórroga del mismo.

ARTÍCULO 24. Todos los escritos e inventos que hagan los miembros de la Misión en conexión con el cumplimiento de sus deberes oficiales como miembros de la Misión, o como resultado del mismo, serán propiedad exclusiva del Ejército Venezolano, disponiéndose, sin embargo, que los Estados Unidos de América tendrán derecho a publicar, utilizar y vender tales escritos, y a fabricar, hacer que se fabriquen, utilizar, vender o de otro modo disponer de tales inventos sin pagar regalías a los Estados Unidos de Venezuela, o al autor o inventor.

ARTÍCULO 25. En todo este Acuerdo se entenderá que el término "familia" sólo comprende a la esposa y a los hijos no emancipados.

ARTÍCULO 26. Cada miembro de la Misión tendrá derecho anualmente a un mes de licencia con goce de sueldo, o a una parte proporcional de dicha licencia con sueldo por cualquier fracción de un año. Las partes de dicha licencia que no se usaren podrán acumularse de año en año mientras la persona preste servicio como miembro de la Misión.

ARTÍCULO 27. La licencia que se estipula en el Artículo anterior podrá disfrutarse en Venezuela,

Secrecy requirement.

Writings and inventions.

"Family."

Annual leave.

States of America, or in other countries, but the expense of travel and transportation not otherwise provided for in this Agreement shall be borne by the member of the Mission taking such leave. All travel time shall count as leave and shall not be in addition to the time authorized in the preceding Article.

ARTICLE 28. The Government of the United States of Venezuela agrees to grant the leave specified in Article 26 upon receipt of written application, approved by the Chief of the Mission, with due consideration for the convenience of the Government of the United States of Venezuela.

ARTICLE 29. Members of the Mission that may be replaced shall terminate their services on the Mission only upon the arrival of their replacements, except when otherwise mutually agreed upon in advance by the respective Governments.

ARTICLE 30. The Government of the United States of Venezuela shall provide for the members of the Mission free medical attention in the Venezuelan military and naval hospitals, and it shall also establish annually a fund which shall not exceed twenty percent (20%) of the total amount of the annual salaries of the members of the Mission for their medical attention and that of their families when, with the approval of the Ministry of War and Marine, hospitals are utilized that are not military or naval hospitals of Venezuela. If the member of the Mission who is hospitalized is an officer or a member of his family, the officer concerned shall pay

en los Estados Unidos de América, o en otros países, pero los gastos de viaje y de transporte que no sean abonables según las disposiciones de este Acuerdo correrán por cuenta del miembro de la Misión que disfrute la licencia. Todo el tiempo que se emplee en viajar se contará como parte de la licencia, y no se añadirá al tiempo que se autoriza en el Artículo precedente.

ARTÍCULO 28. El Gobierno de los Estados Unidos de Venezuela conviene en conceder la licencia estipulada en el Artículo 26 al recibir una solicitud escrita con ese objeto, aprobada por el Jefe de la Misión, para lo cual se considerará la conveniencia del Gobierno de los Estados Unidos de Venezuela.

ARTÍCULO 29. Los miembros de la Misión que sean reemplazados terminarán sus servicios en la Misión solamente cuando lleguen sus reemplazos, excepto cuando los dos gobiernos convengan de antemano lo contrario.

ARTÍCULO 30. El Gobierno de los Estados Unidos de Venezuela proporcionará a los miembros de la Misión atención médica gratuita en los hospitales militares y navales venezolanos, y además establecerá anualmente un fondo que no excederá del veinte por ciento (20%) de la suma total de los salarios anuales de los miembros de la Misión, para la atención médica de éstos y de sus familias en casos en que, con la aprobación del Ministerio de Guerra y Marina, se utilicen hospitales que no sean los militares o navales de Venezuela. Si el miembro de la Misión hospitalizado fuere un oficial o un miembro de su familia, dicho oficial pagará sus gastos de

Termination of services of replaced member.

Medical attention.

for his subsistence, but if it is a member of the subordinate personnel the Government of the United States of Venezuela shall pay for his subsistence. The Government of the United States of Venezuela will not be responsible for charges for services of this character incurred outside of Venezuela. The expenditures from this fund shall be made only at the request of the Chief of the Mission. The Government of the United States of Venezuela shall not be responsible for indemnifications for professional risks.

ARTICLE 31. Any member of the Mission unable to perform his duties with the Mission by reason of long continued physical disability shall be replaced.

IN WITNESS WHEREOF, the undersigned, James F. Byrnes, Secretary of State of the United States of America, and A. Machado-Hernández, Ambassador Extraordinary and Plenipotentiary of the United States of Venezuela in Washington, duly authorized thereto, have signed this Agreement in duplicate, in the English and Spanish languages, in Washington, this third day of June, one thousand nine hundred forty-six.

subsistencia, pero si se tratare de un miembro del personal subalterno, los pagará el Gobierno de los Estados Unidos de Venezuela. Éste no será responsable de gastos incurridos fuera de Venezuela por servicios de esta naturaleza. Los desembolsos de dicho fondo se harán únicamente a solicitud del Jefe de la Misión. El Gobierno de los Estados Unidos de Venezuela no será responsable de indemnizaciones por riesgos profesionales.

ARTÍCULO 31. Se reemplazará a cualquier miembro de la Misión que no puede desempeñar sus deberes en la misma por razón de prolongada inhabilidad física.

EN TESTIMONIO DE LO CUAL, los infrascritos, James F. Byrnes, Secretario de Estado de los Estados Unidos de América, y A. Machado-Hernández, Embajador Extraordinario y Plenipotenciario de los Estados Unidos de Venezuela en Washington, debidamente autorizados para ello, firman este Acuerdo en duplicado, en los idiomas inglés y español, en Washington, hoy día tres de junio de mil novecientos cuarenta y seis.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA:

[SEAL]

JAMES F BYRNES

FOR THE GOVERNMENT OF THE UNITED STATES OF VENEZUELA:
POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE VENEZUELA:

[SEAL]

A MACHADO HERNANDEZ

Replacement in case of disability.

January 28 and
February 9, 1946
[T. I. A. S. 1524]

Agreement between the United States of America and the Netherlands respecting the purchase of natural rubber. Effected by exchange of notes signed at Washington January 28 and February 9, 1946.

The Secretary of State to the Netherlands Ambassador

DEPARTMENT OF STATE
WASHINGTON
Jan 28 1946

EXCELLENCY :

I have the honor to inform Your Excellency that the Government of the United States of America is prepared to enter into an agreement for the purchase of all natural rubber allocated from all Netherlands areas in the Far East to the United States of America by the Combined Raw Materials Board, or successor body, according to the following terms:

The Rubber Development Corporation, which is the agency of the Government of the United States of America which has been designated to negotiate for and effect the purchase of all natural rubber allocated to the United States of America by the Combined Raw Materials Board or successor body, shall purchase from the Government of the Netherlands all natural rubber which has been or shall be so allocated from all Netherlands areas in the Far East at a price of 20 $\frac{1}{4}$ cents United States currency per pound for standard top grades with appropriate differentials for other types and grades, at Far Eastern port free on board ocean going steamer destined for United States port. This price shall be paid on all rubber covered by ocean bills of lading bearing dates between September 2, 1945 (VJ Day) and June 30, 1946, inclusive. Payment for such rubber will be effected by the opening of an appropriate letter or letters of credit in favor of such agency of the Government of the Netherlands as shall be designated (or such other method of payment as may be mutually agreed upon); which letters of credit shall provide for payment against shipping documents endorsed "on board" ocean going steamer evidencing that the rubber has been shipped consigned to "Reconstruction Finance Corporation, 15 Williams Street, New York 5, New York". Quality and weights shall be as determined upon inspection and weighing at United States port.

This note, together with your reply indicating acceptance by the Government of the Netherlands of the offer contained herein, shall be deemed by the Government of the United States of America as bringing the above agreement into full force and effect. The Rubber

Purchase price.

Payment for rubber.

Quality and weights.

Development Corporation will execute with the appropriate authority of the Government of the Netherlands a contract embodying the details of the above agreement.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

WILLIAM L. CLAYTON

His Excellency

Dr. A. LOUDON,

Ambassador of the Netherlands.

The Netherlands Ambassador to the Secretary of State

NETHERLANDS EMBASSY
WASHINGTON, D. C.

No. 937

9 FEBRUARY, 1946

SIR,

I have the honor to acknowledge the receipt of Your Excellency's note of January 28, 1946 expressing the willingness on the part of the United States Government to enter into an agreement, upon the terms as set forth therein, for the purchase of all natural rubber allocated from all Netherlands areas in the Far East to the United States of America by the Combined Raw Materials Board or successor body.

Acting upon instructions from my Government I have the honor to convey to Your Excellency my Government's acceptance of the offer in accordance with the stipulations contained in Your Excellency's above-mentioned note.

Accept, Excellency the renewed assurance of my highest consideration.

A. LOUDON

The Honorable

the Secretary of State

Washington, D. C.

January 28 and
February 7, 1946
[T. I. A. S. 1525]

Agreement between the United States of America and France respecting the purchase of natural rubber. Effected by exchange of notes signed at Washington January 28 and February 7, 1946.

The Secretary of State to the French Ambassador

DEPARTMENT OF STATE
WASHINGTON
Jan 28 1946

EXCELLENCY:

I have the honor to inform Your Excellency that the Government of the United States of America is prepared to enter into an agreement for the purchase of all natural rubber allocated from all French areas in the Far East to the United States of America by the Combined Raw Materials Board, or successor body, according to the following terms:

The Rubber Development Corporation, which is the agency of the Government of the United States of America which has been designated to negotiate for and effect the purchase of all natural rubber allocated to the United States of America by the Combined Raw Materials Board or successor body, shall purchase from the Government of France all natural rubber which has been or shall be so allocated from all French areas in the Far East at a price of 20¼ cents United States currency per pound for standard top grades with appropriate differentials for other types and grades, at Far Eastern port free on board ocean going steamer destined for United States port. This price shall be paid on all rubber covered by ocean bills of lading bearing dates between September 2, 1945 (VJ Day) and June 30, 1946, inclusive. Payment for such rubber will be effected by the opening of an appropriate letter or letters of credit in favor of such agency of the Government of France as shall be designated (or such other method of payment as may be mutually agreed upon); which letters of credit shall provide for payment against shipping documents endorsed "on board" ocean going steamer evidencing that the rubber has been shipped consigned to "Reconstruction Finance Corporation, 15 Williams Street, New York 5, New York". Quality and weights shall be as determined upon inspection and weighing at United States port.

Purchase price.

Payment for rubber.

Quality and weights.

This note, together with your reply indicating acceptance by the Government of France of the offer contained herein, shall be deemed by the Government of the United States of America as bringing the above agreement into full force and effect. The Rubber Development

Corporation will execute with the appropriate French authority a contract embodying the details of the above agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

WILLIAM L. CLAYTON

His Excellency

HENRI BONNET,

Ambassador of France.

The French Ambassador to the Secretary of State

AMBASSADE DE FRANCE
AUX ETATS-UNIS

CA/RL

WASHINGTON, le 7 Février 1946.

NO 100

MONSIEUR LE SECRÉTAIRE D'ETAT,

J'ai l'honneur d'accuser réception à Votre Excellence de Sa note du 28 Janvier 1946, et de lui faire savoir que le Gouvernement Français est disposé à conclure un accord pour la vente du caoutchouc naturel, en provenance des territoires français d'Extrême-Orient, qui sera alloué aux Etats-Unis par le "Combined Raw Materials Board" ou l'organisme qui lui succèdera, aux conditions suivantes:

Le Gouvernement Français vendra à la "Rubber Development Corporation", organisme américain qui a été désigné aux fins de négocier et d'effectuer l'achat de tout caoutchouc naturel alloué aux Etats-Unis d'Amérique par le "Combined Raw Materials Board" ou l'organisme qui lui succèdera, tout le caoutchouc naturel qui a été ou sera alloué aux Etats-Unis, en provenance des territoires français d'Extrême-Orient, au prix de 20¼ cts (en monnaie des Etats-Unis) la livre, pour les qualités dites "Standard top grades", avec des différences appropriées pour les autres types et qualités, livré f.o.b. dans les ports d'Extrême-Orient, sur vaisseaux hauturiers, à destination d'un port des Etats-Unis. Ce prix devra être payé pour toutes les quantités de caoutchouc mentionnées dans les connaissements maritimes portant une date comprise entre le 2 septembre 1945 (V-J Day) et le 30 juin 1946 inclus. Le paiement en sera effectué par l'ouverture de lettres de crédit en faveur de tel organisme qui sera désigné par le Gouvernement français, ou suivant tel autre mode de paiement dont les deux gouvernements viendraient à adopter le principe d'un commun accord. Ces lettres de crédit devront stipuler que le paiement interviendra contre remise des documents de marine marchande endossés à bord de vaisseaux hauturiers, et fournissant la preuve que le caoutchouc a été consigné à la "Reconstruction Finance Corporation", 15 William Street, New York 5, New York. La qualité et le poids seront ceux qui auront été établis après inspection et pesée dans un port des Etats-Unis.

Le Gouvernement français considère que la présente note, répondant à la note de Votre Excellence en date du 28 janvier 1946, donne

force exécutoire à l'accord dont les conditions sont exposées ci-dessus. Les autorités françaises compétentes passeront avec la "Rubber Development Corporation" un contrat fixant les modalités d'application de cet accord./.

Je prie Votre Excellence de bien vouloir agréer les assurances de ma très haute considération.

H BONNET

Son Excellence

l'HONORABLE JAMES F. BYRNES,
Secrétaire d'Etat des Etats-Unis,
Washington, D. C.

Translation

EMBASSY OF FRANCE
IN THE UNITED STATES

CA/RL
NO. 100

WASHINGTON, February 7, 1946.

MR. SECRETARY OF STATE:

Ante, p. 1690.

I have the honor to acknowledge the receipt of Your Excellency's note of January 28, 1946, and to inform you that the French Government is disposed to conclude an agreement for the sale of natural rubber coming from the French territories in the Far East allocated to the United States by the "Combined Raw Materials Board" or the entity succeeding it, on the following conditions:

The French Government shall sell to the "Rubber Development Corporation," the American agency that has been designated for the purpose of negotiating and effecting the purchase of all natural rubber allocated to the United States of America by the "Combined Raw Materials Board" or the entity succeeding it, all the natural rubber which has been or shall be allocated to the United States coming from the French territories of the Far East, at the price of 20¼ cents (in money of the United States) per pound, for the qualities called "Standard top grades," with appropriate differences for other types and qualities, delivered f.o.b. in the ports of the Far East, on seagoing vessels bound for a United States port. This price shall be paid for all the quantities of rubber mentioned in marine bills of lading bearing a date between September 2, 1945, (V-J Day) and June 30, 1946, inclusive. Payment for them will be executed by the opening of letters of credit in favor of such entity as shall be designated by the French Government or in accordance with some other mode of payment the principle of which the two governments may adopt by mutual agreement. These letters of credit shall stipulate that payment will be made against delivery of merchant marine documents endorsed on board seagoing ships and furnishing proof that the rubber has been consigned to the "Reconstruction Finance Corporation", 15 Williams Street, New York 5, New York. The quality and the weight shall be those that have been established after inspection and weighing in a port of the United States.

The French Government considers that the present note, in answer to Your Excellency's note of January 28, 1946, gives executive force to the agreement the terms of which are set forth above. The competent French authorities will enter into a contract with the "Rubber Development Corporation" fixing the modalities of application of this agreement.

Ante, p. 1690.

I beg Your Excellency to be good enough to accept the assurances of my very high consideration.

H. BONNET

His Excellency

The Honorable JAMES F. BYRNES
Secretary of State of the United States,
Washington, D.C.

January 28 and
March 1, 1946
[T. I. A. S. 1526]

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting the purchase of natural rubber. Effected by exchange of notes signed at Washington January 28 and March 1, 1946.

The Secretary of State to the British Ambassador

DEPARTMENT OF STATE
WASHINGTON

Jan 28 1946

EXCELLENCY:

I have the honor to inform Your Excellency that the Government of the United States of America is prepared to enter into an agreement for the purchase of all natural rubber allocated from all British areas in the Far East to the United States of America by the Combined Raw Materials Board, or successor body, according to the following terms:

The Rubber Development Corporation, which is the agency of the Government of the United States of America which has been designated to negotiate for and effect the purchase of all natural rubber allocated to the United States of America by the Combined Raw Materials Board or successor body, shall purchase from the British Government all natural rubber which has been or shall be so allocated from all British areas in the Far East at a price of 20 $\frac{1}{4}$ cents United States currency per pound for standard top grades with appropriate differentials for other types and grades, at Far Eastern port free on board ocean going steamer destined for United States port. In the case of Ceylon this price shall be paid only on rubber covered by ocean bills of lading bearing a date between January 1, 1946 and March 31, 1946, inclusive. In the case of all other areas in the Far East, this price shall be paid on rubber covered by ocean bills of lading bearing dates between September 2, 1945 (V-J Day) and March 31, 1946, inclusive. Payment for such rubber will be effected by the opening of an appropriate letter or letters of credit in favor of such agency of the British Government as shall be designated, which letters of credit shall provide for payment against shipping documents endorsed "on board" ocean going steamer evidencing that the rubber has been shipped consigned to "Reconstruction Finance Corporation, 15 William Street, New York 5, New York." Quality and weights shall be as declared by the shipper, with the understanding that an appropriate adjustment will be made in the event of any substantial discrepancy between the quality and weights as declared by the shipper and the quality and weights as determined upon inspection and weighing in the United States.

Purchase price.

Ceylon.

Payment for rubber.

Quality and weights.

This note, together with your reply indicating acceptance by the Government of the United Kingdom of the offer contained herein, shall be deemed by the Government of the United States of America as bringing the above agreement into full force and effect. The Rubber Development Corporation will execute with the appropriate United Kingdom authority a contract embodying the details of the above agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

WILLIAM L. CLAYTON

His Excellency

The Right Honorable

THE EARL OF HALIFAX, K.G.,
British Ambassador.

The British Ambassador to the Secretary of State

BRITISH EMBASSY,
WASHINGTON, D.C.

March 1, 1946

No. 127

SIR,

I have the honour to refer to your Note of January 28th in which you stated that the Government of the United States of America was prepared to enter into an agreement for the purchase of all natural rubber allocated from all British areas in the Far East to the United States of America by the Combined Raw Materials Board or successor body.

2. I understand that the Rubber Development Corporation and the British Supply and Air Commission have reached agreement regarding the terms upon which such rubber shall be purchased by the United States Government. I further understand that the Rubber Development Corporation and the British Supply and Air Commission have mutually agreed (a) that the price to be paid shall be determined on the basis of the landed weight and description of such rubber and (b) that shipments of Ceylon rubber shall not be covered by the Rubber Development Corporation's contract with H. M. Government inasmuch as all shipments of rubber to the United States from Ceylon during the period September 2, 1945 to March 31, 1946 have been covered by the so-called Reciprocal Aid Pipeline Agreement.

Ante, p. 1537.

3. This Note conveys acceptance by the Government of the United Kingdom of the offer made by the Government of the United States of America as embodied in the understanding now reached between the Rubber Development Corporation and the British Supply and Air Commission.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble Servant

HALIFAX

The Honourable

JAMES F. BYRNES,

*Secretary of State of the United States,
Washington, D. C.*

May 24, 1946
[T. I. A. S. 1527]

Agreement between the United States of America and the Union of Soviet Socialist Republics respecting radio teletype communication channels. Signed at Moscow May 24, 1946; effective May 24, 1946.

AGREEMENT ON THE ORGANIZATION OF COMMERCIAL RADIO TELETYPE COMMUNICATION CHANNELS BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS

The Government of the United States of America and the Government of the Union of Soviet Socialist Republics wishing to establish special channels of commercial radio teletypewriter communication between both countries prior to the curtailment of the present military radio teletypewriter channels have decided to conclude the following agreement and have appointed for that purpose their respective authorized representatives as follows:

For the Government of the United States of America,

Walter Bedell Smith
Ambassador Extraordinary and Plenipotentiary.

For the Government of the Union of Soviet Socialist Republics,

Alexander Dmitrievich Fortushenko
Deputy Minister for Postal and Electrical Communications.

These representatives, having exchanged their credentials, which were found to be in good order, have agreed as follows on behalf of their respective governments:

ARTICLE I

Commercial radio multichannel or multiplex teletypewriter communication systems between the Union of Soviet Socialist Republics and the United States of America will be established and placed into operation on a commercial basis as soon as possible in lieu of the existing military radio teletypewriter channels.

Terminals.

The terminals of the commercial radio teletypewriter channels in the Union of Soviet Socialist Republics will be in Moscow; the terminals of the channels in the United States of America will be in New York.

Leased tributary lines.

The contracting parties will provide for such leased tributary lines to such Soviet offices in the United States of America as may be desired by the Government of the Union of Soviet Socialist Republics and for such leased tributary lines to such United States Government offices in the Union of Soviet Socialist Republics as may be desired by the Government of the United States of America.

The channels will be through a radio relay station at Tangier.

With the aim of not interrupting the present radio teletypewriter circuits between the Union of Soviet Socialist Republics and the United States of America, it is agreed that transmission of traffic over these channels will continue on a military basis pending completion of the Tangier radio relay station.

These communications will be used for the transmission of Public Correspondence between the United States of America and the Union of Soviet Socialist Republics with priority of service reserved for the transmission of Governmental telegrams of the Union of Soviet Socialist Republics and of the United States of America.

Governmental telegrams of the Union of Soviet Socialist Republics and of the United States of America will normally be handled on a tape-relay basis. This communication service will further provide for the establishment of radio teletypewriter conference service between the Governmental agencies of the Government of Soviet Socialist Republics when desired. This communication service will also provide this conference service between the Governmental agencies of the Government of the United States of America when desired.

No restrictions or limitations will be imposed by either Government as to language or codes and ciphers to be used by either Government in the official transaction of their respective business, i.e. radio teletypewriter service operating on an automatic or tape-relay basis permits the use of the Russian alphabet and the use of non-uniform codes and ciphers (mixed letters and figures plus other teletypewriter characters and functions).

The operation of the circuits between Tangier and Moscow, U.S.S.R. will be operated at Tangier by the United States commercial communication companies, at Moscow by the Ministry of Postal and Electrical Communications.

The operation of the circuits between the United States and the relay station or stations in Tangier will be by the interested United States commercial communication companies—RCA, Mackay Radio and Press Wireless, Incorporated organizations.

ARTICLE II

The Government of the United States of America agrees:

A. To assist the Government of the Union of Soviet Socialist Republics in purchasing through the United States Foreign Liquidation Commission sufficient equipment to operate initially two each full-duplex single-channel radio teletypewriter channels between Moscow and each participating United States commercial company in Tangier.

B. That the newly organized commercial service will utilize in Moscow the equipment of the existing military radio teletypewriter channels which will be expanded to fulfill the terms of Article II (A) as soon as possible.

C. That by mutual agreement between the Ministry of Postal and Electrical Communications and each of the participating companies,

Relay station.

Priority of service.

Governmental telegrams.

Conference service.

Language, codes, etc.

Circuits between Tangier and Moscow.

Circuits between U. S. and Tangier.

Purchase of equipment by U. S. S. R.

Use of existing equipment.

Replacement of installations.

these full-duplex single-channel installations will be replaced or augmented by multichannel or multiplex equipment.

Additional equip-
ment.

D. That assistance will further be given to obtain such additional equipment as may be required for the Moscow terminal of these channels upon presentation of evidence of the necessity therefor to the Government of the United States through the American Embassy in Moscow.

Increase in circuit
capacity.

E. After the initial establishment of the commercial radio teletypewriter channels, to assist the Government of the Union of Soviet Socialist Republics in increasing the circuit capacity to meet the load requirements of the circuit by increased speeds of operation and such other technical developments as may become commercially available.

Commercial agree-
ments.

F. To authorize the participating companies immediately to initiate such commercial agreements regarding tariffs, et cetera, as may be required.

ARTICLE III

The Government of the Union of Soviet Socialist Republics agrees:

Purchase of addi-
tional equipment.

A. To purchase through the United States Foreign Liquidation Commission such additional single-channel radio teletypewriter equipment as may be necessary to fulfill the terms of Article II.

Purchase of multi-
channel or multiplex
equipment.

B. To purchase through the commercial companies which manufacture multichannel or multiplex equipment such multichannel or multiplex equipment as may be required to fulfill the terms of Article II.

Tariffs and operat-
ing procedures.

C. To authorize the Ministry of Postal and Electrical Communications immediately to complete such necessary negotiations with the participating United States commercial companies regarding the tariffs and operating procedures as may be required.

ARTICLE IV

The Government of the United States of America and the Government of the Union of Soviet Socialist Republics agree:

Transfer to commer-
cial service.

A. That upon the completion of the first three single-channel relay installations at Tangier, to inaugurate immediately radio teletypewriter service on a commercial basis through the radio relay station or stations at Tangier, utilizing for this purpose in Moscow the equipment of the existing military radio teletypewriter channels, the transfer to commercial service to be made without loss of circuit time.

Determination of
commercial and tech-
nical regulations.

B. That the commercial and technical regulations for the operation of this communication system will be determined prior to the initial operation of the system, by mutual agreement of the United States commercial communication companies participating and the Ministry of Postal and Electrical Communications subject to such approval as may be required by the laws of the Union of Soviet Socialist Republics and the United States of America.

ARTICLE V

This Agreement will become effective immediately upon the signing thereof on behalf of the contracting parties and will remain in force until its cancellation by one of the contracting parties which must give written notice to the other party six months in advance of the date of its intention to terminate this Agreement.

Effective date; termination.

This Agreement is drawn in two copies, each one in the English and Russian languages, both texts having equal force.

In witness whereof the undersigned duly authorized by their respective Governments have signed the two copies of this Agreement and affixed thereto their seals.

Done in Moscow, this 24 day of May, 1946.

WALTER BEDELL SMITH
For the Government of the
United States of America
[SEAL]

A ФОРТУШЕНКО^[1]
For the Government of the
Union of Soviet Socialist
Republics
[SEAL]

¹ [Romanization: A Fortushenko]

**СОГЛАШЕНИЕ
ОБ ОРГАНИЗАЦИИ КАНАЛОВ КОММЕРЧЕСКОЙ
РАДИОТЕЛЕТАЙПНОЙ СВЯЗИ МЕЖДУ
СОЕДИНЕННЫМИ ШТАТАМИ АМЕРИКИ**

**И
СОЮЗОМ СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ
РЕСПУБЛИК**

Правительство Соединенных Штатов Америки и
Правительство Союза Советских Социалистических Рес-
публик, выражая желание организовать специаль-
ные каналы коммерческой радиотелеграфной связи, меж-
ду обеими странами, до прекращения действия существе-
ствующих военных радиотелеграфных каналов, согласились
заключить настоящее Соглашение и назначили для этой
цели Уполномоченных:

Правительство Соединенных Штатов Америки

Вальтера Бедела СМИТ,

Чрезвычайного и Полномочного Посла.

Правительство Союза Советских Социалисти-
ческих Республик

Александра Дмитриевича ФОРТУШЕНКО,

Заместителя Министра Связи.

По взаимном предъявлении своих полномочий,
признанных составленными в надлежащей форме и за-
конном порядке, Уполномоченные от имени своих соот-
ветствующих Правительств согласились о нижеследую-
щем.

СТАТЬЯ 1.

Между Союзом Советских Социалистических Рес-
публик и Соединенными Штатами Америки взаимен существ-

вующих военных радио-телеграфных каналов будут построены и введены в эксплуатацию, в возможно короткий срок, на коммерческой основе многоканальные или многократные системы радиотелеграфной связи.

Оконечные станции коммерческих радиотелеграфных каналов в Союзе Советских Социалистических Республик будут находиться в Москве, оконечные станции каналов в Соединенных Штатах Америки будут находиться в Нью-Йорке.

Договаривающиеся стороны предусматривают возможность арендования таких абонентских линий в те Советские учреждения на территории Соединенных Штатов Америки, какие потребуются правительству Союза Советских Социалистических Республик и таких абонентских линий в те правительственные учреждения Соединенных Штатов Америки, на территории Союза Советских Социалистических Республик, какие потребуются Правительству Соединенных Штатов Америки.

Работа каналов будет осуществляться через радиоретрансляционный пункт в Танжере.

С тем, чтобы не прерывать действия существующих радиотелеграфных каналов связи между Союзом Советских Социалистических Республик и Соединенными Штатами Америки стороны согласились о том, что передача телеграмм по этим каналам будет продолжаться на основе военного обслуживания до окончания строительства радиоретрансляционного пункта в Танжере.

Организуемые связи будут использоваться для передачи всей телеграфной корреспонденции между Соединенными Штатами Америки и Союзом Советских Социалистических Республик, причем приоритет будет сохраняться за правительственными телеграммами Союза Советских Социалистических Республик и Соединенных

Штатов Америки.

Правительственные телеграммы Союза Советских Социалистических Республик и Соединенных Штатов Америки обычно будут обрабатываться при помощи переприема. Кроме того, указанная система связи позволяет организовать при необходимости прямые провода для связи между правительственными учреждениями Союза Советских Социалистических Республик. Таким образом указанная возможность будет предусмотрена для правительственных учреждений Соединенных Штатов Америки.

Каждым из Правительств не будет применяться никаких ограничений в отношении языка, кодов или шифров, используемых другим Правительством при передаче их официальных документов, имея в виду, что радиотелетайп, работающий по принципу автоматического или точечного переприема, позволяет применять русский алфавит и неоднобразные коды и шифры (смешанный текст из букв и цифр плюс другие знаки и комбинации аппарата телетайп).

Эксплуатация связей между Танжером и Москвой - Союз Советских Социалистических Республик, производится в Танжере американскими коммерческими фирмами, а в Москве - Министерством Связи Союза Советских Социалистических Республик.

Эксплуатация связей между Соединенными Штатами Америки и ретрансляционными пунктами в Танжере будет производиться американскими фирмами RCA, Макей-Радио и Пресс-Уайрлесс.

СТАТЬЯ II.

Правительство Соединенных Штатов Америки выражает согласие:

А. Помочь Правительству Союза Советских Социалистических Республик приобрести через Иностранную Ликвидационную Комиссию Соединенных Штатов Америки достаточное количество оборудования, позволяющее, на первое время, обеспечить работу по две дуплексных одноканальных радиотелеграфных связи между Москвой и каждой из участвующих коммерческих фирм в Танжере.

Б. На использование в Москве для вновь организуемой коммерческой службы оборудования существующих военных радиотелеграфных каналов, количество которого будет увеличено в возможно короткий срок в соответствии с условиями статьи II-А.

В. На замену или усиление этих дуплексных одноканальных систем многоканальными или многократными системами по взаимной договоренности между Министерством Связи Союза Советских Социалистических Республик и каждой из участвующих фирм.

Г. Оказать содействие в получении такого дополнительного оборудования, какое может потребоваться для Московской оконечной станции указанных каналов по представлении обоснованной заявки об этом Американскому правительству через Американское Посольство в Москве.

Д. После организации первоначальных каналов коммерческой радиотелеграфной связи, помочь Правительству Союза Советских Социалистических Республик в увеличении пропускной способности этих каналов в

соответствии с нагрузкой путем увеличения скоростей работы и внедрения всяких новых технических разработок, доступных приобретению коммерческим путем.

Б. Разрешить участвующим компаниям немедленно подготовить также коммерческие соглашения в отношении тарифов и т.п., какие могут потребоваться.

СТАТЬЯ III.

Правительство Союза Советских Социалистических Республик выражает согласие:

А. Приобрести через Иностранную Лицензионную Комиссию Соединенных Штатов Америки такое дополнительное оборудование одноканальных радиотелетайпных систем, какое может потребоваться для выполнения условий ст. II.

Б. Приобрести через коммерческие компании, которые производят многоканальные или многократные системы, такое оборудование многоканальных или многократных систем, какое может потребоваться для выполнения условий ст. II.

В. Разрешить Министерству Связи Союза Советских Социалистических Республик немедленно провести необходимые переговоры с участвующими американскими коммерческими фирмами в отношении тарифов и правил эксплуатации.

СТАТЬЯ IV.

Правительство Соединенных Штатов Америки и Правительство Союза Советских Социалистических Республик соглашаются:

А. После окончания строительства первых трех одноканальных ретрансляционных установок в Танжере немедленно организовать, на коммерческой основе, радиотелетайпную службу через радиоретрансляционный пункт или пункты в Танжере, для чего в Москве будет использовано оборудование существующих военных радиотелетайпных каналов.

Перевод на коммерческую службу должен быть произведен без потерь рабочего времени связи.

Б. Правила коммерческой и технической эксплуатации данной системы связи будут определены до первоначального ввода ее в действие путем взаимной договоренности между Министерством Связи Союза Советских Социалистических Республик и участвующими американскими коммерческими фирмами и утверждены в соответствии с законами Союза Советских Социалистических Республик и Соединенных Штатов Америки.

СТАТЬЯ V.

Настоящее соглашение вступит в силу немедленно после его подписания от имени Договаривающихся Сторон и будет находиться в действии до его расторжения, произведенного по желанию одной из Сторон, которая об этом посылает письменное уведомление другой Стороне за шесть месяцев вперед.

Соглашение составлено в 2-х экземплярах, каждый из них на английском и русском языках, причем оба текста считаются имеющими одинаковую силу.

В удостоверение чего Уполномоченные Дого-
варивающихся Сторон подписали в 2-х экземплярах
настоящее Соглашение и приложили свои печати.

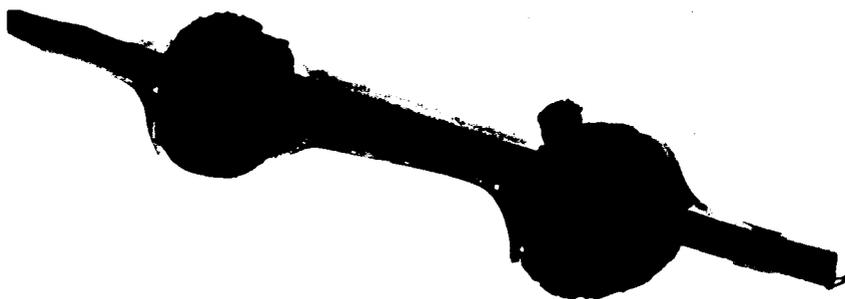
Учтено в Москве "24" дня мая месяца 1946 года.

Walter Bedell Smith

По уполномочию Правитель-
ства Соединенных Штатов
Америки

М. Горький

По уполномочию Правитель-
ства Союза Советских
Социалистических Республик.



Agreement between the United States of America and Australia respecting a mutual aid settlement. Signed at Washington and at New York June 7, 1946; effective June 7, 1946.

June 7, 1946
[T. I. A. S. 1528]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA ON SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY, AND CLAIMS

The Government of the United States of America and the Government of the Commonwealth of Australia (hereinafter referred to as the Commonwealth of Australia) have reached agreement as set forth below regarding settlement for lend-lease, reciprocal aid, and surplus war property located in Australia and for the financial claims of each Government against the other arising as a result of World War II. This settlement is complete and final. Both Governments, in arriving at this settlement, have taken full cognizance of the benefits already received by them in the defeat of their common enemies, and of the aid furnished by each Government to the other in the course of the war. No further benefits will be sought as consideration for lend-lease, reciprocal aid and surplus war property, or for the settlement of claims or other obligations arising out of the war, except as herein specifically provided.

1. (a) The term "lend-lease article" as used in this Agreement means any article transferred by the Government of the United States under the Act of March 11, 1941

"Lend-lease article."

- (i) to the Commonwealth of Australia, or
- (ii) to any other government and retransferred to the Commonwealth of Australia.

55 Stat. 31.
22 U. S. C., Supp
V. §§ 411-419.

(b) The term "reciprocal aid article" as used in this Agreement means any article transferred by the Commonwealth of Australia to the Government of the United States under reciprocal aid.

"Reciprocal aid article."

2. In recognition of the mutual wartime benefits received by the two Governments from the interchange of lend-lease and reciprocal aid, neither Government will make any payment to the other for lend-lease and reciprocal aid articles and services used in the achievement of the common victory.

3. The Commonwealth of Australia, in discharge of its pre-existing commitment to compensate the Government of the United States for the postwar value of machine tools transferred during the war to the Commonwealth of Australia by the Government of the United States under lend-lease, and in consideration of the postwar value of other

capital equipment transferred during the war under lend-lease, including the non-combat aircraft and spare parts therefor described in the Annex to this Agreement, and the transfer of the surplus property described in paragraph 8 (a) hereof, and in order to further educational and cultural relationships between the two countries by means of scholarships or otherwise in a manner mutually agreeable, will pay to the Government of the United States the sum of \$27,000,000 as follows:

(a) \$20,000,000 in United States dollars within ninety days from the effective date of this Agreement; and

(b) \$7,000,000 by any of the following methods, or any combination thereof designated by the Government of the United States (employing the rate of exchange between United States dollars and Australian pounds now in effect):

Title to real property.

(i) By delivery to the Government of the United States by the Commonwealth of Australia of title to real property and improvements of real property in Australia, as selected and determined by agreement between the two Governments, aggregating in value not more than \$2,000,000;

Fund for educational and cultural programs.

(ii) by establishment of a fund in Australian pounds for expenditure by the Government of the United States, in accordance with agreements to be reached between the two Governments for carrying out educational and cultural programs of benefit to the two countries; or

Residue.

(iii) in the event that, after three years from the date of this Agreement, the two Governments should mutually agree that the purposes described in subsections (i) and (ii) above cannot be carried out to the full extent now contemplated, any residue will be paid by the Commonwealth of Australia in United States dollars.

Lend-lease articles.

4. (a) The Commonwealth of Australia hereby acquires, and shall be deemed to have acquired as of September 2, 1945, full title, without qualification as to disposition or use, to all lend-lease articles in the possession of the Commonwealth of Australia, its agents or distributees, on September 2, 1945, and not subsequently returned to the Government of the United States, other than lend-lease articles on that date in the possession of the armed forces of the Commonwealth of Australia, but including the non-combat aircraft and spares described in the Annex to this Agreement.

Post, p. 1712.

Transfer of lend-lease articles to Australia.

(b) The Government of the United States agrees to complete as early as possible the transfer (which term, except as hereinafter provided, shall include delivery aboard ocean vessel in a United States port) of the articles selected by the Commonwealth of Australia which were covered by lend-lease requisitions filed by the Commonwealth of Australia with the United States Foreign Economic Administration and which were under contract, or were completed, but had not been transferred, on September 2, 1945, and such other articles

and services as have been designated by agreement between the two Governments for inclusion in the lend-lease pipeline of the Commonwealth of Australia. Such transfer will be made in the quantities and according to the specifications and other conditions, except as to time of delivery, set forth in the covering requisitions, to the extent that such articles are or will be available to the Government of the United States for transfer to the Commonwealth of Australia. Title to the articles covered by this paragraph shall pass to the Commonwealth of Australia immediately upon loading of the articles on board ocean vessel in a United States port, provided that risk of loss not recoverable from the supplier, carrier or other third party, shall be assumed by the Commonwealth of Australia upon shipment from the factory or other premises of the supplier. Title to any articles that shall not have been loaded on board ocean vessel in a United States port prior to midnight on July 31, 1946, or two months after receipt by the Commonwealth of Australia of notice of availability, whichever is later, shall be deemed to have been transferred as of such later date, and thereafter the Commonwealth of Australia shall be responsible for storing and moving such articles within the United States and for delivering such articles aboard ocean vessel in a United States port. The Government of the United States will pay the cost of ocean transportation to Australia on United States flag vessels only of such of the articles covered by this paragraph as were loaded aboard ocean vessel berthing in United States ports prior to January 1, 1946.

Title to articles.

Cost of ocean transportation.

5. The Government of the United States hereby acquires, and shall be deemed to have acquired as of September 2, 1945, full title, without qualification as to disposition or use (a) to all reciprocal aid articles transferred to the Government of the United States and not subsequently returned to the Commonwealth of Australia or lost, destroyed or consumed, other than reciprocal aid articles which on that date were in the possession of the armed forces of the Government of the United States, and (b) to all reciprocal aid articles transferred to the Government of the United States between September 2, 1945 and December 31, 1945, both dates inclusive, and not subsequently returned to the Commonwealth of Australia.

Reciprocal aid articles.

6. (a) The Government of the United States, with respect to lend-lease articles (other than those described in the Annex to this Agreement), and the Commonwealth of Australia, with respect to reciprocal aid articles, reserve a right to recapture, respectively, at any time after September 1, 1945, any such articles which, as of the date upon which notice requesting return is communicated to the other Government, are in the possession of the armed forces of the other Government, although neither Government intends to exercise generally this right of recapture, except that the Commonwealth of Australia will return to the Government of the United States all vessels of the United States Navy transferred under lend-lease and in the possession of the Commonwealth of Australia on September 2, 1945. In respect of cases where either Government wishes from

Right of U. S. to recapture articles.
Post, p. 1712.

time to time to exercise this right of recapture, each Government will give reasonable notice of its intention and will provide full opportunity to the other Government for discussion of that Government's need for the articles in question, without limiting the right of recapture.

Diversion of lend-lease articles.

(b) The Commonwealth of Australia may, without restriction, divert any lend-lease articles now held by the armed forces of the Commonwealth of Australia to any uses in or outside Australia, but will not transfer, without the prior consent of the Government of the United States and without payment of any proceeds to the Government of the United States, any lend-lease articles held by the armed forces of the Commonwealth of Australia in the categories of arms, ammunition and other lethal weapons, to any third country.

Diversion of reciprocal aid articles.

(c) The Government of the United States may, without restriction, divert any reciprocal aid articles now held by the armed forces of the Government of the United States to any uses in or outside the United States, but will not transfer, without the prior consent of the Commonwealth of Australia and without payment of any proceeds to the Commonwealth of Australia, any reciprocal aid articles held by the armed forces of the Government of the United States in the categories of arms, ammunition and other lethal weapons, to any third country.

Settlement and payment of claims.

7. (a) The Commonwealth of Australia hereby assumes responsibility for the settlement and payment of all claims against the Government of the United States or members of the United States armed forces, arising from acts or omissions occurring before June 30, 1946, in the course of military duties of members of the armed forces of the Government of the United States in Australia.

Financial claims.

(b) Financial claims between the two Governments where the liability for payment has heretofore been acknowledged, and the method of computation mutually agreed, are not covered by this settlement as they will be settled in accordance with such arrangements; the following are examples of such claims, which will be dealt with in accordance with procedures already established or to be established after appropriate discussion:

- (i) claims arising out of cash reimbursement lend-lease requisitions filed by the Commonwealth of Australia;
- (ii) claims covered by the "Memorandum Concerning Disposition of and Payment for Cargoes Carried on Twelve Dutch Ships Diverted to Australia"^[1] and "Memorandum Concerning Disposition of and Payment for Cargoes Carried on Certain United States Ships Diverted to Australia",^[1] both dated December 20, 1944;
- (iii) obligations or claims arising out of the "Knock-for-Knock" Agreement of March 8, 1945, covering the mutual waiver of, and legal aid in connection with, maritime claims;

59 Stat. 1499.

¹ [Not printed.]

- (iv) the obligation heretofore assumed by the Commonwealth of Australia in connection with silver transferred by the Government of the United States under lend-lease.

(c) In consideration of the mutual undertakings described in this Agreement, and with the objective of arriving at as comprehensive a settlement as possible and of obviating protracted negotiations between the two Governments, all other financial claims whatsoever of one Government against the other which arose out of lend-lease or reciprocal aid, or otherwise arose on or After September 3, 1939 and prior to September 2, 1945, out of or incidental to the conduct of World War II, and which are not otherwise dealt with in this Agreement, are hereby waived, and neither Government will hereafter raise or pursue any such claims against the other.

Waiver of certain claims.

8. (a) The Government of the United States, in partial consideration of the payments to be made by the Commonwealth of Australia pursuant to section 3 of this Agreement, agrees to transfer property, selected by mutual agreement, located in or outside Australia, heretofore or hereafter declared to the Office of the Foreign Liquidation Commissioner, United States Department of State, as surplus to the requirements of any department or agency of the Government of the United States, of a total value aggregating \$6,500,000 computed at prices to be mutually agreed. There shall be included in the property covered by this paragraph

Transfer of surplus property.

Ante, p. 1707.

- (i) all property so declared as surplus included in sales or agreements to sell heretofore entered into between the two Governments; and
- (ii) all such property included in sales or agreements to sell to any firms or individuals in Australia or in Australian territories, heretofore or hereafter made by the Government of the United States, in respect of which import licenses have been or may hereafter be issued by the Commonwealth of Australia;

and the contract value of the property included in such sales or agreements to sell shall be taken into consideration in computing the total value of surplus property transferred hereunder. This Agreement shall govern in any case in which the terms hereof are in conflict with the terms of any of the agreements described in paragraphs (i) and (ii) above.

(b) The amounts paid and to be paid to the Government of the United States for the property included in the sales and agreements to sell described in paragraphs 8 (a) (i) and 8 (a) (ii) of this Agreement shall, when paid, be treated as payments by the Commonwealth of Australia in partial discharge of the obligation of the Commonwealth of Australia assumed in section 3 of this Agreement to make payments to the Government of the United States.

Amounts to be paid for property.

Ante, p. 1707.

(c) The Commonwealth of Australia agrees that it will not cause, and will use its best endeavors to prevent, the exportation to the United States, its territories or possessions, of any of the property covered by paragraph (a) above in the same, or substantially the same form,

Exportation of surplus property to U. S.

if such property was originally produced in the United States and is readily identifiable as such, and agrees that it will not resell any of such property to any person, firm or government, for the purpose of export to the United States, its territories or possessions, contrary to any statute or regulation of the Government of the United States as notified by the Government of the United States.

Ante, pp. 1708, 1709, 1711.

9. Both Governments, when they dispose of articles acquired pursuant to sections 4, 5 and 8 of this Agreement, will use their best endeavors to avoid discrimination against the legitimate interests of the manufacturers or producers of such articles, or their agents or distributors, in each country.

Effective date.

10. This Agreement shall take effect on the date of signature.

Signed in duplicate, at Washington for the Government of the United States and at New York for the Commonwealth of Australia, this seventh day of June 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

JAMES F BYRNES
Secretary of State
of the United States of America

FOR THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA:

H EVATT
Minister of External Affairs
of the Commonwealth of Australia

ANNEX

AIRCRAFT

<i>Number</i>	<i>Type</i>
109	C-47 (Dakota)
11	P'BY (Catalina)
41	PB2B (Catalina)

SPARES

164 Engines for Dakota C-47 aircraft
127 Dakota propellers
Spare parts for 382 Dakota engines
Airframe spares for 48 Dakota aircraft
136 Catalina engines
68 Catalina propellers
Spare parts for 272 Catalina Engines
Airframe spares for 21 Catalina aircraft
U. S. lend-lease content of 29 PB2B aircraft obtained from Canada.

Agreement between the United States of America and Chile respecting commercial relations. Effected by exchange of notes signed at Santiago July 23 and 30, 1946; effective July 31, 1946. And exchange of notes of July 30, 1945.

July 30, 1945, and
July 23, 30, 1946
[T. I. A. S. 1529]

The Chilean Minister for Foreign Affairs to the American Ambassador

REPÚBLICA DE CHILE
MINISTERIO
DE RELACIONES EXTERIORES

DEPARTAMENTO DE POLÍTICA COMERCIAL

N° 1055/7154

Santiago, 23 de Julio de 1946.

SEÑOR EMBAJADOR:

El 30 de Julio en curso, vence el Acuerdo Adicional de Comercio a que se llegó por cambio de Notas efectuado con igual fecha en el año pasado, por el cual se amplió el Convenio Provisional suscrito entre nuestros Gobiernos el 6 de Enero de 1938.—

A fin de evitar la falta de un instrumento que regule las relaciones comerciales entre Chile y los Estados Unidos de América, y mientras se llega a un Convenio Comercial más amplio, mi Gobierno está dispuesto a continuar extendiendo a los productos norteamericanos que se especifican en las Listas anexas a mi Nota N° 4024, de 30 de Julio del año último, el mismo tratamiento que en ella se indica.—

La presente Nota y la respuesta de Vuestra Excelencia expresando la aceptación de Vuestro Gobierno sobre la materia, constituirán un nuevo Acuerdo entre ambos países, entendiéndose que el plazo de su validez será de un año a contar desde el 31 de Julio en curso, a menos que sea denunciado por cualquiera de las Altas Partes Contratantes por una notificación escrita dada con treinta días de anticipación, o que sea reemplazado por un Acuerdo Comercial más amplio.—

El Gobierno de Chile se vale de esta oportunidad para reiterar al de Vuestra Excelencia sus deseos de activar, en lo posible, las negociaciones actuales para llegar a la pronta concertación de un Tratado de Amistad, Comercio y Navegación más amplio y completo, que sirva en forma más eficiente al interés recíproco de ambos países.—

Aprovecho esta oportunidad para renovar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.—

JOAQUÍN FERNÁNDEZ

Al Excelentísimo Señor

CLAUDE G. BOWERS

*Embajador Extraordinario y Plenipotenciario de los
Estados Unidos de America.*

Presente.—

Translation

REPUBLIC OF CHILE
MINISTRY OF FOREIGN AFFAIRS

DEPARTMENT OF COMMERCIAL POLICY

No. 1055/7154

Santiago, July 23, 1946

MR. AMBASSADOR:

On the 30th of the current month, there will expire the Supplementary Trade Agreement effected last year by an exchange of notes on the same date, whereby the provisional agreement signed by our Governments on January 6, 1938 was amplified.

Post, p. 1715.

52 Stat. 1479.

In order to avoid the lack of an instrument regulating the commercial relations between Chile and the United States of America, and pending conclusion of a more ample trade agreement, my Government is prepared to continue extending to the American products specified in the lists attached to my note no. 4024 of July 30 of last year, the same treatment as indicated therein.

Post, p. 1715.

This note and Your Excellency's reply stating your Government's acceptance of its substance, will constitute a new agreement between our two countries, it being understood that the duration of its validity will be one year beginning with the 31st of the current month, unless it is denounced by either of the High Contracting Parties by written notice given thirty days in advance, or is replaced by a broader trade agreement.

The Chilean Government avails itself of this opportunity to repeat its desire to hasten the present negotiations in so far as possible, in order that agreement may be reached soon on a broader and more complete treaty of friendship, commerce and navigation which will serve more effectively the mutual interests of both countries.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

JOAQUÍN FERNÁNDEZ

His Excellency

CLAUDE G. BOWERS,

*Ambassador Extraordinary and Plenipotentiary of the
United States of America,
City.*

The American Ambassador to the Chilean Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 2978

Santiago, July 30, 1946

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of July 23, 1946 containing a proposal by the Government of the Republic of Chile to concede to the commerce of the United States of America, without compensation, reductions in the Chilean import duties on certain products as set forth in the enclosure with Your

Excellency's Note No. 4024 of July 30, 1945, such reductions to continue in force for a further period of one year commencing on July 31, 1946, unless the present agreement is superseded in that time by a more comprehensive commercial agreement, it being understood, however, that the present agreement may be terminated by either Government upon the giving of thirty days' advance notice in writing.

Infra.

I have the honor to assure Your Excellency that the Government of the United States of America greatly appreciates the interest of the Chilean Government in adopting measures to expand and to liberalize trade in accordance with the economic objectives of the Atlantic Charter and of the Inter-American Conference on Problems of War and Peace, [1] and is pleased to accept the proposal of the Government of Chile.

55 Stat. 1603.

I have noted with satisfaction the desire expressed by Your Excellency's Government to expedite, in so far as may be possible, the present negotiations for a Treaty of Friendship, Commerce and Navigation and I take this opportunity to inform Your Excellency that my Government is likewise desirous of proceeding with these negotiations.

Accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

CLAUDE G. BOWERS

His Excellency

JOAQUÍN FERNÁNDEZ FERNÁNDEZ,
Minister for Foreign Affairs of Chile,
Santiago.

*The Chilean Acting Minister for Foreign Affairs to the American
Ambassador*

REPÚBLICA DE CHILE

MINISTERIO DE RELACIONES EXTERIORES

DEPARTAMENTO DE POLÍTICA COMERCIAL

C 4-1-21. 413 N° 004024

SANTIAGO, 30 de Julio de 1945.

SEÑOR EMBAJADOR:

El Gobierno de la República de Chile consecuente con los principios sustentados por las Naciones Unidas y de acuerdo con los objetivos económicos de la Carta del Atlántico y especialmente de la Conferencia Inter-Americana de México sobre los Problemas de la Guerra y de la Paz, respecto de la reducción de los derechos aduaneros, desea adoptar medidas tendientes a intensificar el intercambio comercial con los Estados Unidos de América y demás Naciones Aliadas dentro de una política de concesiones mutuas y de estrecha cooperación.

En vista de que la concertación de un Acuerdo Comercial más comprensivo con los Estados Unidos de América requerirá aún cierto

¹ [Report of the Delegation of the United States of America to the Inter-American Conference on Problems of War and Peace, Mexico City, Mexico, February 21-March 8, 1945, Department of State publication 2497.]

tiempo, atendidos los estudios y procedimientos que se deben considerar, el Gobierno de Chile estima que puede adelantarse en el cumplimiento de los objetivos mencionados por medio del presente cambio de notas complementario que, ampliando el Convenio Provisional de Comercio suscrito entre ambos países el 6 de Enero de 1938, contempla en mejor forma los propósitos enunciados en los Acuerdos Internacionales aludidos.

El Gobierno de Chile está dispuesto, desde luego, a conceder franquicias aduaneras a los productos norteamericanos enumerados en la lista anexa, reducciones éstas que, al igual que el Convenio Provisional de Comercio de 1938, se mantendrán vigentes hasta la celebración de un Acuerdo Comercial más comprensivo con los Estados Unidos de América y que serán de considerable y positivo beneficio para los productos de ese país que gozarán así de apreciables rebajas de derechos en numerosas partidas que son de interés en su comercio con Chile.

El Gobierno de mi país ha decidido dar el paso indicado, sin estipular compensación, en el convencimiento de que así corresponde al espíritu de franca y leal cooperación que exteriorizó la Delegación de los Estados Unidos de América durante la Conferencia de Mexico.

La presente Nota y la contestación de Vuestra Excelencia expresando la conformidad de su Gobierno con esta proposición del Gobierno de Chile, constituirá un Acuerdo entre ambos países sobre esta materia.

Este Acuerdo regirá por el plazo de un año a menos que sea sustituido durante ese período de tiempo por un Acuerdo Comercial más comprensivo, pudiendo ser denunciado por cualquiera de los dos países mediante una notificación de 30 días de anticipación.

El Gobierno de Chile se vale de esta ocasión para manifestar su deseo de iniciar negociaciones con el Gobierno de Vuestra Excelencia para concertar un Tratado de Amistad, Comercio y Navegación.

Aprovecho esta oportunidad para renovar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

LUIS ALAMOS B

Al Excelentísimo Señor

CLAUDE G. BOWERS

*Embajador Extraordinario y Plenipotenciario de los
Estados Unidos de America*

Presente.-

REPÚBLICA DE CHILE
MINISTERIO DE RELACIONES EXTERIORES
DEPARTAMENTO DE POLÍTICA COMERCIAL
LISTA ANEXA

Lista de productos norteamericanos para los cuales se aplicarán en Chile los derechos de importación reducidos que se indican a continuación. Los derechos se expresan en pesos oro de seis peniques, pagaderos en moneda corriente conforme a la tasa legal.

Partida	Artículos	Unidad	Derechos
	Hilados de un solo cabo para tejer:		
274	- de lana, no especificados	KL	9
275	- de lana, tengan o no fibras de seda, en conos, y que en un kilo neto midan 36.000 metros o más	KL	6
	Hilos e hilados no especificados:		
285	- de lana, aunque contengan hasta 70% de seda o de metal ordinario	KL	9
289	- de seda	KL	5
	Telas de algodón crudas, lisas, no especificadas, con o sin mezcla de cáñamo, de yute o de otras fibras análogas, o que contengan lino o lana en una proporción que no exceda de diez por ciento en total:		
	- que pesen menos de cuarenta gramos por metro cuadrado y que tengan en un cuadro de cinco milímetros por lado:		
369	— 27 hilos o menos	KN	2, 25
370	— 28 hilos y hasta 38	KN	2, 85
371	— más de 38 hilos	KN	3, 50
	Telas de algodón crudas, que no sean lisas: no especificadas, con o sin mezcla de cáñamo, o que tengan lino o lana en una proporción que no exceda de diez por ciento en total:		
	- que pesen menos de cuarenta gramos por metro cuadrado y que tengan en un cuadro de cinco milímetros por lado:		
378	— 27 hilos o menos	KN	2, 80
379	— 28 hilos y hasta 38	KN	3, 35
380	— más de 38 hilos	KN	4, 20
381	Telas de algodón blanqueadas, no cardadas: adeudarán el derecho de las crudas en sus clases correspondientes más un recargo de un peso cincuenta centavos por Kilo neto.		
	- que pesen menos de 40 gramos	KN	(recargo 0, 60)
	Telas de algodón no cardadas, estampadas, teñidas o de hilos de color y las coloreadas por medio del apresto, no especificadas:		
384	- que pesen menos de doscientos gramos por metro cuadrado: adeudarán el derecho de las telas crudas no especificadas, en su clase correspondiente, más un recargo de cuatro pesos cincuenta centavos por cada Kilógramo neto.		
	- que pesen menos de 40 gramos	KN	(recargo 1, 80)

Partida	Articulos	Unidad	Derechos
	Telas no especificadas de lana o de fibras vegetales que contengan lana en una proporción superior a diez por ciento, con o sin hilos de metal ordinario:		
392	- hasta de 250 gramos	KN	9
393	- mayor de 250 gramos	KN	9
394	- como las dos partidas anteriores, que contengan seda en una proporción que no exceda de cinco por ciento	KN	10
	Telas con seda o que la contengan en sus adornos, no especificadas:		
395	- hasta veinte por ciento de seda	KN	15
396	- más de veinte y menos de ochenta por ciento de seda	KN	30
397	- ochenta por ciento o más de seda	KN	60
	Terciopelo, felpas y telas rizadas:		
401	- de lana	KN	7, 50
	Tul y punto de encaje:		
413	- de algodón, aunque tengan aplicaciones, fileteados o bordados a cadeneta que no contengan seda	KN	6
414	- de lino, como los de la partida anterior	KN	7, 50
	- con seda:		
415	- hasta veinte por ciento	KN	30
416	- más de veinte y menos de ochenta por ciento	KN	60
417	- ochenta por ciento o más	KN	125
	Encajes, considerándose también como "encaje" el tul o punto de encaje de algodón o de lino, bordado con hilos de la misma materia, siempre que no sea a cadeneta; blondas, encarrujados, golillas y sus manufacturas no especificadas:		
447	- que contengan seda	KL	100
	Pasamanería y cintas no especificadas:		
465	- que contengan más de veinte y menos de ochenta por ciento de seda	KL	30
466	- que contengan ochenta por ciento o más de seda	KL	60
	Cinturones, tengan o no piezas de otra materia:		
497	- de lana	KL	12, 50
498	- que contengan seda	KL	40
	Paraguas y quitasoles:		
552	- de algodón, de lino o de lana, con puño de madera o de metal	c/u	1
553	- de algodón, de lino o de lana, con puño de hueso, celuloide, bakelita, etc., y los que traigan cordones o borlas con seda	c/u	1
554	- que contengan seda en la tela o en bordados	c/u	5
555	- con puños o piezas de carey, de marfil, de nácar o de metal precioso y los con estoque	c/u	15
	Ropa hecha, de tela impermeabilizada con caucho o sus substitutos, incluso los sombreros y cinturones de la misma materia que vengan completándola:		
567	- que contengan seda	KN	30
	Ropa hecha, de encajes, punto de encaje o tul, para mujer, niña o criatura, incluso las piezas sueltas de la misma que tengan costura:		
579	- que contengan seda en el tejido, con o sin adornos o bordados	KN	200
	Ropa hecha, no especificada, para hombre o niño, y las piezas sueltas de la misma que tengan costura:		
586	- de lana, con adornos o bordados que contengan seda	KN	40

Partida	Articulos	Unidad	Derechos
587	- que contengan menos de ochenta por ciento de seda en el tejido, tengan o no piezas o adornos de seda o de otra materia Ropa hecha no especificada, para mujer, niña o criatura, y las piezas sueltas de la misma que tengan costura:	KN	60
595	- de lana, tengan o no adornos de lana o de otra materia	KN	25
596	- de lana, con adornos o bordados que contengan seda	KN	40
597	- que contengan menos de ochenta por ciento de seda en el tejido, tengan o no piezas o adornos de seda o de otra materia	KN	60
598	- que contengan ochenta por ciento o más de seda en el tejido, tengan o no piezas o adornos de seda o de otra materia	KN	125
Sombreros para mujeres o niñas:			
614	- de fieltro de lana o de pelo y los de tela o de trenza de lana, sin adornos ni obra de sombrerería, forros, cintas, etc.		
	- de fieltro de lana, sin adornos, etc	c/u	5
	- de fieltro de pelo, sin adornos, etc	c/u	6, 75
615	- de fieltro de lana o de pelo y los de tela o de trenza de lana, con adornos, forros, etc.		
	— con obra de modistas	c/u	6, 75
616	- de paja llamada de seda y los de tela, de felpa o de trenza con seda, sin adornos ni obra de sombrerería, forros, cintas, etc.	c/u	7, 50
617	- de paja llamada de seda y los de tela, de felpa o de trenza con seda, con adornos, forros, etc.	c/u	20
Acidos:			
729	- tánico o tanino	KB	1
Amonio:			
757	- carbonato, bicarbonato y fosfato	KB	0, 10
Potasio:			
910	- clorato, cloruro impuro y silicato líquido	KB	0, 05
979	Coloretos, polvos comprimidos, pastas, líquidos y demás afeites para teñir el cutis o las uñas	KL	25
1002	Extractos o esencias de olor para el tocador en cualquier envase y los productos de tocador que vengan acondicionados conjuntamente con ellos en estuches o cajas	KL	25
1009	Medicamentos para tomar por gotas cuando traen gotarios o prescripciones para ser tomados por gotas, ya sea que se indique el número de éstas o su volumen equivalente, y soluciones para inyecciones, no especificadas	KL	7, 50
1014	Inyecciones hipodérmicas, no especificadas, en ampolletes, pastillas y comprimidos		
	- con excepción de pastillas y comprimidos	KL	15
1016	Jarabes medicinales, que contengan más de treinta por ciento de azúcar	KB	3
1026	Medicamentos granulados, con o sin azúcar, como neurosina, kola, urodonal, etc.	KL	5
1032	Obleas, píldoras y grageas	KL	3, 50
1033	Productos de tocador, como cremas, leches, cosméticos, pomadas y otros no especificados	KL	12, 50
Polvos para el cutis, blancos o ligeramente coloreados, estén o no comprimidos, con o sin agregados medicamentosos:			

Partida	Articulos	Unidad	Derechos
1035	- con perfume	KL	9
1046	Te medicinal	KL	2, 50
	Jabones:		
1137	- para el tocador, o para el baño, sean o no medicinales, con o sin perfume, en cualquiera forma, y los no especificados	KL	12, 50
1138B	- de Marsella	KB	0, 80
1154	Polvos clarificantes (para licores)	KL	1, 50
1171	Gelatina para repostería u otros usos	KL	1, 50
	Hierro o acero laminado:		
1194C	- en perfiles compuestos para construcciones, tales como vigas, tijerales, columnas, pilares y otros análogos	KB	0, 15
	Caños o tubos rectos, sin distinción de tamaño, y sus "piezas especiales", o sea, las que sirven para unir, bifurcar o cambiar la dirección de ellos, tales como manguitos, codos, curvas, tées, reducciones, terminales y tapas:		
1255	- de hierro dulce (batido) y los de fundición maleables, estén o no pintados o zincados		
	— para obras de agua potable, que tengan un diámetro interior de 100 mm. o más	KB	0, 10
1255A	- como los anteriores, galvanizados o recubiertos con otras capas metálicas	KB	0, 10
1255B	- que tengan un espesor menor de 1 mm. (de palastro) y los que traigan trabajos de corte, perforación, curvatura o adornos		
	— tubos y caños de 50 mm. o más	KB	0, 10
1256	- de hierro fundido (colado), no especificados	KB	0, 05
	Artefactos, no especificados, de níquel, puro o no, o de sus aleaciones:		
1306	- dorados o plateados	KL	15
	Botones, no especificados, para ropa, sin considerar el armado interior:		
1309	- sin dorar ni platear	KL	2, 50
1310	- dorados o plateados	KL	5
	Utiles de recambio, sean o no de uso industrial, que se agregan a las máquinas, aparatos o herramientas para realizar el trabajo, tales como discos pulidores, brocas, canillas para telares, etc., y los útiles destinados a obtener la variedad de la producción de ellos, tales como cartones Jacquard, matrices de linotipia, moldes para estampado, etc.:		
1367	- de metal o de madera		
	Laminas u hojas de sierras de mano	KB	0, 025
	Sierras de todas clases para máquinas	KB	0, 125
	Utensilios y herramientas de mano y sus piezas no especificadas:		
1373	- Fuelles de mano	KB	0, 15
	Artículos manufacturados:		
1643	- de celuloide, de bakelita o de otra composición análoga	KL	10
1643A	Máquinas para afeitar, de bakelita o de otra composición análoga, tengan o no estuches, pudiendo éstos contener hasta una docena de hojas y otros útiles	KL	10

Partida	Articulos	Unidad	Derechos
1668	Carteras, cigarreras, tabaqueras, tarjeteras, portamonedas y bolsos para la mano y otros artículos semejantes tengan o no armadura o forro interior de seda	KL	25
	Guantes, aunque tengan bordados de seda; incluidas las piezas cortadas para su fabricación:		
1674	- sin forrar	KL	50
	Artefactos no especificados:		
1689	- de galalita	KL	10
1689A	Máquinas para afeitar, de galalita, tengan o no estuches, pudiendo éstos contener hasta una docena de hojas y otros útiles	KL	10
	Papel o cartón:		
	- para tapizar o para decorar habitaciones:		
1719	- con dorado o plateado, el apañado, el con fondo de tela para techos, los que pesen más de 150 grs. por m ² y tengan relieve de cualquiera naturaleza, aunque sean simplemente granulaciones o protuberancias y los de cualquier peso que tengan relieve que coincida con las variaciones del dibujo o con los matices del pintado	KB	1
1720	- de otras clases		
	- papeles que pesen más de 90 grs. por metro cuadrado	KB	0, 50
	- para cigarrillos, con excepción del dorado y del con corcho esté o no encerado o con preparaciones asépticas:		
1722	- en tubitos y el cortado o en libritos	KL	1, 50
1727	- transparente (aceitado etc.) y la tela, denominados para calcar; el engomado en tiras, el carbónico; el denominado "Glacier" para decorar vidrios; el de cellophane, de gelatina o cubierto con gelatina y otros semejantes	KL	1, 50

Translation

REPUBLIC OF CHILE
MINISTRY OF FOREIGN AFFAIRS
DEPARTMENT OF COMMERCIAL POLICY

C 4-121.413 No. 004024

SANTIAGO, *July 30, 1945.*

MR. AMBASSADOR:

The Government of the Republic of Chile, following the principles upheld by the United Nations and in accordance with the economic objectives of the Atlantic Charter and especially of the Inter-American Conference of Mexico City on Problems of War and Peace [1] with respect to the reduction of customs duties, wishes to adopt measures to intensify commercial exchange with the United States of America and other Allied Nations within a policy of mutual concessions and of close cooperation.

55 Stat. 1603.

In view of the fact that the conclusion of a more comprehensive Commercial Agreement with the United States of America will still require a certain amount of time, in consequence of the studies and procedures which must be considered, the Government of Chile believes that it may make progress toward the fulfilment of the above-mentioned objectives by means of the present supplementary exchange of notes which, amplifying the Provisional Commercial Agreement concluded by the two countries on January 6, 1938, contemplates better the proposals expressed in the referred-to International Agreements.

52 Stat. 1479.

The Government of Chile is disposed, immediately, to grant customs concessions to the United States products enumerated in the attached list, these being reductions which, like the Provisional Commercial Agreement of 1938, will remain in force until the conclusion of a more comprehensive Commercial Agreement with the United States of America and which will be of considerable and positive benefit with respect to the products of that country which will thus enjoy appreciable reductions in customs duties as regards numerous items which are of interest in its trade with Chile.

Post, p. 1724.

52 Stat. 1479.

The Government of my country has decided to take the indicated step, without stipulating compensation, in the conviction that it will thus respond to the spirit of frank and loyal cooperation displayed by the Delegation of the United States of America during the Mexico City Conference.

¹ [Report of the Delegation of the United States of America to the Inter-American Conference on Problems of War and Peace, Mexico City, Mexico, February 21-March 8, 1945, Department of State publication 2497.]

The present Note and Your Excellency's reply expressing the conformity of your Government with this proposal of the Government of Chile will constitute an Agreement between the two countries on this matter.

This Agreement will be effective for the period of one year unless it is replaced during that period of time by a more comprehensive Commercial Agreement, and it may be denounced by either of the two countries by giving 30 days' advance notice.

Duration of Agree-
ment; denunciation.

The Government of Chile takes this occasion to express its desire to initiate negotiations with Your Excellency's Government to conclude a Treaty of Friendship, Commerce, and Navigation.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

LUIS ALAMOS B

His Excellency CLAUDE G. BOWERS,
*Ambassador Extraordinary and Plenipotentiary of the
United States of America*
City. —

ATTACHED LIST

List of United States products with respect to which there will apply in Chile the reduced import duties which are indicated below. The duties are expressed in gold pesos of six (English) pence, payable in currency according to the legal rate.

Item	Articles	Unit	Duties
	Yarns, single strand, for knitting:		
274	- of wool, not specified	kg.	9
275	- of wool, with or without silk threads, on cones, and which measure 36,000 meters or more to the net kilo	kg.	6
	Threads and yarns, not specified:		
285	- of wool, even though they contain up to 70% of silk or ordinary metal	kg.	9
289	- of silk	kg.	5
	Unbleached cotton cloth, smooth, not specified, with or without mixture of hemp, jute or other similar fibers, or which contain linen or wool in a proportion which does not exceed ten percent of the total:		
	- which weigh less than 40 grams per square meter and which have in a five-millimeter square:		
369	— 27 threads or less	net kg.	2. 25
370	— 28 threads and up to 38	net kg.	2. 85
371	— more than 38 threads	net kg.	3. 50
	Unbleached cotton fabrics, which are not smooth: not specified, with or without mixture of hemp, or which have linen or wool in a proportion which does not exceed ten percent of the total:		
	- which weigh less than forty grams per square meter and which have in a five-millimeter square:		
378	— 27 threads or less	net kg.	2. 80
379	— 28 threads and up to 38	net kg.	3. 35
380	— more than 38 threads	net kg.	4. 20
381	Bleached cotton fabrics, not napped: will have the same duty as the unbleached textiles in their corresponding classes plus an extra charge of one peso fifty centavos per net kilo.		
	- which weigh less than 40 grams	net kg.	(extra charge 0.60)
	Fabric, not napped, cotton, stamped, dyed or of colored threads, and those fabrics colored as a result of processing, not specified:		
384	- which weigh less than 200 grams per square meter: will pay the same duty as the unspecified unbleached cloths in their corresponding classes, plus an extra charge of four pesos fifty centavos per each net kilogram.		

Item	Articles	Unit	Duties (extra charge 1.80)
	- which weigh less than 40 grams	net kg.	
	Unspecified fabrics of wool or vegetable fibres which contain wool in a proportion greater than 10 percent, with or without threads of ordinary metal:		
392	- up to 250 grams	net kg.	9
393	- more than 250 grams	net kg.	9
394	- like the two preceding items, which contain silk in a proportion which does not exceed five per- cent	net kg.	10
	Fabrics with silk or which contain it in their adorn- ments, unspecified:		
395	- up to twenty percent silk	net kg.	15
396	- more than twenty and less than eighty percent silk	net kg.	30
397	- eighty percent and more of silk	net kg.	60
	Velvet, plush and curly cloth:		
401	- of wool	net kg.	7. 50
	Tulle and lace stitch:		
413	- of cotton, even with appliqué, hemmed or trimmed with lace work containing no silk	net kg.	6
414	- of linen, like those of the preceding item	net kg.	7. 50
	- with silk:		
415	- up to twenty percent	net kg.	30
416	- more than twenty and less than eighty percent .	net kg.	60
417	- eighty percent or more	net kg.	125
	Laces, the following being considered as "lace": tulle or lace stitch of cotton or linen, trimmed with threads of the same material, except chain stitching; broad silk lace, fluting, ruffs and manu- factures thereof, not specified:		
447	- containing silk	kg.	100
	Passementerie and ribbons not specified:		
465	- which contain more than twenty and less than eighty percent silk	kg.	30
466	- which contain eighty percent or more of silk . .	kg.	60
	Belts, with or without pieces of other material:		
497	- of wool	kg.	12. 50
498	- which contain silk	- kg.	40
	Umbrellas and parasols:		
552	- of cotton, linen or wool, with handle of wood or metal	each	1
553	- of cotton, linen or wool, with handle of bone, celluloid, bakelite, etc., and those which have cords or tassels with silk	each	1
554	- which contain silk in the cloth or in trimmings	each	5
555	- with handles or pieces of tortoise shell, ivory, mother-of-pearl or precious metal and those containing swords	each	15
	Ready-made clothes, of cloth waterproofed with rubber or its substitutes, including hats and belts of the same material to match:		
567	- containing silk	net kg.	30
	Ready-made clothes, of lace, lace stitch or tulle, for women, girls or babies, including individual pieces of the same with sewing:		
579	- containing silk in the fabric, with or without adornments or trimmings	net kg.	200

Item	Articles	Unit	Duties
	Ready-made clothes, not specified, for men or boys, and individual pieces of the same with sewing:		
586	- of wool, with adornments or trimmings containing silk	net kg.	40
587	- containing less than eighty percent of silk in the fabric, with or without pieces or adornments of silk or other material	net kg.	60
	Ready-made clothes unspecified, for women, girls or babies, and the individual pieces of the same with sewing:		
595	- of wool, with or without adornments of wool or of other material	net kg.	25
596	- of wool, with adornments or trimmings which contain silk	net kg.	40
597	- which contain less than eighty percent of silk in the fabric, with or without pieces or adornments of silk or other material	net kg.	60
598	- which contain eighty percent or more of silk in the fabric, with or without pieces or adornments of silk or of other material	net kg.	125
	Hats for women or girls:		
614	- of wool felt or hair felt and those of cloth or wool braid, without adornments or trimming, linings, ribbons, etc.		
	- of wool felt, without adornments, etc.	each	5
	- of hair felt, without adornments, etc.	each	6. 75
615	- of wool felt or hair felt and those of cloth or woolen braids, with adornments, linings, etc.		
	- with trimming	each	6. 75
616	- of so-called silk straw and those of cloth, plush or silk braid, without adornments or trimmings, linings, ribbons, etc.	each	7. 50
617	- of so-called silk straw and those of cloth, plush or silk braid, with adornments, linings, etc.	each	20
	Acids:		
729	- tannic or tannin	gross kg.	1
	Ammonium		
757	- carbonate, bicarbonate and phosphate	gross kg.	0. 10
	Potassium:		
910	- chlorate, impure chloride and liquid silicate	gross kg.	0. 05
979	Rouge, compressed powders, pastes, liquids and other cosmetics to color the skin or the nails	kg.	25
1002	Perfume extracts or essences for the toilet in any kind of container and toilet products prepared with them in cases or boxes	kg.	25
1009	Medicines to be taken by drops when accompanied by droppers or prescriptions indicating taking by drops, whether the number of drops or the volume's equivalence in drops is indicated, and solutions for injections, not specified	kg.	7. 50
1014	Hypodermic injections, not specified, in vials, tablets, and compressed form		
	- with the exception of tablets and compressed forms	kg.	15
1016	Medicinal sirups which contain more than thirty percent sugar	gross kg.	3

Item	Articles	Unit	Duties
1026	Granulated medicines, with or without sugar, such as neurosine, kola, urodonal, etc.	kg.	5
1032	Wafers, pills and small drops [or troches].	kg.	3. 50
1033	Toilet goods, such as creams, lotions, cosmetics, pomades and others not specified	kg.	12. 50
	Powders for the skin, white or slightly colored, in compressed form or otherwise, with or without medicinal ingredients:		
1035	— with perfume	kg.	9
1046	Medicinal tea	kg.	2. 50
	Soaps:		
1137	— for toilet or bath, medicinal or not, with or without perfume, in any form, and those not specified	kg.	12. 50
1138 B	— of Marseilles	gross kg.	0. 80
1154	Clarifying powders (for liquids)	kg.	1. 50
1171	Gelatine for confectionery and other uses	kg.	1. 50
	Iron or rolled steel:		
1194 C	— in forms designed for building, such as girders, beams, columns, pillars and similar forms	gross kg.	0. 15
	Straight pipes or tubes, without distinction of size, and their "special pieces," i. e., those which are used to join, bifurcate or change their direction, such as couplers, elbows, curves, tees, reducers, ends and caps:		
1255	— of soft iron (beaten) and those of malleable cast iron, whether painted, zinc-coated or not.		
	— for conveying drinking water, with an interior diameter of 100 mm. or more	gross kg.	0. 10
1255A	— like the above, galvanized or covered with other metallic coatings	gross kg.	0. 10
1255 B	— with thickness less than 1 mm. (of the sheet metal) and those cut in special ways, with perforations, curves or ornaments		
	— tubes and pipes of 50 mm. or more.	gross kg.	0. 10
1256	of cast iron, not specified.	gross kg.	0. 05
	Manufactured goods, not specified, of nickel, pure or not, or of nickel alloys:		
1306	— gold or silver plated	kg.	15
	Buttons, not specified, for clothes, without regard to interior construction:		
1309	— without gold or silver plating	kg.	2. 50
1310	— gold or silver plated	kg.	5
	Removable tools, of industrial use or not, which are adjusted to machines, apparatus or implements to perform work, such as polishing disks, drills, reeds for looms, etc., and tools designed for effecting their various types of production, such as Jacquard cards, linotype matrixes, molds for cloth printing, etc.:		
1367	— of metal or of wood		
	Thick or thin blades of handsaws	gross kg.	0. 025
	Saws of all kinds for machines	gross kg.	0. 125
	Hand tools and implements and their parts, not specified:		
1373	— Hand bellows	gross kg.	0. 15
	Manufactured goods:		
1643	— of celluloid, bakelite or similar composition	kg.	10

Item	Articles	Unit	Duties
1643A	Safety razors, of bakelite, or of similar composition, with or without cases, the latter capable of holding as many as a dozen blades and other equipment	kg.	10
1668	Portfolios, cigar cases, tobacco pouches, cardcases, pocketbooks and purses, of hand size, and similar articles with or without interior construction or lining of silk Gloves, even those trimmed with silk; including parts which have been cut for manufacture of same:	kg.	25
1674	— without lining	kg.	50
	Manufactured good, unspecified:		
1689	— of plastic	kg.	10
1689A	Safety razors, of plastic, with or without cases, with the latter holding up to a dozen blades and other equipment.	kg.	10
	Paper or cardboard:		
	— to paper or decorate rooms:		
1719	— gilded or silvered, the type resembling cloth, the type with cloth base for ceilings, types which weigh more than 150 grams per square meter and have raised surfaces of any type, even though they are merely granulations or protuberances, and those of any weight whatsoever which have raised portions which match the variations of the design or the colorings of the design	gross kg.	1
1720	— of other types — types of paper which weigh more than 90 grams per square meter — for cigarettes, with the exception of the gilded or cork type, whether or not waxed or with aseptic preparations:	gross kg.	0.50
1722	— in tubes and that which is cut or in book form	kg.	1.50
1727	— transparent (oiled, etc.) and tracing film; gummed in strips, carbon paper; the type called "Glacier" for decorating glass; cellophane type, gelatine type or the type covered with gelatine and other such types	kg.	1.50

The American Ambassador to the Chilean Acting Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

*Santiago, Chile,
July 30, 1945.*

No. 2700

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of July 30, 1945 containing a proposal by the Government of the Republic of Chile to concede to the commerce of the United States of America, without compensation, reductions in the Chilean import duties on certain products as set forth in the enclosure with Your Excellency's note, such reductions to continue in force for a period of one year, unless the present agreement is superseded within that time by a more comprehensive commercial agreement, it being understood, however, that the present agreement may be terminated by either Government upon the giving of thirty days' advance notice.

Ante, p. 1715.

Reductions in
Chilean import duties.

I have the honor to assure your Excellency that the Government of the United States greatly appreciates the interest of the Chilean Government in adopting measures to expand and to liberalize trade in accordance with the economic objectives of the Atlantic Charter and of the Inter-American Conference on Problems of War and Peace, and is pleased to accept the proposal of the Government of Chile.

55 Stat. 1603.

I have noted with satisfaction the willingness expressed by Your Excellency's Government to enter into negotiations for a Treaty of Friendship, Commerce and Navigation and I desire to inform Your Excellency that my Government is likewise willing to enter into such negotiations.

Accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

CLAUDE G. BOWERS

His Excellency

Señor don LUIS ALAMOS BARROS,

*Acting Minister for Foreign Affairs of Chile,
Santiago.*

October 13, 1945
[T. I. A. S. 1530]

Agreement between the United States of America and the Dominican Republic respecting cooperative education. Effected by exchange of notes signed at Ciudad Trujillo October 13, 1945; effective October 13, 1945.

The Dominican Secretary of State for Foreign Affairs to the American Ambassador

REPUBLICA DOMINICANA
SECRETARIA DE ESTADO
DE RELACIONES EXTERIORES

CIUDAD TRUJILLO,
DISTRITO DE SANTO DOMINGO,
13 de octubre de 1945.

24732

SEÑOR EMBAJADOR:

Tengo el honor de comunicar a Vuestra Excelencia que como resultado de las conversaciones sostenidas entre el Secretario de Estado de Educación y Bellas Artes, Señor Telésforo R. Calderón, en representación del Gobierno dominicano, de una parte, y de la otra, la Fundación Interamericana de Educación Inc., Corporación de la Oficina de Asuntos Interamericanos y Agencia del Gobierno de los Estados Unidos de América, representada por su Presidente señor Kenneth Holland, fué suscrito definitivamente en esta ciudad, el día 3 de octubre corriente, el acuerdo para un programa cooperativo de educación, que copiado a la letra dice así:

“El Gobierno de la República Dominicana (de aquí en adelante llamado “República”), representado por el Secretario de Estado de Educación y Bellas Artes (de aquí en adelante llamado “Secretario”) y la Fundación Interamericana de Educación Inc., corporación de la Oficina de Asuntos Interamericanos y agencia del Gobierno de los Estados Unidos de América (de aquí en adelante llamada “Fundación”), representada por su Presidente, han decidido celebrar el siguiente Acuerdo para llevar a cabo un Programa Cooperativo de Educación, para promover la comprensión interamericana por medio de un mejor intercambio entre la República Dominicana y los Estados Unidos de educadores y de ideas y métodos educacionales, de acuerdo con la Resolución 28 adoptada por la Primera Conferencia de Ministros y Directores de Educación de las Repúblicas Americanas efectuada en Panamá en septiembre y octubre de 1943, y de acuerdo con la Resolución 58 adoptada por la Conferencia Interamericana sobre Problemas de la Paz y de la Guerra, efectuada en la Ciudad de Méjico en los meses de febrero y marzo de 1945.

“1. El mencionado programa cooperativo de educación puede incluir:

- a. Suministro por la Fundación de un pequeño cuerpo de especialistas de educación solicitados por el Secretario para trabajar en la República Dominicana en la realización del programa cooperativo de educación;
- b. Subvenciones para que educadores dominicanos puedan viajar a los Estados Unidos para adquirir entrenamiento especializado, para dar conferencias, enseñar e intercambiar ideas y experiencias con educadores estadounidenses;
- c. La investigación y estudio de las necesidades locales en la República Dominicana y de los recursos con que cuenta para llevar a cabo programas relativos a la Educación Física en el campo de las escuelas primarias, secundarias y normales y programas relativos a la Enseñanza Vocacional;
- d. Desarrollo, adaptación e intercambio de materiales de enseñanza apropiados para los programas mencionados en la letra c);
- e. Proyectos locales necesarios para la aplicación de los indicados programas en la República Dominicana.

"2. El Cuerpo de Especialistas estará bajo la dirección de un funcionario que tendrá el título de Representante Especial de la Fundación Interamericana de Educación y quien representará a la Fundación para todo lo relativo al programa que se llevará a cabo en virtud de este acuerdo. El Representante Especial y los especialistas no serán nombrados sin que los candidatos hayan sido previamente aprobados por el Secretario de Estado de Educación y Bellas Artes.

"3. Se creará en la Secretaría de Estado de Educación y Bellas Artes, como dependencia de la misma, un servicio técnico especial que llevará el nombre de Servicio Cooperativo Interamericano de Educación, (de aquí en adelante llamado "Servicio") que actuará como intermediario entre la República y la Fundación y que llevará a cabo, bajo la autoridad del Secretario de Estado de Educación y Bellas Artes, el programa educativo a que se refiere el presente acuerdo. El Representante Especial de la Fundación será nombrado Director del Servicio.

"4. Las actividades que deben realizarse en virtud de este acuerdo y la asignación de los fondos correspondientes se convendrán por escrito entre el Secretario y el Representante Especial. Las decisiones serán ejecutadas por el Director del Servicio, conforme a las normas que apruebe el Secretario. Los educadores dominicanos que se envíen a los Estados Unidos serán seleccionados conjuntamente por el Secretario y el Representante Especial, quienes convendrán las condiciones de las becas y subvenciones correspondientes.

"5. La Fundación determinará y pagará los sueldos y otros gastos pagaderos directamente a los miembros del Cuerpo de Especialistas, así como otros gastos de origen administrativo que la Fundación haga en conexión con la inauguración y la administración del Programa, cuyo monto no excederá de \$37,500.00, U. S. C., cantidad que retendrá en los Estados Unidos, y además depositará en un banco de la República Dominicana, que sea mutuamente convenido por el

Secretario y el Representante Especial de la Fundación, a la cuenta del Servicio una cantidad no excedente a \$37,500.00, U. S. C.

“La República depositará en el mismo banco y a la cuenta del Servicio, la suma de \$75,000.00, U. S. C., la cual será en adición al presupuesto normal del Gobierno para la educación. Los pagos serán efectuados por la República y la Fundación en las fechas y según las cuotas estipuladas a continuación:

	<i>Fundacion</i>	<i>Republica Dominicana</i>
Noviembre 1, 1945	\$12, 500. 00	\$25, 000. 00
Noviembre 1, 1946	12, 500. 00	25, 000. 00
Noviembre 1, 1947	12, 500. 00	25, 000. 00
Total a depositarse:	\$37, 500. 00	\$75, 000. 00
Sueldos, transporte y gastos administrativos a pagarse en conexión con el personal de los Estados Unidos	\$37, 500. 00	
Totales	\$75, 000. 00	\$75, 000. 00

“Los fondos depositados por cualquiera de las partes contratantes para cualquier año estipulado no serán girados hasta que los fondos para el mismo año no sean depositados por la otra parte.

“6. Por cuanto los fondos destinados al programa serán usados enteramente en beneficio del Programa Cooperativo de Educación, los fondos introducidos en la República Dominicana por la Fundación para fines del programa cooperativo estarán exentos de impuestos, recargos por servicio, requerimientos de inversión o depósito, y otros controles de cambio.

“7. En vista de que muchas compras de materiales y equipos y otros desembolsos relacionados con la ejecución del programa, necesariamente tendrán que hacerse en los Estados Unidos de América, el Secretario y el Representante Especial de la Fundación podrán acordar retener de los depósitos que la Fundación deberá hacer en la cuenta bancaria del Servicio, tal como se estipula en los artículos anteriores de este acuerdo, la cantidad que consideren necesaria para efectuar dichas compras y desembolsos en los Estados Unidos de América. Esta cantidad será considerada como si se hubiera depositado bajo las disposiciones de este acuerdo. Cualesquiera fondos así retenidos por la Fundación para tales fines y no gastados o comprometidos para esto, serán depositados en la mencionada cuenta bancaria del Servicio en cualquier momento cuando el Secretario y el Representante Especial de la Fundación así lo convengan.

“8. Todos los contratos para llevar a cabo los proyectos mutuamente acordados, de conformidad con este acuerdo, serán celebrados a nombre del Servicio y serán firmados por el Secretario y el Director del Servicio. El personal que será pagado con los fondos del programa depositados en la República Dominicana será seleccionado por el Director del Servicio, sujeto a la aprobación del Secretario. Las normas generales, los programas y procedimientos para la ejecución del Programa Cooperativo de Educación y para el desembolso y contabilidad de los fondos, para la compra, uso, inventario, control y disposición de bienes y cualesquiera otros asuntos administrativos,

serán determinados o establecidos por mutuo acuerdo entre el Secretario y el Representante Especial de la Fundación. No se hará ningún desembolso de la susodicha cuenta bancaria sin la autorización firmada del Director del Servicio o de su delegado y del Secretario o de su delegado. Los libros y records del Servicio relacionados con el Programa Cooperativo de Educación, estarán en todo tiempo disponibles para inspección por el representante de la República y la Fundación; y el Director del Servicio rendirá informes financieros a la República y a la Fundación en los intervalos que sean acordados entre el Secretario y el Representante Especial de la Fundación.

“9. La Fundación hará lo posible por conseguir de la Oficina de Asuntos Interamericanos, y de otras entidades, tanto públicas como privadas, en los Estados Unidos, la ayuda y cooperación que sean convenientes para la ejecución del Programa Cooperativo de Educación. La República, además de su contribución en efectivo aquí estipulada, (a) deberá nombrar, de acuerdo con el Director del Servicio, especialistas para colaborar con el Cuerpo de Especialistas de la Fundación; (b) suministrará locales para oficinas, así como muebles y cualesquiera otras facilidades, materiales, equipos y suministros que pueda convenientemente aportar para el programa y (c) en general, prestará al programa la ayuda de los demás Departamentos de la República.

“10. Los fondos pagaderos por la Fundación según este acuerdo, o depositados por las partes contratantes en la cuenta bancaria del Servicio, seguirán disponibles para dicho programa cooperativo de educación durante la vigencia de este acuerdo, sin tomar en consideración períodos anuales o años fiscales.

“En caso de que a la expiración de cada período de 12 meses de este acuerdo, y también seis meses antes de su expiración final, la Fundación crea que los fondos segregados para el pago de sueldos y otros gastos pagaderos directamente a los miembros del Cuerpo de Especialistas, en conformidad con el artículo 5 de este Acuerdo, sean más de lo necesario para este fin, la Fundación entonces avisará a la República del sobrante que, por consiguiente, podrá transferir para invertirse en proyectos, y esta cantidad adicional se depositará en la cuenta bancaria del Servicio o se dispondrá de otra manera, de conformidad con este acuerdo.

“El Secretario y el Representante Especial de la Fundación determinarán por mutuo acuerdo la disposición de cualesquiera fondos no comprometidos y de cualesquiera otros bienes que queden bajo control del Servicio, al vencimiento de este acuerdo.

“11. El Servicio disfrutará de todos los derechos y privilegios de que gozan las dependencias y entidades gubernamentales y oficiales de la República. Tales derechos incluirán, por ejemplo, franquicia postal, telegráfica y telefónica, tarifas gubernamentales especiales en compañías de transporte, y además exención e inmunidad de toda clase de impuestos (timbres, sobre la renta, etc.); así como de derechos consulares e impuestos aduanales sobre importaciones destinadas para el uso del Servicio en el Programa Cooperativo de Educación.

La Fundación gozará de los mismos derechos y exenciones con respecto a sus actos y bienes relacionados con el Programa Cooperativo.

"12. Todo material, equipo y suministros comprados con fondos del programa, pasarán a ser propiedad de la República y serán dedicados al Programa.

"13. Cualquier derecho, facultad o deber conferido por este acuerdo al Secretario, al Representante Especial de la Fundación o al Director del Servicio, podrá ser delegado, por escrito, a representantes, siempre y cuando tales representantes sean aceptados por las otras partes. No obstante el nombramiento de tales representantes, el Secretario y el Representante Especial de la Fundación podrán tratar cualquier asunto directamente entre ellos y resolverlo.

"14. Los miembros del personal de la Fundación, que son ciudadanos de los Estados Unidos de América, dedicados a la realización del referido programa cooperativo de educación, estarán exentos, en la República Dominicana, de todos los impuestos y de todas las cargas para fines de seguridad social, con respecto a aquellos ingresos sobre los cuales estuvieren obligados a pagar impuestos sobre la renta o contribuciones para fines de seguridad social al gobierno de los Estados Unidos de América. Dichos empleados quedarán igualmente exentos del pago de derechos de aduana o de otra índole sobre sus efectos personales y sobre el equipo y los suministros que fueren importados o exportados para su propio uso.

"15. Este acuerdo puede ser reformado posteriormente si las partes lo creyeran necesario y tales reformas deberán ser efectuadas por escrito y firmadas por los representantes de la República y de la Fundación.

"16. El Poder Ejecutivo de la República dará los pasos necesarios para obtener las leyes, los decretos, órdenes o resoluciones que sean necesarios para cumplir las estipulaciones de este acuerdo.

"17. Este acuerdo estará en vigor desde el canje de notas entre el Secretario de Estado de Relaciones Exteriores de la República Dominicana y el Embajador de los Estados Unidos de América hasta el 30 de junio de 1948, y podrá ser prorrogado por mutuo acuerdo para nuevos períodos. Este acuerdo podrá darse por terminado el 31 de octubre de 1946, o el 31 de octubre de 1947, mediante aviso por escrito que comunique una de las dos partes a la otra con no menos de un año de anticipación a una de las dos fechas mencionadas.

"EN FE DE LO CUAL, firmamos el presente Acuerdo en dos originales en idioma español y en idioma inglés, en Ciudad Trujillo el tres de octubre de mil novecientos cuarenta y cinco. (Firmado): Por la República Dominicana, Telésforo R. Calderón, Secretario de Estado de Educación y Bellas Artes; (Firmado): Por la Fundación Interamericana de Educación, Señor Kenneth Holland, Presidente".

La presente nota relativa al convenio anteriormente transcrito y la respuesta de Vuestra Excelencia en igual sentido determinarán la vigencia de dicho acuerdo, de conformidad con su artículo 17.

Válgome de la oportunidad para renovar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

M PEÑA BATLLE

Su Excelencia,

JOSEPH F. MCGURK,

*Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América,
Su Embajada.*

Translation

DOMINICAN REPUBLIC
DEPARTMENT OF STATE
FOR FOREIGN AFFAIRS

24732

CIUDAD TRUJILLO,
DISTRICT OF SANTO DOMINGO,
October 13, 1945.

MR. AMBASSADOR:

I have the honor to inform Your Excellency that, as a result of the conversations held between the Secretary of State for Education and Fine Arts, Mr. Telésforo R. Calderón, representing the Dominican Government, on the one hand and, on the other, the Inter-American Educational Foundation, Inc., a corporation of the Office of Inter-American Affairs and an Agency of the Government of the United States of America, represented by its President, Mr. Kenneth Holland, there was definitively signed in this city on the 3d instant the agreement for a cooperative educational program which, copied literally, reads as follows:

“The Government of the Dominican Republic (hereinafter called the “Republic”), represented by the Secretary of State for Education and Fine Arts (hereinafter called the “Secretary”) and the Inter-American Educational Foundation, Inc., a corporation of the Office of Inter-American Affairs and an Agency of the Government of the United States of America (hereinafter called the “Foundation”), represented by its President, have decided to conclude the following agreement in order to carry out a cooperative educational program to promote Inter-American understanding by bringing about a better interchange of educators, educational ideas and methods between the Dominican Republic and the United States of America, pursuant to Resolution 28 adopted by the First Conference of Ministers and Directors of Education of the American Republics [1] held in Panama in September and October, 1943, and pursuant to Resolution 58 adopted by the Inter-American Conference on Problems of War and Peace, [2] held at Mexico City in February and March 1945.

¹ [Not printed.]

² [Report of the Delegation of the United States of America to the Inter-American Conference on Problems of War and Peace, Mexico City, Mexico, February 21-March 8, 1945, Department of State publication 2497.]

"1. The said cooperative educational program may include:

- a. Furnishing by the Foundation of a small Field Staff of educational specialists requested by the Secretary for service in the Dominican Republic in carrying out the cooperative educational program;
- b. Grants to permit Dominican educators to go to the United States for specialized training, to lecture, to teach and to interchange ideas and experience with United States educators;
- c. Exploration and survey in the Dominican Republic of local needs, and resources for carrying out educational projects in the field of physical education at the primary, secondary, and teacher education levels and in the field of vocational education;
- d. Development, adaptation, and exchange of suitable teaching materials necessary for the programs mentioned in paragraph c);
- e. Local projects needed to implement this program in the Dominican Republic.

Field Staff of specialists.

"2. The Field Staff of specialists shall be under the direction of an official who shall have the title of "Special Representative, Inter-American Educational Foundation, Inc.," and who shall be the representative of the Foundation in connection with the program to be undertaken in accordance with this agreement. The special representative and the specialists shall not be appointed until the candidates have been previously approved by the Secretary of State for Education and Fine Arts.

Special technical service.

"3. There shall be created in the Department of State for Education and Fine Arts, and as a dependency of and attached to the same, a special technical service which shall have the name of "Servicio Cooperativo Interamericano de Educación" (hereinafter called the "Servicio"), which shall act as an intermediary between the Republic and the Foundation and which shall carry out under the authority of the Secretary of State for Education and Fine Arts the Educational Program referred to in this agreement. The Special Representative of the Foundation shall be named as Director of the Servicio.

"4. The activities that shall be carried out by virtue of this agreement and the allocation of funds therefor will be agreed upon in writing by the Secretary and the Special Representative. The decisions will be executed by the Director of the Servicio in accordance with standards approved by the Secretary. The Dominican Educators who will be sent to the United States of America, shall be mutually agreed upon by the Secretary and the Special Representative, who will agree to the conditions of the Scholarships and the terms of their grants.

Salaries and expenses.

"5. The Foundation shall determine and pay the salaries and other expenses payable directly to members of the Field Staff, as well as such other expenses of an administrative nature, as the Foundation

may incur in connection with the inauguration and administration of the program in a total amount not to exceed \$37,500, U. S. C., which it will retain in the United States and shall in addition deposit in a Bank of the Dominican Republic mutually agreed upon by the Secretary and the Special Representative of the Foundation, to the account of the Servicio an amount not to exceed \$37,500, U. S. C.

“The Republic shall deposit in the same Bank and to the account of the Servicio the sum of \$75,000, U. S. C., which deposit by the Republic shall be in addition to the Government’s regular budget for education. The payments of the deposits shall be made by the Republic and the Foundation on the following dates and in the amounts specified:

Deposit by Dominican Republic.

	<i>Foundation</i>	<i>Dominican Republic</i>
November 1, 1945	\$12, 500	\$25, 000
November 1, 1946	\$12, 500	\$25, 000
November 1, 1947	\$12, 500	\$25, 000
Total to be deposited	\$37, 500	\$75, 000
Salaries, travel and administrative expenses to be paid in connection with the personnel from the United States	\$37, 500	
Total	\$75, 000	\$75, 000

“The funds deposited by either party for any particular year are not to be drawn against until the funds for the same year are deposited by the other party.

“6. Inasmuch as the program funds will be used entirely for the benefit of the Cooperative Educational Program, the funds introduced into the Dominican Republic by the Foundation for the purpose of the cooperative program shall be exempt from taxes, service charges, investment or deposit requirements, and other currency controls.

Tax exemption, etc.

“7. In view of the fact that many purchases of materials and supplies and other disbursements relating to the execution of the Program, must necessarily be made in the United States of America, the Secretary and the Special Representative of the Foundation may agree to withhold from the payments to be made by the Foundation into the said Servicio Bank account, as provided in the preceding articles of this agreement, an amount deemed necessary to pay for such purchases and disbursements in the United States of America. Said amount shall be considered as if deposited under the terms of this agreement. Any funds so withheld by the Foundation for such purposes and not expended or obligated therefor shall be deposited in the said Servicio bank account at any time upon the mutual agreement of the Secretary and the Special Representative of the Foundation.

Withholding of funds from account.

“8. All contracts necessary to carry out the terms of the projects mutually agreed to as herein provided shall be made in the name of the Servicio and shall be signed by the Secretary and the Director of the Servicio. Personnel to be paid out of the Program funds deposited in the Dominican Republic shall be selected by the Director of the Servicio, subject to the approval of the Secretary. The general

Administration, etc., of Program.

policies, programs, and procedures for the execution of the Cooperative Educational Program and for the disbursement and accounting of funds, for the purchase, use, inventory, control and disposition of property, and any other administrative matters, shall be determined or established by mutual agreement between the Secretary and the Special Representative of the Foundation. No disbursement from the said Servicio bank account may be made without the signed authorization of the Director of the Servicio or his delegate and of the Secretary or his delegate. The books and records of the Servicio relating to the said cooperative educational program shall be open at all times for inspection by representatives of the Republic and of the Foundation, and the Director of the Servicio shall render financial reports to the Republic and to the Foundation at such intervals as may be agreed upon between the Secretary and the Special Representative of the Foundation.

Books and records.

Financial reports.

Cooperation of other agencies.

"9. The Foundation shall use its best efforts to obtain such assistance and cooperation of the Office of Inter-American Affairs and other Agencies, both public and private, in the United States, as may be appropriate for the execution of the said cooperative educational program. The Republic, in addition to its cash contribution as provided herein, shall (a) appoint specialists, in agreement with the Director of the Servicio, to collaborate with the Field Staff of the Foundation; (b) make available office space, furnishings and such other facilities, materials, equipment and supplies as it may conveniently provide for the said program; and (c) lend the general assistance thereto of the other Departments of the Republic.

Availability of funds.

"10. The funds payable by the Foundation under this agreement or paid by the parties hereto into the said Servicio bank account shall continue to be available for the said cooperative educational program during the existence of this agreement, without regard to annual periods or fiscal years.

Ante, p. 1736.

"In the event that upon the expiration of each twelve month period of this agreement, and again six months before its final expiration, the Foundation deems that the funds which it has set aside for the payment of salaries and other expenses directly payable to members of the Field Staff, as provided in Clause 5 hereof, will be more than is needed for the purpose, the Foundation will thereupon advise the Republic of the surplus which it can accordingly make available for projects and such additional sum shall be paid into the Servicio bank account or be otherwise disposed of pursuant to this agreement.

Unobligated funds.

"The Secretary and the Special Representative of the Foundation shall determine by mutual agreement the disposition of any unobligated funds and of any other property remaining in the control of the Servicio upon the termination of this agreement.

Rights and privileges.

"11. All rights and privileges which are enjoyed by governmental and official divisions or agencies of the Republic shall accrue to the Servicio. Such rights and privileges shall include, for example, free postal, telegraph and telephone service, special government rates on

transportation companies, and also freedom and immunity from all types of taxes, (stamp tax, income tax, etc.) as well as from consular charges and customs duties upon imports for the use of the Servicio in the cooperative educational program. The Foundation shall enjoy the same rights and exemptions with respect to its acts and property relating to the cooperative program.

"12. All materials, equipment, and supplies purchased with program funds shall become and remain the property of the Republic and shall be devoted to the program.

Materials, etc.

"13. Any right, power, or duty conferred by this agreement upon either the Secretary, the Special Representative of the Foundation, or the Director of the Servicio, may be delegated by the recipient thereof to representatives in writing, provided that such representatives are satisfactory to the other parties. Regardless of the naming of said representatives, the Secretary and the Special Representative of the Foundation shall have the right to refer any matter directly each to the other for discussion and decision.

Delegation of right, power, or duty.

"14. The personnel of the Foundation, who are citizens of the United States of America, engaged in carrying out the said cooperative educational program, shall be exempt in the Dominican Republic from all taxes and social security taxes with respect to income on which they are obligated to pay income or social security taxes to the Government of the United States of America. Such employees shall also be exempt from payment of customs or other duties on their personal effects and on equipment and supplies imported or exported for their own use.

Tax exemptions, etc., for U. S. citizens employed by Foundation.

"15. This agreement may be amended from time to time if deemed advisable by the parties hereto, such amendments to be in writing and signed by the representatives of the Republic and the Foundation.

Amendments.

"16. The Executive Power of the Republic will take the necessary steps to obtain legislation, decrees, orders or resolutions necessary to carry out the terms of this agreement.

Legislation, decrees, etc.

"17. This agreement shall be in force upon the completion of an exchange of notes between the Secretary of State for Foreign Affairs and the American Ambassador, until June 30, 1948, and may be extended by mutual agreement for additional periods. This agreement may be terminated on October 31, 1946, or October 31, 1947, by notice in writing to that effect being given by either party to the other not less than one year prior to either of said dates.

Entry into force; extension.

Termination.

"IN WITNESS WHEREOF, the parties hereto sign this agreement, two originals in Spanish and two originals in English, in Ciudad Trujillo on the 3rd day of October 1945. (Signed): For the Dominican Republic, Telésforo R. Calderón, Secretary of State for Education and Fine Arts; (Signed): For the Inter-American Educational Foundation, Mr. Kenneth Holland, President".

The present note relative to the agreement transcribed above and Your Excellency's reply in a like sense will make the said agreement effective in accordance with article 17.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

M. PEÑA BATLLE

His Excellency,

JOSEPH F. MCGURK,

*Ambassador Extraordinary and Plenipotentiary
of the United States of America,
The Embassy.*

*The American Ambassador to the Dominican Secretary of State for
Foreign Affairs*

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 192

Ciudad Trujillo, R. D., October 13, 1945.

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of October 13, 1945, transmitting the text of the Cooperative Educational Agreement signed by Señor T. R. Calderón, Secretary of State for Education and Fine Arts, and Mr. Kenneth Holland, President of the Inter-American Educational Foundation on October 3.

The text of the Agreement, as transmitted in Your Excellency's note under reference, is entirely acceptable to my Government.

As stipulated in Article 17, the Agreement is to be effective upon the completion of the present exchange of notes.

Please accept, Excellency, the renewed assurances of my highest consideration.

J. F. MCGURK

His Excellency

Lic. M. A. PEÑA BATLLE,

*Secretary of State for Foreign Affairs,
Ciudad Trujillo, R.D.*

Agreement between the United States of America and Canada respecting transfer of defense installations and equipment. Effected by exchange of notes signed at Ottawa March 30, 1946; effective March 31, 1946. And amendment effected by exchange of notes signed at Ottawa July 11 and 15, 1946; effective July 15, 1946.

March 30, 1946 and
July 11, 15, 1946
[T. I. A. S. 1631]

The Canadian Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 44

OTTAWA, March 30th, 1946.

EXCELLENCY:

I have the honour to refer to discussions which have recently taken place between representatives of our Governments on the subject of war surpluses and related matters. It is my understanding that these representatives have agreed on the following proposals which are acceptable to the Canadian Government.

2. With regard to defence installations and equipment owned by the United States Government and located in Canada and not yet otherwise disposed of, the two Governments have found it mutually advantageous to expedite and simplify the procedure set forth in the 33rd Recommendation of the Permanent Joint Board on Defence and approved by the two Governments, while continuing to accept its underlying principles. To the extent, therefore, that this agreement is inconsistent with the exchange of notes of November 22nd and December 20th, 1944, it shall be regarded as superseding them.

3. It is agreed that for the sum of \$12,000,000.00 (U. S.) the United States Government will transfer to the Canadian Government the following defence installations, projects and/or supplies and equipment connected therewith owned by the United States Government and located in Canada, the original cost price of which was approximately \$59,000,000.00 (U. S.). In each case the details are listed in appendices to this note, giving approximate original costs, as follows:

- (a) Immovable Property
Original cost - \$27,882,825.00 - Appendix I.
- (b) Movable Property in Northwestern Canada.
Original cost - \$16,481,811.00 - Appendix II.
- (c) Movable Property in Northeastern Canada.
Original cost - \$197,841.00 - Appendix III.
- (d) Movable Property Heretofore Reported to Crown Assets Allocation Committee but not Sold.
Original cost - \$9,994,650.00 - Appendix IV.
- (e) United States Navy Property Lend-leased to the United Kingdom, Declared Surplus and left in Canada.
Original cost - \$4,349,717.00 - Appendix V.

58 Stat. 1665.

Transfer of defense
installations, etc.

Use of property without cost by U. S. forces.

4. It is understood that United States forces now stationed in Canada will continue to use without cost, until their withdrawal from Canada, such immovable and movable property as they may require but which may be transferred to the Canadian Government under this agreement. Ordinary depreciation, damage, wear, tear and loss in connection with any such property will not be a charge against the United States Government.

Right of U. S. to recapture certain property.

5. The Government of the United States will retain the right to recapture certain property necessary for the use of its armed forces in an amount not to exceed 15% of the original cost value of the material listed in Appendix II, page 1, and items 10, 11, 12, 13, 14, 15, 17, 18, 19, 20 and 21 of Appendix II, page 2, totalling approximately \$12,000,000.00. The United States Government will designate in writing to the Canadian Government prior to May 15th, 1946, such articles as it desires to withdraw and appropriate adjustments of the financial settlement covered in paragraph 3 will be arranged.

Post, pp. 1746, 1747.

Property not transferred.

6. Any United States Government owned property located in Canada which is not transferred to the Canadian Government under this agreement, may be withdrawn from Canada by the United States Government or sold in Canada for United States account, either by negotiation between the two Governments or by War Assets Corporation as has been the procedure heretofore.

Disposal of lend lease aircraft, parts, and accessories.

7. Lend Lease aircraft, aircraft parts and accessories returned to United States account from the United Kingdom and located in Canada will be disposed of in the following manner:

- (a) The United States Government will indicate in writing to the Canadian Government prior to 30 May, 1946, that property it desires to recapture. The Canadian Government agrees to assist to the best of its ability the United States Government in the preparation for movement and the movement of such property.
- (b) Combat type aircraft, aircraft parts and accessories, left by the United States Government in Canada, will be transferred to Canadian account for salvage without further reimbursement to the United States Government.
- (c) Non-combat type aircraft, aircraft parts and accessories left by the United States Government in Canada will be transferred to the account of the Canadian Government without reimbursement to the United States Government except that when flyable non-combat type aircraft and Anson aircraft containing Lend Lease components are disposed of for use as flyable aircraft, appropriate reimbursement in respect of the Lend Lease content of such complete aircraft will be made to the United States Government by the Canadian Government. The Canadian Government further agrees

Post, p. 1751.

that flyable non-combat type aircraft other than Ansons will not be disposed of as flyable aircraft outside of Canada without consultation between appropriate agencies of the two Governments. The United States Government agrees that in the case of proposed sales of this type it will not unreasonably withhold its agreement.

- (d) It is further agreed that any similar property which may become available in Canada following May 30th, 1946, shall be dealt with in a like manner, provided that the United States Government shall give thirty days' notice from the date of such property becoming available in Canada of its intention to return such property to the United States.

8. The Canadian Government will designate an agency to coordinate the acceptance of custody of property transferred under this agreement by the United States Government to the Canadian Government. It is understood that the United States Government will not abandon property transferred to the Canadian Government under this agreement until after having provided a reasonable opportunity for the Canadian Government to arrange for custody.

Custody of property.

9. It is understood that this agreement does not affect existing agreements between the two countries relating to the transfer of responsibility from the United States to Canada for defence projects.

Existing agreements.

10. At the request of the Canadian Government, and in order to provide equipment necessary for the training programmes of the Canadian armed forces, the United States Government will endeavour to make available surplus military type equipment, up to April 1st, 1947, in such quantities and at such prices as may be negotiated between the two Governments up to a maximum cost of \$7,000,000.00 (U.S.). The Canadian Government will make a payment on account into a suspense account of the United States Government of \$7,000,000.00 (U.S.) to apply against such purchases. If the United States Government is unable to provide under this agreement the amount of equipment that the Canadian Government desires to purchase and therefore the payment on account should exceed the amount finally determined to be payable, the excess remaining in the suspense account will be returned to the Canadian Government.

Surplus military equipment.

11. The effective date of this agreement shall be March 31st, 1946, except that with regard to sales of movables concluded and invoiced by War Assets Corporation on or before that date, the Canadian Government will make payment to the United States Government in accordance with existing agreements. During the period in which the negotiations have been in progress, and pending the coming into force of the agreement, the United States Government has undertaken and undertakes not to remove from Canada any of the property covered by the agreement.

Effective date.

Post, p. 1751.

12. If the foregoing is acceptable to the Government of the United States, this note and your reply thereto shall be regarded as placing on record the understanding arrived at between our Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

N. A. ROBERTSON
for Secretary of State
for External Affairs.

His Excellency,
The Honourable RAY ATHERTON,
United States Ambassador to Canada,
United States Embassy,
Ottawa.

APPENDIX I

IMMOVABLE PROPERTY

<i>Description</i>	<i>Estimated Cost (In U. S. Dollars)</i>
Edmonton Station, Hospital (includes Post of Edmonton)	\$1, 720, 042. 00
Edmonton Railhead	2, 031, 504. 00
U. S. Army Recreation Center	86, 000. 00
U. S. Signal Corps Camp	204, 359. 00
Weather Stations (Alaska Highway and North Atlantic)	919, 962. 00
Alaska Highway Relay Stations	9, 409, 814. 00
Haine's Road Relay Stations	1, 039, 883. 00
Railhead & Appurtenances, McCrae, Y. T.	2, 787, 587. 00
Headquarters (NWSC Whitehorse) Facilities & Appurtenances	4, 976, 833. 00
Standard Oil Housing Area & Office Building	4, 706, 841. 00
Total—	<u>\$27, 882, 825. 00</u>

APPENDIX II

MOVABLE PROPERTY IN NORTHWESTERN CANADA
(Northwest District, Sixth Service Command)

<i>Item</i>	<i>Location</i>	<i>Estimated Cost (in U. S. Dollars)</i>
1	Equipment on Highway	\$2,089,395.00
2	Movable P. C. & S. Property at Highway Camps	152,000.00
3	General Stores at Highway Camps	57,000.00
4	Shop: Nelson	
	Tools & Equipt.	70,000.00
	Ordnanace Vehicles	65,000.00
	Eng. Equipt.	32,000.00
	Spare Parts	150,000.00
5	Shop: Whitehorse	
	Tools & Equipt.	150,000.00
	Spare Parts	300,000.00
6	Equip. Whitehorse	608,750.00
7	Equip. Whitehorse	600,000.00
8	Q. M. Whitehorse Property	970,000.00
	Subsistence	66,811.00
9	Eng. Property	125,000.00
10	" " Working Stock	75,000.00
11	Q. M. Whitehorse (Est.)	1,046,050.00
12	Eng. Property	
	Fort Nelson	12,000.00
	Fort St. John	10,000.00
	Dowell Area W. H.	450,000.00
	S. O. Area W. H.	275,000.00
	Highway	30,000.00
13	Medical Whitehorse Hospital	125,000.00
14	Laundry Equip. Whitehorse	100,000.00
15	Petroleum Products	1,250,000.00
16	Fort St. John Equip. for Sale Pool	24,860.00
17	Fort St. John Ord. Shop & P. C. S.	179,072.00
18	Edmonton Equipment	94,692.00
19	Edmonton for Sale Pool Equip.	52,870.00
20	Edmonton Medical Hospital	125,000.00
21	Edmonton Laundry Equip.	100,000.00
22	843 Signals/Bds. Etc.	135,000.00
23	Edmonton Q. M. Prop.	273,456.00
24	Edmonton Eng. Supplies	1,050.00
25	Eng. Equip. Whitehorse	420,600.00
26	Transportation Corp. Equip.	172,000.00
27	Special Service Items	20,000.00
Total-		\$10,407,606.00

ALASKA WING AIR TRANSPORT COMMAND

Rem	Location	Estimated Cost (in U. S. Dollars)
1. Air Inst. Division	Ft. Nelson	\$132,684.00
2. Air Inst. Division	Whitehorse	394,059.00
3. " " "	Watson Lake	31,000.00
4. " " "	Edmonton	133,634.00
5. " " "	Gr. Prairie	4,289.00
6. " " "	Namao	8,941.00
7. " " "	Ft. St. John	4,333.00
8. 1432 AAFBU Q.M.	Watson Lake	4,969.00
9. " " "	Whitehorse	18,527.00
10. " " Ord Veh	St. John	41,050.00
11. " " " "	Dawson Cr.	12,200.00
12. " " " "	Edmonton	314,319.00
13. " " Spare Parts	Edmonton	159,000.00
14. " " Q.M.	Edmonton	649,443.00
15. " " Q.M.	Dawson Cr.	2,000.00
16. " " Air supply Can.		2,941,000.00
17. " " Sig General		328,000.00
18. " " English Sup- plies	Edmonton	60,000.00
19. " " Equip.	Edmonton	65,000.00
20. " " Medical	Edmonton	10,000.00
21. " " Chem Warfare	Edmonton	6,000.00
22. AAF Prop.	Edmonton	32,346.00
23.	Ft. Nelson	3,600.00
24.	Whitehorse	65,995.00
25. AHF Equip Edmonton	(To R.C.A.F.)	50,150.00
26. " " & Gas	St. John "	61,577.00
27. " " "	Gr. Prairie (to RCAF)	60,868.00
28. " " "	Watson	68,708.00
29. " " "	Whitehorse	50,150.00
30. " " "	Ft. Nelson	50,150.00
31. Weather Equip.	Smith River	3,800.00
32. " " "	Log Cabin	2,330.00
33. " " "	Canyon Creek	2,775.00
34. " " "	W.H. Radio Sonde	1,800.00
35. " " "	Edmonton	1,700.00
36. " " "	Pr. Geo.	1,330.00
37. " " "	Wagner	1,370.00
38. " " "	Others	300.00
39. " " "	MacKenzie Valley	30,708.00
40. 1432 AAF.BU. Petroleum		64,100.00
41. Special Service Items		200,000.00
Total		\$6,074,205.00

APPENDIX III

MOVABLE PROPERTY IN NORTHEASTERN CANADA

Indian House Lake Weather Station

		<i>Estimated Cost (In U. S. Dollars)</i>
Weather Equipment	\$2,600.00	
Radio Equipment	7,110.00	
General Supplies	14,600.00	
	<hr/>	
Total	\$24,310.00	\$24,310.00

Lake Harbour Weather Station

Weather Equipment	\$2,600.00	
Radio Equipment	12,054.00	
General Supplies	14,600.00	
	<hr/>	
Total	\$29,254.00	\$29,254.00

Crystal S, Padloping Island

Weather Equipment	\$16,500.00	
Radio Equipment	42,292.00	
General Supplies	14,600.00	
	<hr/>	
Total	\$73,392.00	\$73,392.00

Megatina Weather Station (Lake Mary)

Weather Station	\$2,600.00	
Radio Equipment	18,842.00	\$21,442.00
General Supplies		
	<hr/>	
Total	\$21,442.00	

Clyde River Weather Station

Weather Equipment	\$16,500.00	
Radio Equipment	18,343.00	
General Supplies	14,600.00	
	<hr/>	
Total	\$49,443.00	\$49,443.00
Grand Total		\$197,841.00

APPENDIX IV

MOVABLE PROPERTY
HERETOFORE REPORTED TO CROWN ASSETS
ALLOCATION COMMITTEE BUT NOT SOLD

<i>Standard Commodity Classification:</i>	<i>Estimated Cost in U. S. Dollars</i>
01 Live animals	\$3, 693. 96
02 Crude Animal Products, edible	159. 69
03 Crude Animal Products, inedible	3. 92
04 Crude vegetable products, edible	9. 54
05 Crude vegetable products, inedible	48. 90
07 Coal, crude petroleum, related crude hydrocarbons	103, 352. 89
09 Crude non metallic minerals (Except coal & petroleum)	5, 230. 90
11 Leather	277. 94
12 Boot and shoe cut stock and shoe findings	797. 27
13 Wood basic materials, except pulpwood	332, 241. 73
14 Pulp, paper and paperboard	40, 955. 36
15 Textile basic manufacturers	30, 593. 04
16 Food and beverage basic materials	769. 83
17 Oils, fats, waxes, etc.	119. 53
18 Petroleum and coal products, except raw material for chemical industries.	102, 969. 94
19 Chemicals	118, 220. 91
21 Iron, and iron and steel scrap	463, 749. 25
22 Steel	64, 873. 12
24 Nonferrous metals	88, 939. 06
25 Fabricated metal basic products	108, 808. 20
26 Nonmetallic mineral basic products—structural	84, 782. 74
27 Nonmetallic mineral basic products—nonstructural	29, 903. 21
29 Miscellaneous basic materials	7, 554. 60
31 General purpose industrial machinery & equipment	246, 160. 39
32 Electric machinery and apparatus	150, 420. 01
33 Special industry machinery	136, 430. 17
34 Metal working machinery	69, 055. 03
35 Agricultural machinery and implements, except tractors	538. 75
36 Construction, mining, excavating & related machinery	51, 374. 32
38 Office machines	10, 590. 73
39 Miscellaneous machinery	83, 683. 07
41 Communication equipment and electronic devices	68, 180. 08
42 Aircraft	328, 537. 49
43 Ships, small watercraft & marine propulsion Mach.	3, 218, 836. 14
44 Railroad transportation equipment	917. 00
45 Motor vehicles	312, 436. 33
49 Miscellaneous transportation equipment	88. 40
51 Plumbing and heating equipment	123, 973. 11
52 Air-conditioning and refrigeration equipment	6, 027. 10
53 Lighting fixtures	15, 269. 44
54 Furniture and fixtures	239, 228. 04
55 Photographic goods	2, 671. 09
56 Optical instruments and apparatus	2, 117. 86
57 Indicating, recording and controlling instruments and accessories, except watches and clocks	3, 895. 24

APPENDIX IV—Continued

**MOVABLE PROPERTY
HERETOFORE REPORTED TO CROWN ASSETS
ALLOCATION COMMITTEE BUT NOT SOLD—Continued**

<i>Standard Commodity Classification:</i>	<i>Estimated Cost in U. S. Dollars</i>
58 Professional and scientific instruments and apparatus except as in Classification 57	\$7, 322. 21
59 Miscellaneous equipment	139, 322. 21
61 Food, manufactured	116, 475. 02
65 Drugs and medicines	1, 097. 33
66 Toiletries, cosmetics, soap, and household chemical prepara- tions.	29, 115. 05
67 Apparel, except footwear	17, 931. 34
68 Footwear	18, 189. 41
69 Fabricated textile products, except apparel	34, 975. 03
71 End products of leather, except apparel, footwear and luggage	20. 23
72 Converted paper products and pulp goods	45, 584. 70
73 Products of printing and publishing industries	6, 265. 24
74 Rubber end products, except footwear and clothing. . .	18, 306. 11
75 End products of metal industries, except machinery and equipment	122, 641. 24
76 Finished wood products, except furniture and millwork	110, 213. 90
77 End products of glass, clay and stone	3, 820. 66
79 Miscellaneous end products of manufacturing industries	82, 675. 12
81 Small arms and components	637, 389. 87
82 Artillery, naval guns, mortars and components	474, 519. 11
84 Ammunition	66. 86
88 Fire control equipment	7, 812. 66
89 Miscellaneous ordnance & ordnance material	1, 462, 422. 21
Total -	<u>\$9, 994, 650. 83</u>

APPENDIX V

**UNITED STATES NAVY PROPERTY
LEND-LEASED TO THE UNITED KINGDOM,
DECLARED SURPLUS AND LEFT IN CANADA.**

	<i>Estimated Cost (In U. S. Dollars)</i>
Armament	\$2, 441, 900. 00
A.N.D. Gear	65, 657. 68
Radio Equipment and W.T.	186, 145. 00
Engineering Equipment	243, 093. 42
Compass Equipment	1, 500, 438. 00
2" U. P. Lockers	1, 835, 130. 00
Ammunition	246, 534. 00
Electrical Gear	1, 049, 655. 89
Total of all returned Lend-Lease Navy Stores in Canada.....	\$7, 568, 553. 99
Total of returned Lend-Lease Navy Stores which have been reported to CAAC.....	3, 218, 836. 14
Balance	<u>\$4, 349, 717. 85</u>

*The American Ambassador to the Canadian Secretary of State for
External Affairs*

EMBASSY OF THE
UNITED STATES OF AMERICA

Ottawa, March 30, 1946

No. 470

SIR:

I have the honor to refer to your note No. 44 of March 30, 1946, referring to discussions which have recently taken place between representatives of our two Governments on the subject of war surpluses and related matters and setting forth therein certain proposals which they have reached and which, you state, are acceptable to the Canadian Government.

Ante, p. 1741.

At the direction of my Government, I have the honor to state that the proposals submitted in your note under reference are acceptable to the Government of the United States and it concurs in the proposal that your note and this reply shall be regarded as placing on record the understanding arrived at between the two Governments on these matters.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON

The Right Honorable

*The Secretary of State
for External Affairs,
Ottawa.*

*The Canadian Secretary of State for External Affairs to the American
Chargé d'Affaires ad interim*

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 94

OTTAWA, *July 11, 1946*

SIR:

I have the honour to refer to my note No. 44 of March 30th and your reply of the same date placing on record the understanding arrived at between our two Governments on the subject of war surpluses and related matters.

2. As the result of subsequent discussions between officials of our two Governments, I have the honour to propose that this understanding be clarified by the addition of a proviso to paragraph 7 (b) of my note under reference so that it will read as follows:

Ante, p. 1742.

(b) (i) Combat type aircraft left by the United States Government in Canada will be transferred to Canadian account for salvage without further reimbursement to the United States Government, subject to the proviso that should the

Canadian Government wish to purchase any combat type aircraft for their own use then these may be so purchased by the Canadian Government, provided that appropriate reimbursement will be made to the United States Government by the Canadian Government and further provided that when such combat type aircraft are transferred to the Canadian Government, an additional payment of 5% of the sale price of the aircraft will be paid to provide reimbursement for any combat type spare parts and accessories which may be used by the Canadian Government, in accordance with para. (ii) below.

- (ii) All other combat type parts and accessories will be salvaged or may be transferred to the Canadian Government for their own use without reimbursement to the U. S. Government except as provided in Para. 1 above.

3. If the foregoing is acceptable to the Government of the United States, this note and your reply thereto shall be regarded as revising the understanding contained in the exchange of notes of March 30th.

Accept, Sir, the renewed assurances of my highest consideration.

N. A. ROBERTSON
for Secretary of State
for External Affairs.

The Charge d'Affaires,
The Embassy of the United States of America,
Ottawa.

The American Chargé d'Affaires ad interim to the Canadian Secretary of State for External Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
OTTAWA, July 15, 1946.

No. 535

SIR:

I have the honor to acknowledge the receipt of your note, No. 94 of July 11, 1946, concerning war surpluses and related matters, and to confirm that the additional proviso to paragraph 7 (b) of your note No. 44 of March 30, outlined therein, is acceptable to my Government.

It is also agreeable to my Government that your note and this reply shall be regarded as revising the understanding contained in the exchange of notes of March 30, 1946.

Accept, Sir, the renewed assurances of my highest consideration.

LEWIS CLARK
Charge d'Affaires ad interim

The Right Honorable
*The Secretary of State
for External Affairs,
Ottawa.*

Agreement between the United States of America and India respecting a mutual aid settlement. Signed at Washington May 16, 1946; effective May 16, 1946.

May 16, 1946
[T. I. A. S. 1532]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF INDIA ON SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY, AND CLAIMS

The Government of the United States of America and the Government of India have reached agreement as set forth below regarding settlement for lend-lease, reciprocal aid, and surplus war property located in India and for the financial claims of each Government against the other arising as a result of World War II. This settlement is complete and final. Both Governments, in arriving at this settlement, have taken full cognizance of the benefits already received by them in the defeat of their common enemies, and of the aid furnished by each Government to the other in the course of the war, and no further benefits will be sought as consideration for lend-lease, reciprocal aid and surplus war property, or for the settlement of claims or other obligations arising out of the war, except as herein specifically provided.

1. (a) The term "lend-lease article" as used in this Agreement means any article transferred by the Government of the United States under the Act of March 11, 1941,

"Lend-lease article."

(i) to the Government of India, or

(ii) to any other government and retransferred to the Government of India.

55 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.

(b) The term "reciprocal aid article" as used in this Agreement means any article transferred by the Government of India to the Government of the United States under reciprocal aid.

"Reciprocal aid article."

2. No payment will be made by either Government to the other on account of lend-lease and reciprocal aid articles and services transferred or retransferred at any time to either Government.

Transferred or retransferred articles and services.

3. The Government of India agrees that no payment will be required from the Government of the United States on account of articles and services furnished to the United States armed forces in India between September 2, 1945, and May 31, 1946, both dates inclusive.

Aid to U. S. armed forces in India.

4. (a) The Government of India hereby acquires full title, without qualification as to disposition or use, to all lend-lease articles now in the possession of the Government of India (including lend-lease components of installations located in India and all lend-lease petroleum products in India other than aviation gasoline) except lend-lease articles described in Section 5 hereof.

Lend-lease articles in possession of Government of India.

Transfer of lend-lease articles to India.

(b) The Government of the United States agrees to complete as early as possible the transfer (which term, except as hereinafter provided, shall include delivery aboard ocean vessel in a United States port) of the articles selected by the Government of India which were covered by lend-lease requisitions filed by the Government of India with the Foreign Economic Administration and which were under contract, or were completed, but had not been transferred, on September 2, 1945. Such transfer will be made in the quantities and according to the specifications and other conditions, except as to time of delivery, set forth in the covering requisitions, to the extent that such articles are or will be available to the Government of the United States for transfer to the Government of India. Title to the articles covered by this paragraph shall pass to the Government of India immediately upon loading of the articles on board ocean vessel in a United States port, provided that risk of loss not recoverable from the supplier, carrier or other third party, shall be assumed by the Government of India upon shipment from the factory or other premises of the supplier. Title to any articles that shall not have been loaded on board ocean vessel in a United States port prior to midnight on July 31, 1946, or two months after receipt by the Government of India of notice of availability, whichever is later, shall be deemed to have been transferred as of such later date, and thereafter the Government of India shall be responsible for storing and moving such articles within the United States and for delivering such articles aboard ocean vessel in a United States port. The Government of the United States will pay the cost of ocean transportation to India on United States flag vessels only of such of the articles covered by this paragraph as are loaded aboard ocean vessel prior to July 1, 1946.

Title to articles.

Cost of transportation.

U. S. title to certain reciprocal aid articles.

(c) The Government of the United States shall be deemed to have acquired, as of September 2, 1945, full title, without qualification as to disposition or use, to all reciprocal aid articles in the possession of the Government of the United States on that date, and to all articles furnished to the United States armed forces in India after that date, except that any reciprocal aid articles or other articles furnished to the United States armed forces in India and incorporated into installations in India are hereby deemed to be returned to the Government of India as of the date the United States armed forces relinquish possession of such installations.

United Kingdom lend-lease military holdings.

Ante, p. 1542.

5. (a) The Government of the United States, in paragraph 12 of the Agreement Relating to Military Holdings (No. IV) dated March 27, 1946, between the Governments of the United States and of the United Kingdom, recognized that a proportion of United Kingdom lend-lease military holdings in India would be earmarked, as of April 1, 1946, for the requirements of the forces under command of the Commander-in-Chief India, and consented to the transfer of such holdings by the Government of the United Kingdom to the Government of India. In that Agreement, it was stated that the conditions governing the use and disposal of the lend-lease articles so earmarked would form the subject of negotiations between the Governments of the United States and of India. The transfer to the Government of

India of those articles is hereby effected and the privileges of the Government of the United Kingdom and its obligations to the Government of the United States under that Agreement with respect to such articles are no longer operative. The privileges of the Government of India and its obligations to the Government of the United States with respect to such articles shall be those defined in this Agreement and shall be compatible with the principles of international security and welfare set forth in the Charter of the United Nations.

59 Stat. 1031.

Aircraft and related
spares.

(b) The Government of the United States hereby agrees that the lend-lease Harvard (AT-6 or AT-16) and Cornell (PT-26) aircraft and related spares now in the possession of the Royal Indian Air Force shall be treated in the same manner, and shall be subject to the same privileges and obligations, as the lend-lease articles covered by paragraph (a) above.

(c) The articles described in paragraphs (a) and (b) above will be referred to in this Agreement as "lend-lease articles in the possession of the armed forces under command of the Commander-in-Chief India".

(d) The Government of the United States hereby consents to the transfer, for purposes compatible with the principles of international security and welfare set forth in the Charter of the United Nations, of any lend-lease articles in the possession of the armed forces under command of the Commander-in-Chief India, to the United Kingdom armed forces without prior authority of the Government of the United States subject to the following understandings:

Transfer of lend-
lease articles to
United Kingdom
armed forces.

59 Stat. 1031.

(i) Subsequent reports, in such practicable form and detail as may later be mutually agreed, regarding transfers of such articles will be made to the Government of the United States;

(ii) The Government of the United States reserves the right to reopen with the Government of India the question of requiring prior consent of the Government of the United States to such transfers, should there be a material change in the existing arrangements between the United Kingdom armed forces and the armed forces of the Government of India.

(e) The Government of the United States, with respect to lend-lease articles in the possession of the armed forces under command of the Commander-in-Chief India, reserves the right to recapture any such articles which, as of the date upon which notice requesting return is received by the Government of India, are in the possession of the armed forces under command of the Commander-in-Chief India, although the Government of the United States does not intend to exercise generally this right of recapture. In respect of cases where it wishes from time to time to exercise its right of recapture, the Government of the United States will give reasonable notice of its intention and will provide full opportunity to the Government of India for discussion of that Government's need for the articles in question, without limiting the right of recapture.

Right of U. S. to
recapture articles.

Transfer of lend-lease articles to a third country.

(f) The Government of India will not, without prior consent of the Government of the United States, or except as specifically provided in this Agreement, transfer lend-lease articles in the possession of the armed forces under command of the Commander-in-Chief India, to any other government outside India for military use, or dispose of such articles for civilian use outside India, whether by sale, loan or otherwise, but such articles may be transferred, used or disposed of in India without restriction. Transfers made under provisions of this paragraph will be made only for purposes compatible with the principles of international security and welfare set forth in the Charter of the United Nations.

59 Stat. 1031.

Retransfer of surplus United Kingdom military holdings in India.

(g) Those articles in the United Kingdom military holdings in India which have been or may be declared by the Government of the United Kingdom as surplus to its requirements are to be retransferred for civilian use in India to the Government of India, and the Government of the United States, in consideration of the mutual undertakings described in this Agreement, hereby consents to the retransfer to the Government of India of such articles for civilian use in India; and the Government of India, may, without restriction, use in India, or dispose of for use in India, any such articles, without giving rise to any liability to the Government of the United States. It is recognized by the Government of the United States that the estimates provided by the Government of India of the types and quantities of the articles covered by this paragraph represent an indication of the order of the quantities involved which, although providing a fair measure of the overall amount covered, will be subject to variations as to particular items and quantities.

Settlement and payment of claims.

6. (a) The Government of India hereby assumes responsibility for the settlement and payment of claims against the Government of the United States or members of the United States armed forces, arising from acts or omissions occurring before June 1, 1946, in the course of military duties of members of the United States armed forces in India to the same extent as the Government of India assumed responsibility under reciprocal aid prior to September 2, 1945.

Financial claims arising out of existing arrangements.

(b) Except as provided in this Agreement, financial claims between the two Governments arising out of existing arrangements, where the liability for payment has heretofore been acknowledged and the method of computation mutually agreed, are not covered by this settlement as they will be settled in accordance with such arrangements.

(c) Notwithstanding any other provisions of this Agreement, the following claims will be settled in accordance with procedures already established or to be established after appropriate discussion:

- (i) Claims arising out of cash reimbursement lend-lease requisitions filed by the Government of India, and
- (ii) claims arising out of lend-lease requisitions for locomotives and rolling stock in which the Government of India agreed to pay for the postwar use of such equipment.

(d) In consideration of the undertakings in this Agreement, and with the objective of arriving at as comprehensive a settlement as possible and of obviating protracted negotiations between the two Governments, all other financial claims whatsoever of one Government against the other which arose out of lend-lease or reciprocal aid, or otherwise arose on or after September 3, 1939 and prior to September 2, 1945, out of or incidental to the conduct of World War II, and which are not otherwise dealt with in this Agreement, are hereby waived, and neither Government will hereafter raise or pursue any such claims against the other.

Waiver of certain claims.

7. (a) The Government of the United States, in consideration of the mutual undertakings described in this Agreement, hereby acknowledges that the Government of India has acquired full title to all United States property in India which has heretofore been declared to the Office of the Foreign Liquidation Commissioner, United States Department of State, as surplus to the requirements of the United States Department of State or the United States War or Navy Departments, and which has heretofore been delivered to the Government of India or is in the process of being delivered to the Government of India; and will hereafter acquire full title to all United States property in India hereafter declared to the Office of the Foreign Liquidation Commissioner, United States Department of State, as surplus to the requirements of the United States Department of State or the United States War or Navy Departments.

Title to surplus property.

(b) The Government of India will undertake and vigorously prosecute a program of disposal of the property described in paragraph (a) above with a view to obtaining the best possible return therefor, but such disposal shall be in conformity with such directives as the Government of India has issued and may issue from time to time which apply equally to the disposal of its own surplus and those of the Government of the United Kingdom. This disposal program will be so conducted as to accord the same treatment to the property described in paragraph (a) above and to surpluses of the Government of the United Kingdom located in India and of the Government of India. Members and veterans of the United States armed forces in India, United States agencies, citizens, corporations, firms and non-profit institutions in India and the United Nations Relief and Rehabilitation Administration will be accorded opportunity to buy on the same basis as is accorded to other buyers of like character in India.

Disposal of surplus property.

(c) The Government of India agrees to report to the Government of the United States, at quarterly periods, beginning September 30, 1946, the amount of proceeds in rupees arising from the disposal of the property covered by this section. The term "proceeds" as used herein means the gross proceeds received by the Director General of Disposals of the Government of India from the sale of such property, minus the normal customs duties paid by buyers of imported goods, as collected by the Government of India through inclusion of such

Quarterly report to U. S. of proceeds from sales.

"Proceeds."

customs duties in the price of the property sold. Any of the property covered by this section which the Director General of Disposals sells to any department of the Government of India shall be priced in the same manner as property sold to other parties in India.

Final report.

(d) Disposal of the property covered by this section shall be continued until such time as the Government of India determines that further disposal cannot be made on a profitable basis. At the time such determination is made, or July 1, 1948, whichever is earlier, the Government of India will render to the Government of the United States a final report of the proceeds in rupees received by the Government of India for the property covered by this section.

(e) Upon rendition of the final report described in paragraph (d) above, the Government of the United States shall become entitled to an amount equal to one-half of the excess of the proceeds described in the final report over a sum equivalent to \$50,000,000 converted at the rate of exchange between dollars and rupees now in effect. The Government of the United States will receive the amount to which it is entitled by any of the following methods or by any combination thereof designated by the Government of the United States:

Title to real property.

(i) Delivery of title to the Government of the United States by the Government of India, of real property and improvements of real property in India as selected and determined by agreement between the two Governments;

Fund for educational and cultural programs.

(ii) by establishment of a rupee fund for expenditure by the Government of the United States, in accordance with agreements to be reached between the two Governments, for carrying out educational and cultural programs of benefit to the two countries;

Use of balance.

(iii) should any balance remain after meeting the requirements described in paragraphs (i) and (ii) above, by payment in rupees to the Government of the United States for defraying the governmental expenses of the United States in India.

Exportation of surplus property to U. S.

(f) The Government of India agrees that it will not cause the exportation to the United States, its territories or possessions, of any of the surplus property covered by this Agreement in the same, or substantially the same form, if such property was originally produced in the United States and is readily identifiable as such, and agrees that it will not resell any of the property concerned to any person, firm, or government for the purpose of export to the United States, its territories or possessions, contrary to any statute or regulation of the Government of the United States as notified by the Government of the United States.

Prior agreements.

(g) The provisions of this Agreement supersede all previous agreements between the Governments of the United States and of India relating to United States surplus property.

Ante, pp. 1753, 1754, 1756, 1757.

8. The Government of India, when it disposes of articles acquired pursuant to paragraphs 4 (a), 4 (b), 5 (g) and 7 (a) of this Agreement,

will use its best endeavors to avoid discrimination against the legitimate interests of the United States manufacturers or producers of such articles, or their agents or distributors in India.

9. The Government of India reaffirms its intention to negotiate at a future date for the use and convertibility of rupee balances held by the Government of the United States in India, as a consequence of the disposal by the Office of the Foreign Liquidation Commissioner, of United States surplus property in India not covered by this Agreement. Pending such negotiations, these rupee balances may be used to defray governmental expenses of the Government of the United States in India.

Rupee balances held
by U. S. Government
in India.

10. Nothing in this Agreement affects any obligation entered into by the Government of India in connection with any silver transferred by the Government of the United States under lend-lease.

Silver.

11. This Agreement shall take effect as from this day's date.

Effective date.

DONE, in duplicate, at Washington this sixteenth day of May 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

DEAN ACHESON

*Acting Secretary of State
of the United States of America*

FOR THE GOVERNMENT OF INDIA:

A. A. WAUGH:

*Member for Industries and Supplies,
Viceroy's Executive Council, Government of India*

June 14, 1946
[T. I. A. S. 1533]

Agreement between the United States of America and China respecting the disposition of lend-lease supplies in the United States. Signed at Washington June 14, 1946; effective from September 2, 1945.

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES AND THE REPUBLIC OF CHINA ON THE DISPOSITION OF LEND-LEASE SUPPLIES IN INVENTORY OR PROCUREMENT IN THE UNITED STATES

The Government of the United States and the Government of the Republic of China in order to provide for the orderly disposition in their mutual interests of the undelivered articles which, prior to the cessation of active military operations against the common enemy, were in inventory or procurement in the United States for the purpose of providing war aid to the Republic of China under the Act of Congress of March 11, 1941, as amended, agree as follows:

55 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.

ARTICLE I

All articles and services undertaken to be provided by the United States under this Agreement shall be made available under the authority and subject to the terms and conditions of the Act of Congress of March 11, 1941, as amended, and any acts supplementary thereto.

55 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.

ARTICLE II

Transfer of articles.

Within such periods as may be authorized by law, the United States undertakes to transfer to the Republic of China and the Republic of China agrees to accept, subject to the right of inspection referred to in Article V, those articles which are or will be available to the United States for transfer to the Republic of China out of articles in inventory or procurement which were requisitioned and contracted for prior to August 18, 1945 for the purpose of providing war aid to the Republic of China, but which were not transferred prior to 12:01 A. M., September 2, 1945.

Payment for articles.

The Republic of China undertakes to pay the United States in United States dollars, for the articles transferred to the Republic of China under this Article and for the cost of inland and ocean freight and other incidental expenses, an amount to be determined as set forth in Schedule I, and interest thereon, according to the terms and conditions set out in that Schedule.

Post, p. 1762.

Schedule I, which is annexed hereto, is made a part of this Agreement.

ARTICLE III

The Republic of China shall be released from its obligation to accept articles or services under the provisions of Article II upon payment to the United States of any net losses to the United States, including contract cancellation charges, resulting from the determination of the Republic of China not to accept such articles or services.

Payment for losses, etc.

ARTICLE IV

Within such period as may be authorized by law the Government of the United States undertakes to aid in the movement to the Republic of China of the articles provided under Article II by furnishing American flag shipping and related services so far as it is consistent with the national interest of the United States and the Republic of China agrees to pay the United States for such shipping and related services as may be made available under the provisions of this Article in an amount and on terms and conditions set forth in Schedule I.

Cost of transportation.

Post, p. 1762.

ARTICLE V

The Government of the United States will, in lieu of granting any warranty, express or implied, with respect to articles transferred to the Republic of China, assign to the Government of the Republic of China any assignable rights which it may have against the supplier, inland carriers or other private contracting agencies for breach of warranty, or any assignable claims for loss of or damage to articles prior to transfer to the Government of the Republic of China. The Government of the Republic of China shall have the right of inspection of articles at any mutually convenient point prior to transfer. The Government of the United States undertakes to use its best efforts to provide appropriate assistance to the Government of the Republic of China to effectuate a satisfactory settlement with the suppliers, inland carriers, or other private contracting agencies of any claims of the Government of the Republic of China covered by the aforesaid assignment.

Assignable rights of U. S.

Inspection of articles.

Settlement of claims.

The Government of the United States agrees that the provisions of Article V of the Mutual Aid Agreement of June 2, 1942, shall not apply to supplies transferred to the Government of the Republic of China under the provisions of Article II of this Agreement.

56 Stat. 1494.

ARTICLE VI

Nothing in this Agreement shall modify or otherwise affect the final determination, under the Act of March 11, 1941, as amended, and the Mutual Aid Agreement between the two Governments of June 2, 1942, of the terms and conditions upon which the Republic of China has received aid except for the articles and services made available under the provisions of this Agreement.

55 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.

56 Stat. 1494.

ARTICLE VII

Effective date.

This Agreement shall take effect as from 12:01 A. M., September 2, 1945.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective Governments, have signed the present Agreement in duplicate at Washington on the 14th day of June 1946.

FOR THE GOVERNMENT OF THE UNITED STATES

CHESTER T. LANE

Deputy Foreign Liquidation Commissioner Department of State

FOR THE GOVERNMENT OF THE REPUBLIC OF CHINA

SHOU CHIN WANG

Chairman of the Chinese Supply Commission

SCHEDULE I

It is agreed that the articles to be transferred and services to be rendered under this Agreement are in the following categories and that the approximate value thereof is in the amount shown in the following schedule:

Communications	
Transportation	\$32,000,000
Signal	150,000
Industry & Mining	2,875,000
Ordnance	
Arsenal	1,150,000
Industrial Equipment	5,500,000
Medical	20,000
Miscellaneous	5,000
Textiles	6,500,000
Inland Accessorial Expenses	3,600,000
Ocean Freight	7,300,000
	\$58,900,000

Changes may be made in the categories and amount of articles to be transferred and services to be rendered by mutual agreement of the parties.

The terms and conditions upon which the said articles are to be transferred and services rendered by the Government of the United States to the Government of the Republic of China under the provisions of this Agreement are as follows:

"Contract price."

A. The term "contract price" means the contract price f. o. b. point of origin, or in cases in which contracts are written on terms other than f. o. b. point of origin, the price computed by the United States f. o. b. point of origin, confirmed by proper documents, which is paid by the United States to the contractor. The contract price shall be evidenced by a specific contract in cases where specific contracts have been entered into by a United States Government procurement agency in pursuance of an approved requisition or other written request of

the Republic of China or to fulfill offerings made by the United States to the Republic of China for the war programs of the Republic of China. In cases where articles so requested or offered are not procured on contracts placed by a United States Government procurement agency in part or in whole specifically for the Republic of China but are procured by a United States procurement agency on general supply contracts without specification of the particular ultimate recipient or recipients, the contract price shall be the estimated average contract price (as computed by the United States) f. o. b. point of origin paid by the United States Government procurement agency for similar articles.

B. Unless otherwise provided by mutual agreement, transfers of articles to the Republic of China shall take place immediately upon loading of the articles on board ocean vessels in a United States port and title and risk of loss with respect to articles shall pass upon transfer to the Republic of China; provided, that any article that shall not have been transferred to the Republic of China as above set forth prior to August 31, 1946 or 90 days following the time of notice to the Republic of China of the availability of the articles, whichever is later, shall be deemed to be transferred to the Republic of China upon such date and the Republic of China shall thereafter assume complete financial responsibility for the articles including risk of loss and arranging and paying for storage, insurance, maintenance, preservation and inland transportation and any other incidental expenses.

All articles made available shall be properly packed or prepared to meet the requirements of ocean shipping. The invoice delivered by the United States as certified by authorized officials of the Republic of China with respect to articles transferred under Article II shall be conclusive as to the cost of such articles.

C. The amount which the Republic of China shall pay the United States with respect to articles transferred under the provisions of Article II of this Agreement shall be the sum of the following items as set forth in sub-paragraphs (1), (2) and (3):

(1) The contract price of the articles. (2) 7.5 percent of the contract price to cover the cost of storage, inland transportation, inland accessorial charges, and port accessorial charges normally incurred by cargo in accordance with the custom of the port. (3) The actual cost of ocean freight for transporting such articles from United States port to a port in China.

Payment of the total amount, determined as set forth above, shall be made by the Government of the Republic of China to the Government of the United States on or before July 1, 1947 in thirty annual installments, the first of which shall become due and payable on July 1, 1947. The amount of each annual installment shall be computed by dividing the total amount less the amount of installments earlier becoming due by the number of installments yet to become due (including the installment being computed).

Nothing herein shall be construed to prevent the Government of the Republic of China from anticipating the payment of any of the installments, or any part thereof, set forth above.

Transfers of articles
to Republic of China.

Ante, p. 1760.

Amount to be paid
United States.

Payment by China.

Postponement of
payment.

If by agreement of both Governments, it is determined that, because of extraordinary and adverse economic conditions arising during the course of payment, the payment of a due installment would not be in the joint interest of the United States and the Republic of China, payment may be postponed for an agreed upon period.

Interest on unpaid
balance.

Interest on the unpaid balance of the total amount determined as set forth above shall be paid by the Government of the Republic of China at a rate of $2\frac{3}{8}\%$ per annum accruing from July 1 next succeeding the date of transfer. Interest shall be payable annually, the first payment to be made July 1, 1947.

It is further agreed, however, that the terms of payment, including rate of interest, herein provided may be altered by mutual agreement at the time of the final settlement contemplated by Article VI hereof.

Ante, p. 1761.

FOR THE GOVERNMENT OF THE UNITED STATES

CHESTER T. LANE

Deputy Foreign Liquidation Commissioner Department of State

FOR THE GOVERNMENT OF THE REPUBLIC OF CHINA

SHOU CHIN WANG

Chairman of the Chinese Supply Commission

Agreement between the United States of America and Brazil respecting vocational industrial education. Effected by exchange of notes signed at Rio de Janeiro March 26 and April 5, 1946; effective from January 1, 1946.

March 26 and
April 5, 1946
[T. I. A. S. 1534]

The American Chargé d'Affaires ad interim to the Brazilian Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Rio de Janeiro, March 26, 1946.

No. 505

EXCELLENCY:

I have the honor to refer to the Agreement on Vocational Industrial Education between the Ministry of Education and Health of the United States of Brazil and the Inter-American Educational Foundation, Inc., dated January 3, 1946, and signed by Dr. Raul Leitão da Cunha, Minister of State of Education and Health, for the Ministry of Education and Health of the United States of Brazil, and by Mr. Kenneth Holland, President of the Inter-American Educational Foundation, Inc., for the Foundation.

Post, p. 1768.

Clause XXII of the Agreement above-mentioned provides as follows:

“This Agreement shall become effective the 1st. of January, 1946, and shall remain in force through June 30, 1948, and may be extended by mutual written agreement. And in pursuance thereto there shall be an exchange of diplomatic notes between the Ministry of Foreign Affairs of the United States of Brazil and the Embassy of the United States of America in Brazil.”

Inasmuch as the Agreement contemplates that there shall be an exchange of notes for the purpose of formalizing and confirming the Agreement, I have the honor to inform Your Excellency that the Government of the United States of America approves the Agreement above-mentioned. Upon receipt of a note from Your Excellency indicating that the Agreement is approved by the Government of the United States of Brazil, the Government of the United States of America will consider the Agreement to be concluded as between the two Governments, effective January 1, 1946, as provided in Clause XXII of the Agreement.

Post, p. 1774.

Accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

PAUL C. DANIELS
Chargé d'Affaires ad interim

His Excellency

Dr. JOÃO NEVES DA FONTOURA,
Minister of Foreign Affairs,
Rio de Janeiro.

*The Brazilian Minister of Foreign Affairs to the American Chargé
d'Affaires ad interim*

MINISTERIO DAS RELAÇÕES EXTERIORES,
RIO DE JANEIRO.

DAI/DCI/67/542.2(22)

Em 5 de abril de 1946.

SENHOR ENCARREGADO DE NEGÓCIOS,

Tenho a honra de acusar recebimento da nota nº 505, de 26 de março próximo findo, relativa ao Acôrdo sôbre Educação Industrial-Vocacional, celebrado entre o Brasil e a "Inter-American Educational Foundation, Inc.", e assinado, a 3 de janeiro do corrente ano, pelo Ministro de Educação e Saúde do Brasil e o Presidente daquela Fundação.

2. A cláusula XXII do referido documento dispõe:

"O período de vigência do presente Acôrdo deverá ser de 1º de janeiro de 1946 a 30 de junho de 1948 e poderá ser prorrogado mediante acôrdo escrito. Para os devidos efeitos, êste Acôrdo será sujeito a uma troca de notas entre o Ministério das Relações Exteriores do Brasil e a Embaixada dos Estados Unidos da América junto ao Govêrno brasileiro".

3. De conformidade com o citado dispositivo, essa Embaixada informa êste Ministério de que o Govêrno dos Estados Unidos da América aprova o referido Acôrdo e de que, após o recebimento da presente nota, considerará o mesmo como concluído entre os dois Governos, e em vigor desde 1º de janeiro do ano corrente.

4. Em resposta, cabe-me comunicar a Vossa Senhoria haver o Govêrno brasileiro aprovado o mencionado Acôrdo sôbre Educação Industrial-Vocacional, assinado pelo Ministério da Agricultura do Brasil e o "Inter-American Educational Foundation, Inc.", a 3 de janeiro de 1946.

Aproveito a oportunidade para renovar a Vossa Senhoria os protestos da minha mui distinta consideração.

JOÃO NEVES DA FONTOURA

Ao Senhor PAUL C. DANIELS,

Encarregado de Negócios dos Estados Unidos da América.

Translation

MINISTRY OF FOREIGN AFFAIRS,
RIO DE JANEIRO.

DAI/DCI/67/542.2(22)

April 5, 1946.

MR. CHARGÉ D'AFFAIRES,

Ante, p. 1765.

I have the honor to acknowledge the receipt of Note No. 505, of March 26, 1946, relating to the Agreement on Vocational Industrial Education, made between Brazil and the Inter-American Educational Foundation, Inc., and signed on January 3 of the current year by the Minister of Education and Health of Brazil and the President of that Foundation.

2. Clause XXII of the aforesaid document provides:

“This Agreement shall become effective the 1st of January, 1946, and shall remain in force through June 30, 1948, and may be extended by mutual written agreement. And in pursuance thereto there shall be an exchange of diplomatic notes between the Ministry of Foreign Affairs of the United States of Brazil and the Embassy of the United States of America in Brazil.”

3. In conformity with the above-mentioned provision, your Embassy has informed this Ministry that the Government of the United States of America approves the aforesaid Agreement and that, upon the receipt of the present note, it will consider the Agreement as concluded between the two Governments, and effective from January 1, 1946.

4. In reply, I am pleased to communicate to you that the Brazilian Government has approved the above-mentioned Agreement on Vocational Industrial Education, signed by the Ministry of Agriculture of Brazil and the Inter-American Educational Foundation, Inc., on January 3, 1946.

I avail myself of the opportunity to renew to Your Excellency the assurances of my very distinguished consideration.

JOÃO NEVES DA FONTOURA

PAUL C. DANIELS, Esquire,

Chargé d'Affaires of the United States of America.

AGREEMENT ON VOCATIONAL INDUSTRIAL EDUCATION BETWEEN THE MINISTRY OF EDUCATION AND HEALTH OF THE UNITED STATES OF BRAZIL AND THE INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.

The Ministry of Education and Health of the United States of Brazil (hereinafter called the "Ministry of Education"), and the Inter-American Educational Foundation, Inc., a corporation of the Office of Inter-American Affairs and an agency of the Government of the United States of America (hereinafter called the "Foundation"), have decided to enter into the following agreement to undertake a cooperative educational program to promote Inter-American understanding by bringing about a better interchange of educators, educational ideas and methods between Brazil and the United States of America, pursuant to Resolution 28 adopted by the First Conference of Ministers and Directors of Education of the American Republics held in Panama in September and October of 1943.

Clause I

Objectives.

The objectives of this cooperative educational program are:

- a) The development of closer relations between teachers of vocational education in the United States of Brazil and the United States of America;
- b) the interchange and training of Brazilian and United States specialists in vocational education;
- c) the development of such other projects in the field of vocational education as may be of mutual interest to the parties.

Clause II

Methods.

The methods of carrying out the said cooperative educational program are expected to include:

- a) The furnishing by the Foundation of a small Field Staff of specialists in vocational education to collaborate in the realization of the cooperative educational program;
- b) The development and realization, in cooperation with various Brazilian authorities, of programs related to:
 - 1 - Studies and surveys relative to the educational needs of Brazil and of the United States of America, especially in the field of vocational education, and of the resources which are available to meet them;
 - 2 - Grants to permit Brazilian administrators, educators, and special service personnel to go to the United States of America to study, to lecture, to teach and to interchange ideas and experiences with administrators, educators, and specialists in the United States of America;
 - 3 - The organization and development of teacher-training programs in vocational education;

- 4 - The purchase of equipment, the preparation of teaching materials and aids and the provision of adequate library holdings and services.
- c) The use of whatever other methods and means which may mutually be considered appropriate for the realization of this cooperative educational program.

Clause III

The Field Staff of the Foundation, mentioned in Clause II, Section A, of this agreement, shall be of such size as the Foundation shall deem advisable and shall be under the direction of an official of the Foundation who shall have the title of "Special Representative, Inter-American Educational Foundation, Inc." (hereinafter called the "Special Representative of the Foundation") and who shall be the representative in Brazil of the Foundation in connection with the program to be undertaken in accordance with this agreement. The Special Representative and the other members of the Field Staff of the Foundation shall be acceptable to the Minister of State of Education and Health.

Field Staff.

Clause IV

There shall be created as an integral part of the Ministry of Education a special Commission, which shall have the name of "Comissão Brasileiro-Americana de Educação Industrial" (hereinafter referred to as the "CBAI") and which shall act as the executing body in the realization of the cooperative educational program. The Director of the Diretoria de Ensino Industrial of the Ministry of Education shall be the delegate of the Minister of State of Education and Health for all purposes connected with the cooperative educational program and this agreement and shall be Superintendent of the CBAI. The Special Representative of the Foundation shall participate in the CBAI with the designation of "United States of America Representative in the CBAI", and the other members of the Field Staff of the Foundation shall participate in the activities of the CBAI and of the cooperative educational program in general in such capacities as shall be determined by mutual agreement between the Superintendent of the CBAI and the Special Representative of the Foundation.

Establishment of a special Commission ("CBAI").

Clause V

- a) The cooperative educational program shall consist of individual projects. Each project shall be embodied in a written Project Agreement which shall be mutually agreed upon and signed by the Superintendent of the CBAI and the Special Representative of the Foundation and which shall define the kind of work to be done, the allocation of funds therefor and the parties responsible for execution and such other matters as the parties mentioned shall desire to include.
- b) The selection of Brazilian Specialists to be sent to the United States of America pursuant to this program, as well as the programs of training which they shall follow, shall be made by

Program to consist of individual projects.

Selection of Brazilian Specialists.

Policies and procedures.

- mutual written agreement between the Superintendent of the CBAI and the Special Representative of the Foundation.
- c) The general policies and procedures governing the realization of the cooperative educational program, the carrying out of the projects, and the operations of the CBAI, such as, the disbursement and accounting of funds, the purchase, use, inventory, control and disposition of property, the appointment and discharge of personnel of the CBAI and their conditions of employment, and any other administrative matters, shall be determined and established by mutual written agreement between the Superintendent of the CBAI and the Special Representative of the Foundation. All contracts of the CBAI, as well as all disbursements from the CBAI bank account, shall bear the joint signatures of the Superintendent of the CBAI and of the Special Representative of the Foundation, in his capacity as United States of America Representative in the CBAI. The books and records of the CBAI relating to the cooperative educational program shall be opened at all times for inspection by representatives of the Government of the United States of Brazil and of the Foundation, and the Superintendent of the CBAI shall render reports to the Government and to the Foundation at such intervals as may be agreed upon between the Superintendent of the CBAI and the Special Representative of the Foundation.

Clause VI

Projects to be undertaken.

It is contemplated that the projects to be undertaken in accordance with this cooperative educational agreement shall include assistance to, and cooperation with, Brazilian Federal and State Institutions, as well as with other Brazilian Institutions of an official or semi-official character. Funds of the CBAI and other resources contributed by the parties hereto may be allocated and expended for such purposes upon the authority of written project agreements as provided in the preceding clause. Additional or supplementary contributions of whatever nature or source may be accepted and used for projects in furtherance of this cooperative Educational Agreement.

Clause VII

Rights and privileges of CBAI.

In view of the fact that the CBAI is a part of the Ministry of Education, the CBAI and all its personnel shall enjoy the same rights and privileges which are enjoyed by other divisions of the Ministry of Education and by the personnel of the same.

Clause VIII

Funds, materials, etc., of CBAI to become property of Brazilian Government.

All funds, materials, equipment and supplies acquired for the CBAI shall become the property of the Government of the United States of Brazil and shall be devoted to the Program. The Superintendent of the CBAI and the Special Representative of the Foundation shall determine by mutual agreement the precise disposition and use of any funds and any property remaining unobligated or unexpended on the termination of this agreement.

Clause IX

a) The Foundation shall determine and pay the salaries and other expenses directly payable to the members of the Field Staff, as well as such other expenses of an administrative nature as the Foundation may incur in connection with the development of this program, from the sum of One Hundred and Twenty-Five Thousand (\$125,000.00) Dollars, U. S. Currency, which it will retain and which for the purposes of this agreement shall be denominated the "Administrative Funds of the Foundation".

Salaries and expenses.

b) In addition, the Foundation shall deposit in a special bank account, in a Brazilian bank mutually agreed upon by the Superintendent of the CBAI and the Special Representative of the Foundation, to the account of the CBAI, the sum of One Hundred and Twenty-Five Thousand (\$125,000.00) Dollars U. S. Currency. These funds, which shall, for the purposes of this agreement, be denominated the "Program Funds of the Foundation", shall be deposited by the Foundation on the following dates in the following amounts:

Special bank account.

"Program Funds of the Foundation."

During January 1946	U.S. \$40,000.00
During January 1947	U.S. \$45,000.00
During January 1948	U.S. \$40,000.00
	<hr/>
Total to be deposited	U.S. \$125,000.00
Administrative Funds of the Foundation	U.S. \$125,000.00
Total contribution of the Foundation	U.S. \$250,000.00
	<hr/>

c) The Foundation furthermore expresses its intention and willingness to place at the disposition of the cooperative educational program, whenever in the judgment of the Foundation that may be possible, the organization and staff of the Foundation in the United States of America, its knowledge of, and contacts with, cooperating educational agencies in the United States of America and its experience and special facilities which, within the limitations of available resources, are expected to provide many of the necessary services to enable Brazilian educators and special service personnel to use to best advantage their grants for study or travel in the United States of America.

Aid of Foundation in U. S.

Clause X

The Government of the United States of Brazil, in addition to its regular budget for vocational education, shall deposit in the same special bank account, to the order of the CBAI, the equivalent in Brazilian currency of Five Hundred Thousand (\$500,000.00) Dollars, U. S. Currency, on the following dates and in the following amounts:

Cash contribution by Brazil. Deposit in special bank account.

During January 1946	U.S. \$200,000.00
During January 1947	U.S. \$200,000.00
During January 1948	U.S. \$100,000.00
	<hr/>
Total to be deposited	U.S. \$500,000.00
	<hr/>

Clause XI

Aid by Brazilian Government in addition to cash contribution.

The Government of the United States of Brazil, in addition to its cash contribution as provided herein, shall in agreement with the Special Representative of the Foundation:

- a) appoint specialists to collaborate with the Field Staff of the Foundation;
- b) collaborate with the CBAI in making available office space, office equipment, furnishings and other such facilities, materials, equipment, supplies and services as it may conveniently provide for the said program;
- c) lend the general assistance thereto of the other Departments of the Government.

Clause XII

Matching of funds.

The Funds deposited by either party for any year shall not be drawn until the funds for the same year are deposited by the other party. Funds deposited by either party and not matched by the required deposit of the other party shall be returned to the contributor.

Clause XIII

Availability of funds.

All the funds mentioned in this agreement, that is, of the Government of the United States of Brazil, of the Foundation and of the CBAI, shall continue to be available for the said cooperative educational program during the existence of this agreement, without regards to annual periods or fiscal years of either of the parties.

Clause XIV

Interest, etc., on funds.

Interest on funds of the CBAI, and income, if any, upon investments of the CBAI, and any increment of assets of the CBAI, of whatever nature or source, shall be dedicated to the realization of the program and shall not be credited against the contributions of the Government of the United States of Brazil or of the Foundation.

Clause XV

Withholding of funds from CBAI bank account.

In view of the fact that many purchases of materials, supplies, and equipment and other disbursements relating to the execution of the Program, as well as other payments and disbursements on behalf of Brazilian personnel sent on grants to the United States of America, must necessarily be made in the United States of America, and in view of the further fact that the "Administrative Funds of the Foundation" may be inadequate to furnish the full number of United States of America technicians whom it may be desirable to employ and make available to the cooperative program, the Superintendent of the CBAI and the Special Representative of the Foundation may agree to withhold from the payments to be made by the Foundation into the bank account of the CBAI the amounts deemed to be necessary to pay for such purchases and disbursements in the United States of America and to employ and pay the salaries, living allow-

ances, travel and other expenses of such additional United States of America personnel as the Superintendent of the CBAI and the Special Representative of the Foundation may mutually agree upon. Such amounts shall be considered as if deposited under the terms of this agreement. Any funds so withheld by the Foundation for such purposes and not expended or obligated therefor shall be deposited in the said bank account at any time upon the mutual agreement of the Superintendent of the CBAI and the Special Representative of the Foundation.

Clause XVI

In the event that, upon the expiration of each twelve-month period of this agreement, calculated from the date of its execution, and again six months before its expiration, the Foundation deems that the funds, which it has set aside as "Administrative Funds of the Foundation", will be more than are needed for that purpose for the entire period of the program, the Foundation will thereupon advise the Superintendent of the CBAI of the surplus which it can accordingly make available for projects, and such additional sums shall be paid into the bank account of the CBAI or shall be otherwise disposed of pursuant to this Agreement.

Surplus administrative funds.

Clause XVII

All the funds introduced into Brazil by the Foundation for the purposes of the cooperative educational program shall be exempt from all taxes, service charges, investment or deposit requirements and other currency controls, and shall be converted into Cruzeiros at the most favorable rate of exchange which the Government of the United States of Brazil or any of its Agencies or any Brazilian bank concedes to the Government or to any of its Departments or to any other Nation, organization, or individual. Similarly, where it may be necessary or advisable to convert Cruzeiros into Dollars for the financing of grants or for other expenditures in the United States of America, the conversion of Cruzeiros into Dollars shall be made at the official rate of exchange.

Tax exemption, etc., of funds.

Clause XVIII

The Government of the United States of Brazil accepts and recognizes the Foundation as a corporate agency of the Government of the United States of America, having juridic personality, and, accordingly, the Foundation shall be exempt and immune from, among other things, any and all taxes, fees, charges, imposts, and custom duties, whether national, state, provincial or municipal, and from all requirements for licenses. The personnel of the Foundation who are citizens of the United States of America shall be exempt from all Brazilian income taxes and social security taxes with respect to the income on which they are obliged to pay income taxes or social security taxes in the United States of America. Such personnel shall also be exempt from the payment of customs or other duties on personal effects and on goods, equipment and supplies imported or exported for their own personal use or for the personal use of the members of their families.

Exemptions and immunities of Foundation.

Clause XIX

Delegation of authority.

Any right, privilege, power, or duty conferred by this Agreement upon either the Superintendent of the CBAI, the Special Representative of the Foundation or the Special Representative in his capacity as United States of America Representative in the CBAI may be delegated by the recipient thereof to representatives, provided that each such representative be satisfactory to the said official of the other Government. But regardless of the naming of such representatives, the Superintendent of the CBAI, the Special Representative of the Foundation and the Special Representative in his capacity as United States of America Representative in the CBAI shall have the right to refer any matter directly to one another for discussion and decision.

Clause XX

Cooperation by Executive Power of Government of Brazil.

The Executive Power of the Government of the United States of Brazil will take the necessary steps to obtain the legislation, decrees, orders, or resolutions necessary to carry out the terms of this agreement.

Clause XXI

Amendments.

This agreement may be amended from time to time, if deemed advisable by the parties hereto, but all amendments shall be in writing and signed by a representative of the Government of the United States of Brazil and of the Foundation duly authorized thereto.

Clause XXII

Effective date; period in force; extension.

This Agreement shall become effective the 1st. of January, 1946, and shall remain in force through June 30, 1948, and may be extended by mutual written agreement. And in pursuance thereto there shall be an exchange of diplomatic notes between the Ministry of Foreign Affairs of the United States of Brazil and the Embassy of the United States of America in Brazil.

In Witness Whereof the undersigned, duly authorized thereto, sign the present agreement in duplicate, in the English and Portuguese languages, in Rio de Janeiro, Brazil, this third day of January, nineteen hundred and forty-six.

FOR THE MINISTRY OF EDUCATION AND HEALTH

RAÚL LEITÃO DA CUNHA

Minister of State of Education and Health

FOR THE INTER-AMERICAN EDUCATIONAL FOUNDATION, Inc.

KENNETH HOLLAND

President

"I certify that this copy is a true and exact replica of the original signed agreement.

KENNETH HOLLAND"

President, Inter-American

Educational Foundation, Inc.

ACORDO ENTRE O MINISTÉRIO DA EDUCAÇÃO E SAÚDE DOS ESTADOS UNIDOS DO BRASIL E A *INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.*, SÔBRE A EDUCAÇÃO INDUSTRIAL-VOCACIONAL.

O Ministério da Educação e Saúde dos Estados Unidos do Brasil (doravante chamado “Ministério da Educação”) e a “*Inter-American Educational Foundation, Inc.*”, corporação subordinada ao “Office of Inter-American Affairs”, e, portanto, órgão do Governo dos Estados Unidos da América do Norte (doravante chamada “Fundação”) decidiram firmar o presente acôrdo para a realização de um programa de cooperação educacional, visando maior aproximação inter-americana, mediante intercâmbio intensivo de educadores, idéias e métodos pedagógicos, entre ambos os países, de conformidade com a Resolução número 28, adotada pela 1a. Conferência de Ministros e Diretores de Educação das Repúblicas Americanas, realizada no Panamá, durante os meses de setembro e outubro de 1943.

Cláusula I

O presente acôrdo visa:

- a) desenvolver relações mais íntimas entre professores do ensino industrial dos Estados Unidos do Brasil e dos Estados Unidos da América;
- b) facilitar o intercâmbio e o treinamento de brasileiros e americanos especializados em ensino industrial; e
- c) possibilitar que, no setor da educação industrial, sejam programadas outras atividades que possam interessar a ambas as partes contratantes.

Cláusula II

Para ser levado a efeito, o mencionado programa de cooperação educacional poderá incluir:

- a) O fornecimento por parte da Fundação de um pequeno corpo de especialistas em ensino industrial, para colaborar na realização do programa cooperativo.
- b) A preparação e realização, em cooperação com as diversas autoridades brasileiras, de programas referentes a:
 - 1 - estudos e pesquisas que se prendam às necessidades educacionais do Brasil e dos Estados Unidos da América, especialmente no que diz respeito à educação industrial, e aos recursos disponíveis para tal fim;
 - 2 - concessão de meios que permitam a administradores, educadores e técnicos brasileiros ir aos Estados Unidos da América, com o fim de estudar, proferir conferências, lecionar e permutar idéias e experiências com seus colegas daquele país;
 - 3 - a realização de programas de treinamento de professores no ramo do ensino industrial; e

- 4 - a aquisição de equipamento, preparação de material e de recursos auxiliares para o ensino, bem como prestação de serviços biblioteconômicos.
- c) A utilização de quaisquer outros métodos e meios que possam ser considerados, por ambas as partes, convenientes à realização deste programa de cooperação educacional.

Cláusula III

O corpo de especialistas da Fundação, mencionado na letra (a) da cláusula II, será constituído como aquela entidade julgar preferível e estará sob a direção de um funcionário da mesma, que receberá o título de "Representante Especial da *Inter-American Educational Foundation, Inc.* (doravante chamado "Representante Especial da Fundação"). Esse funcionário atuará como delegado da Fundação no Brasil, para todos os efeitos do presente acôrdo. Tanto o Representante Especial como cada um dos membros do corpo de especialistas da Fundação devem ser *personae gratae* do Ministro da Educação e Saúde.

Cláusula IV

Será criada, como parte integrante do Ministério da Educação, uma comissão especial denominada "Comissão Brasileiro-Americana de Educação Industrial" (doravante mencionada sob a sigla "C.B.A.I.") que atuará como órgão executivo na realização do programa de cooperação educacional. O Diretor da Diretoria de Ensino Industrial do Ministério da Educação será o Superintendente da C.B.A.I. e representará o Ministro da Educação e Saúde para todos os efeitos deste Acôrdo. O Representante Especial da Fundação participará da C.B.A.I. com a designação de "Representante Americano junto à C.B.A.I.". Os outros membros do corpo de especialistas da Fundação tomarão parte nas atividades da C.B.A.I. e no programa cooperativo em geral, conforme lhes for determinado em virtude de entendimento entre o Superintendente da C.B.A.I. e o Representante Especial da Fundação.

Cláusula V

A - O programa de cooperação educacional consistirá em projetos especiais. Cada projeto, corporificado num documento escrito, representará a decisão e conterá as assinaturas do Superintendente da C.B.A.I. e do Representante Especial da Fundação. Os projetos especiais deverão conter a especificação do trabalho a ser realizado e a correspondente distribuição de verbas, além de outros assuntos que as partes contratantes desejarem incluir.

B - A seleção dos especialistas brasileiros que, de conformidade com este programa, serão enviados aos Estados Unidos da América, será feita mediante acôrdo escrito, efetuado entre o Superintendente da C.B.A.I. e o Representante Especial da Fundação. O mesmo ocorrerá quanto à determinação do programa de treinamento a que esses especialistas serão submetidos.

C - As normas reguladoras da realização do programa de cooperação educacional, a execução dos projetos, as operações da C.B.A.I. (tais

como: aplicação e contabilidade de verbas, aquisição, uso, inventário, controle e disposição de bens, admissão e dispensa de pessoal, condições de emprego), e quaisquer outros assuntos administrativos serão determinados e estabelecidos por acordo firmado entre o Superintendente da C.B.A.I. e o Representante Especial da Fundação. Todos os contratos da C.B.A.I., bem como todas as despesas contra a conta bancária da C.B.A.I., deverão ser assinados pelo Superintendente da Comissão e pelo Representante Especial da Fundação, na sua qualidade de Representante Americano junto à C.B.A.I.. Em qualquer tempo, os livros e os arquivos da comissão, referentes ao programa de cooperação educacional, poderão ser inspecionados por autoridades do Governo dos Estados Unidos do Brasil, designadas pelo Ministro da Educação, ou da Fundação. O Superintendente da C.B.A.I. enviará relatórios ao Governo e à Fundação em períodos que serão determinados mediante entendimento com o Representante Especial da Fundação.

Cláusula VI

Os programas a serem elaborados e postos em execução conforme estabelece o presente acordo deverão ser organizados de modo que sirvam a instituições federais e estaduais, assim como a outras instituições brasileiras, oficiais ou semi-oficiais. Os fundos da C.B.A.I. e os outros recursos fornecidos pelas partes contratantes poderão ser utilizados para esse fim, de acordo com os projetos especiais a que se refere a cláusula anterior. Poderão também ser aceitas e utilizadas, nesse programa de cooperação educacional, contribuições suplementares, qualquer que seja a sua natureza ou procedência.

Cláusula VII

Sendo a C.B.A.I. parte do Ministério da Educação, serão conferidos a ela e a todo o seu pessoal todos os direitos e privilégios de que gozem as outras repartições do mesmo Ministério e seus servidores.

Cláusula VIII

Os fundos, o material, o equipamento e as instalações obtidas para a C.B.A.I. tornar-se-ão propriedade do Governo dos Estados Unidos do Brasil e serão empregados na execução do programa. O Superintendente da C.B.A.I. e o Representante Especial da Fundação determinarão, por acordo mútuo, o destino a ser dado a quaisquer dos fundos ou bens que permaneçam desobrigados, ou que não tenham sido gastos quando da terminação deste acordo, desde que seja assegurada a sua aplicação nos objetivos nele previstos.

Cláusula IX

A - A Fundação determinará e pagará os salários e outras despesas do seu corpo de especialistas e atenderá a quaisquer outros compromissos de natureza administrativa que venha a assumir para a execução deste programa, até o total de \$125.000,00 dólares, moeda corrente dos Estados Unidos da América. Essa contribuição ficará em poder

da Fundação e, para efeito do presente acôrdo, será denominada: "Fundos Administrativos da Fundação".

B - Além disso, a Fundação depositará em conta especial, em banco brasileiro escolhido de comum acôrdo pelo Superintendente da C.B.A.I. e pelo Representante Especial da Fundação, à ordem da C.B.A.I., a quantia de . . \$125.000,00 dólares, moeda corrente dos Estados Unidos da América. Esses fundos que, para efeito do presente acôrdo, terão o nome de "Fundos para o Programa da Fundação", serão por esta depositados, parceladamente, nas seguintes datas:

No decorrer de janeiro de 1946	US\$	40, 000. 00
No decorrer de janeiro de 1947	US\$	45, 000. 00
No decorrer de janeiro de 1948	US\$	40, 000. 00
<hr/>		
Total a ser depositado	US\$	125, 000. 00
Fundos administrativos da Fundação	US\$	125, 000. 00
Contribuição total da Fundação	US\$	250, 000. 00
<hr/> <hr/>		

C-A Fundação manifesta ainda o desejo de colocar à disposição dêste programa cooperativo, sempre que lhe for possível, os elementos e o pessoal de que dispõe nos Estados Unidos da América, seus conhecimentos e contactos com órgãos empenhados em atividades de cooperação educacional naquele país, além de sua experiência e de facilidades especiais que, dentro dos limites dos recursos disponíveis, poderão ser de grande utilidade a educadores e a técnicos brasileiros, permitindo-lhes aproveitar ao máximo a sua permanência nos Estados Unidos da América.

Cláusula X

Independentemente das dotações atribuídas em seu orçamento regular para o ensino industrial, o Govêrno dos Estados Unidos do Brasil depositará, na mesma conta especial, à ordem da C.B.A.I., o equivalente em moeda brasileira a 500,000.00 (quinhentos mil dólares), moeda corrente americana, observados os seguintes prazos:

No decorrer de janeiro de 1946	US\$	200, 000, 00
No decorrer de janeiro de 1947	US\$	200, 000, 00
No decorrer de janeiro de 1948	US\$	100, 000, 00
<hr/>		
Total a ser depositado:	US\$	500, 000. 00

Cláusula XI

Além dessa contribuição em dinheiro, o Govêrno dos Estados Unidos do Brasil, de acôrdo com o Representante Especial da Fundação, deverá:

- a) designar técnicos para colaborar com o corpo de especialistas da Fundação;
- b) colaborar com a C.B.A.I., na instalação dos escritórios, aquisição do equipamento e do material de expediente, bem como do mais que se fizer necessário à execução do programa; e
- c) proporcionar a assistência dos outros departamentos do Govêrno.

Cláusula XII

As quantias referentes a qualquer ano depositadas por uma das partes contratantes não poderão ser aplicadas antes que a outra parte deposite os fundos correspondentes ao mesmo ano. Os fundos depositados por uma das partes e não completados pela outra serão restituídos ao depositante.

Cláusula XIII

Todos os fundos mencionados neste acôrdo, isto é, do Govêrno dos Estados Unidos do Brasil, da Fundação e da C.B.A.I., deverão continuar à disposição do programa cooperativo durante a vigência dêste acôrdo, independentemente dos exercícios financeiros de qualquer das partes.

Cláusula XIV

Os juros sôbre os fundos da C.B.A.I. e tôda renda produzida pelos valores a crédito da comissão, bem como aumento do ativo, qualquer que seja a sua natureza ou procedência, deverão ser empregados na execução do programa e não poderão servir de motivo para que o Govêrno dos Estados Unidos do Brasil ou a Fundação diminuam as suas contribuições.

Cláusula XV

Muitas vêzes, a aquisição de material e de equipamento, bem como outras despesas relativas à execução do programa, inclusive as que forem efetuadas com o pessoal brasileiro enviado aos Estados Unidos da América, terão que ser feitas necessariamente naquele país. Além disso, os fundos administrativos da Fundação poderão ser inadequados para fornecer o número total de técnicos americanos que conviria fôsse empregados nas atividades do programa cooperativo. Assim sendo, o Superintendente da C.B.A.I. e o Representante Especial da Fundação poderão acordar que se excluam dos pagamentos a serem feitos pela Fundação, à conta da C.B.A.I., as quantias que forem consideradas necessárias para o pagamento das referidas compras e despesas nos Estados Unidos da América, bem como para admissão de pessoal e pagamento de salários, gratificações, despesas de viagem e outras que se fizerem necessárias com êsse pessoal, conforme ficar estabelecido pelo Superintendente da C.B.A.I. e pelo Representante Especial da Fundação. Essas quantias serão consideradas como se tivessem sido depositadas consoante os têrmos dêste acôrdo. Quaisquer fundos em poder da Fundação para esta finalidade mas com ela não despendidos nem comprometidos, serão depositados na referida conta bancária a qualquer tempo, mediante entendimento do Superintendente da C.B.A.I. com o Representante Especial da Fundação.

Cláusula XVI

Se, ao fim de cada período de 12 (doze) meses, calculados da data da vigência dêste acôrdo, e, ainda, 6 (seis) meses antes de expirar o seu prazo, a Fundação verificar que há saldo nos fundos que deixou de lado como Fundos Administrativos da Fundação, deverá comunicar ao Superintendente da C.B.A.I. a quanto monta êsse saldo que

poderá ser utilizado em projetos. Essas somas serão transferidas para a conta bancária da C.B.A.I., ou então despendidas de outro modo, obedecendo ao que estabelece o presente acôrdo.

Cláusula XVII

Todos os recursos pecuniários que a Fundação trouxer para o Brasil com o objetivo de aplicá-los no programa de cooperação educacional serão isentos de tôda e qualquer taxa, emolumentos, exigências para inversões ou depósitos financeiros e outros controles monetários, e serão convertidos em cruzeiros ao câmbio mais favorável que o Governo dos Estados Unidos do Brasil ou qualquer das suas repartições ou banco brasileiro conceda ao Governo, a qualquer de seus departamentos ou a qualquer outra nação, organização ou indivíduo. Da mesma forma, sempre que for aconselhável converter cruzeiros em dólares para quaisquer despesas nos Estados Unidos da América, essa conversão se fará ao câmbio oficial.

Cláusula XVIII

O Governo dos Estados Unidos do Brasil aceita e reconhece a Fundação como uma corporação do Governo dos Estados Unidos da América, com personalidade jurídica; por conseguinte, a Fundação estará isenta, entre outras coisas, de quaisquer taxas, contribuições, impostos, cobranças e tarifas alfandegárias, quer sejam federais, estaduais, territoriais ou municipais, e de tôdas as exigências para o seu funcionamento. Os servidores da Fundação que forem cidadãos dos Estados Unidos da América ficarão isentos no Brasil do imposto de renda e das taxas de previdência social no tocante aos rendimentos que já sejam onerados por êsse imposto ou por essas taxas nos Estados Unidos da América. Êsses servidores ficarão também isentos de pagamento de taxas alfandegárias sôbre objetos de seu uso pessoal ou sôbre bens, equipamento e suprimentos importados ou exportados para seu uso pessoal ou para uso pessoal de membros de suas famílias.

Cláusula XIX

Todo direito, privilégio, facilidade ou obrigação conferidos por êste acôrdo ao Superintendente da C.B.A.I. ou ao Representante Especial da Fundação, nesta qualidade ou na de Representante americano junto à C.B.A.I., poderão ser transferidos a representantes de ambos, desde que isso mereça aprovação da outra parte. Todavia, não obstante a existência de tais representantes, o Superintendente da C.B.A.I. e o Representante Especial da Fundação, nesta qualidade ou na de Representante americano junto à C.B.A.I., poderão discutir e deliberar diretamente um com o outro sôbre qualquer assunto.

Cláusula XX

O Poder Executivo do Governo dos Estados Unidos do Brasil tomará as medidas necessárias para obter a legislação, os decretos, as ordens ou resoluções indispensáveis ao fiel cumprimento dêste acôrdo.

Cláusula XXI

Este acôrdo poderá ser alterado se as partes o julgarem necessário, mas tôdas as alterações serão feitas por escrito e serão assinadas por um representante do Govêrno dos Estados Unidos do Brasil e um da Fundação, devidamente autorizados.

Cláusula XXII

O período de vigência do presente acôrdo deverá ser de 1º de janeiro de 1946 a 30 de junho de 1948 e poderá ser prorrogado mediante acôrdo escrito.

Para os devidos efeitos, êste acôrdo será sujeito a uma troca de Notas entre o Ministério das Relações Exteriores do Brasil e a Embaixada dos Estados Unidos da América junto ao Govêrno brasileiro.

Em fé do que os abaixo assinados, devidamente autorizados, firmam o presente acôrdo, em dois exemplares, nas línguas portuguesa e inglêsa, na cidade do Rio de Janeiro, aos três dias de janeiro de 1946.

Pelo Ministério da Educação e Saúde

RAÚL LEITÃO DA CUNHA

Ministro de Estado da Educação e Saúde

Pela Inter-American Educational Foundation, Inc.

KENNETH HOLLAND

Presidente

"I certify that this copy is a true and exact replica of the original signed agreement.

KENNETH HOLLAND"

President, Inter-American

Educational Foundation, Inc.

May 4, 1946

[T. I. A. S. 1535]

Agreement between the United States of America and the Kingdom of the Yemen respecting friendship and commerce. Signed at Sana'a May 4, 1946; effective May 4, 1946.

The Chief, Special United States Diplomatic Mission to the Kingdom of the Yemen, to the Yemen Deputy Minister of Foreign Affairs

SPECIAL U. S. DIPLOMATIC MISSION
TO THE KINGDOM OF THE YEMEN

SANA'A, May 4, 1946

EXCELLENCY:

I have the honor to make the following statement of my Government's understanding of the agreement reached through conversations held at Sana'a April 14 to May 4 by representatives of the Government of the United States of America and the Government of the Kingdom of the Yemen with reference to diplomatic and consular representation, juridical protection, commerce and navigation as hereafter defined. These two Governments, having in mind the letter dated March 4, 1946, [1] from the President of the United States of America to the Imam Yehya Bin Mohamed Hamid-ud-din, King of the Yemen, by which the United States of America recognized the complete and absolute independence of the Kingdom of the Yemen, and desiring to strengthen the friendly relations happily existing between the two countries, and to respect the rights of this independence recognized by the above-mentioned letter as the basis for all their relations and to maintain the most-favored-nation principle in its unconditional and unlimited form as the basis of their commercial relations, agree to the following provisions:

ARTICLE I

Exchange of diplomatic representatives and consular officers.

The United States of America and the Kingdom of the Yemen will exchange diplomatic representatives and consular officers at a date which shall be fixed by mutual agreement between the two Governments.

ARTICLE II

Rights, privileges, etc., of diplomatic representatives.

The diplomatic representatives of each Party accredited to the Government of the other Party shall enjoy in the territories of such other Party the rights, privileges, exemptions and immunities accorded under generally recognized principles of international law. The consular officers of each Party who are assigned to the Government of the other Party, and are duly provided with exequaturs, shall be permitted to reside in the territories of such other Party at the places

Consular officers.

¹[Not printed.]

where consular officers are permitted by the applicable laws to reside; they shall enjoy the honorary privileges and the immunities accorded to officers of their rank by general international usage; and they shall not, in any event, be treated in a manner less favorable than similar officers of any third country.

ARTICLE III

Subjects of His Majesty the King of the Yemen in the United States of America and nationals of the United States of America in the Kingdom of the Yemen shall be received and treated in accordance with the requirements and practices of generally recognized international law. In respect of their persons, possessions and rights, such subjects or nationals shall enjoy the fullest protection of the laws and authorities of the country, and shall not be treated in any manner less favorable than the nationals of any third country. Subjects of His Majesty in the United States of America and nationals of the United States of America in the Kingdom of the Yemen shall be subject to the local laws and regulations, and shall enjoy the rights and privileges accorded in this third Article.

Rights and privileges of subjects or nationals.

ARTICLE IV

In all matters relating to customs duties and charges of any kind imposed on or in connection with importation or exportation or otherwise affecting commerce and navigation, to the method of levying such duties and charges, to all rules and formalities in connection with importation or exportation, and to transit, warehousing and other facilities, each Party shall accord unconditional and unrestricted most-favored-nation treatment to articles the growth, produce or manufacture of the other Party, from whatever place arriving, or to articles destined for exportation to the territories of such other Party, by whatever route. Any advantage, favor, privilege or immunity with respect to any duty, charge or regulation affecting commerce or navigation now or hereafter accorded by the United States of America or by the Kingdom of the Yemen to any third country will be accorded immediately and unconditionally to the commerce and navigation of the Kingdom of the Yemen and of the United States of America, respectively. The advantages relating to customs duties now or hereafter accorded by the United States of America to the Republic of Cuba shall be excepted from the provisions of this agreement.

Customs duties, etc.

Exception.

ARTICLE V

There shall be excepted from the provisions of Article IV of this Agreement advantages now or hereafter accorded: by virtue of a customs union of which either Party may become a member; to adjacent countries in order to facilitate frontier traffic; and by the United States of America or its territories or possessions to one another or to the Panama Canal Zone.

Exception to agreement.

The last clause shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America or its

Adoption of certain measures, regulations, etc.

territories or possessions to one another irrespective of any change in the political status of any such territories or possessions. Nothing in this Agreement shall prevent the adoption or enforcement by either Party within the area of its jurisdiction: of measures relating to the importation or exportation of gold or silver or the traffic in arms, ammunition, and implements of war, and, in exceptional circumstances, all other military supplies; of measures necessary in pursuance of obligations for the maintenance of international peace and security or necessary for the protection of the essential interests of such Party in time of national emergency; or of statutes in relation to immigration and travel. Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either Party against the subjects, nationals, commerce or navigation of the other Party in favor of the subjects, nationals, commerce or navigation of any third country, the provisions of this Agreement shall not extend to prohibitions or restrictions: imposed on moral or humanitarian grounds; designed to protect human, animal, or plant life or health; relating to prison-made goods; or relating to the enforcement of police or revenue law.

ARTICLE VI

Applicability: exception.

The provisions of this Agreement shall apply to all territory under the sovereignty or authority of either of the parties, except the Panama Canal Zone.

ARTICLE VII

Continuance in force; termination.

This Agreement shall continue in force until superseded by a more comprehensive commercial agreement, or until thirty days from the date of a written notice of termination given by either party to the other Party, whichever is the earlier. Moreover, either Party may terminate Articles I, II, III, or IV on thirty days written notice.

If the above provisions are acceptable to the Government of the Kingdom of the Yemen this note and the reply signifying assent thereto shall, if agreeable to that Government, be regarded as constituting an agreement between the two Governments which shall become effective on the date of such acceptance.

Accept, Excellency, the assurances of my highest consideration.

WILLIAM A. EDDY

*Chief, Special U. S. Diplomatic Mission
to the Kingdom of the Yemen*

AL QADI ABDUL KARIM MUTAHHAR
*Deputy Minister of Foreign Affairs
Kingdom of the Yemen*

*The Yemen Deputy Minister of Foreign Affairs to the Chief, Special
United States Diplomatic Mission to the Kingdom of the Yemen*

الحكومة الاسلاميه المتوكلية

صنعا في ٣ جمادى الثانيه ١٣٦٥ - ٤ مايو ١٩٤٦

حضرة صاحب المصاعده المستروليام الفرد ادي رئيس الهئه السياسيه الخاصه
المؤسسه من الولايات المتحده الاميركيه الي مملكة اليمن

لي الشرف ان افيد سعادتك باستلامي لخطابكم المورخ في ٤ مايو ١٩٤٦ الموافق
٣ جمادى الثانيه ١٣٦٥ والذي نصه كما يلي . -

لي الشرف ان ابين فهم حكومتي للاتفاق الذي تم بعد محادثات جرت مؤخرا في صنعا
يوم ١٤ ايلول الي ٤ مايو ١٩٤٦ بين ممثلي حكومة الولايات المتحده الاميركيه وبين حكومة مملكة
اليمن بشأن التشثيل المهنسي والتصلي والصيانة القضائيه والتجارة والملاحه كما هي موضحة ادناه
وبناء علي كتاب فخامة رئيس الولايات المتحده الاميركيه بتاريخ ٤ مارس ١٩٤٦ السي
جلالة الامام المتوكل علي الله يحي بن محمد حميد الدين ملك اليمن والذي بموجبه اعترفت
الولايات المتحده الاميركيه باستقلال مملكة اليمن التام والمطلق وبناء علي رغبة الحكومتين فسي
تقومه عري الصداقه السائده بين الدولتين واحترام حقوق هذا الاستقلال المستوفيه بالخطاب
المذكور اعلاه كاساس لجميع علاقتيهما ومعاملاتيهما والمحافظه علي مبدأ الولي الامم بالرعايه بمعناه
التام والمطلق كاساس لعلاقتيهما التجاريه فانهما يوافقان علي المنصوص الاتيه . -

الماده الاولي

ستتبادل الولايات المتحده الاميركيه ومملكة اليمن الممثلين الدبلوماسيين والتفصيليين
وذلك في الفايح الذي سمي بالاتفاق بين الحكومتين

الماده الثانيه

يتمتع الممثلون الدبلوماسيون لكل من الفريقين الممثلين لدى حكومة الفايح الاخر انشاء
اناشتهم في بلاده بكل الحقوق والامتيازات والاهلآف والاستثناءات المنصوصه من مبادئ القانون
الدولي المنترف بها عامه ، ويصح للموظفين التفصيليين لكل من الفريقين الممثلين لدى حكومة
الفايح الاخر والمؤدين بوثائق تضمنه ان يتموا في بلاد الفريق الاخر في الأماكن التي يسمح
للموظفين التفصيليين بالاقامة فيها حسب القوانين السارية في تلك البلاد ويتمتع هؤلاء الممثلون
بجميع امتيازات الشرف والاهلآف التي يخولها المرف الدولي العام الي الموظفين من ذات الرتبه
ولا تكون معاملتهم في اى حال من الاحوال اقل رايه من معاملة امثالهم من موظفي اية دولة اخرى

- ٢ -

الحكومة الاسلاميه المتوكليه

المادة الثالثة

يقبل ويمامل رايها حلاله ملك اليمن في الولايات المتحدة الاميريكيه ويقبل ويمامل مواطني الولايات المتحدة الاميريكيه في ملكه اليمن بحسب مقتضيات زيارات القانون الدولي المعترف به عامه ، ونها يتعلق باشخاصهم وامتنعتهم وحقوقهم فان هؤلاء الرعايا او المواطنين يتمتعون باكثر تنظ من حماية قوانين وسلطات الدوله ولا تكون مساولتهم في اى حال اقل رايه ممايمامل به رعايا اى دولة اخرى ، رايها صاحب الجلاله الموجودون في الولايات المتحدة الاميريكيه ومواطنو الولايات المتحدة الاميريكيه الموجودون في ملكه اليمن سيكونون خاضعين للقوانين والنظم المحليه ويتمتعون بالحقوق والحمايه المنوطة في هذه المادة الثالثه

المادة الرابعه

فيما يتعلق بالرسوم والضرائب الجمريكيه والمصاريف من اى نوع كانت المفروضه او المخصسه بالتوريد والتصدير او بتصدير آخر ماله مساس بالتجاره والملاحة اوفها يتعلق بشركه فرض مثل هذه الرسوم والضرائب وجميع القوانين والاجراءات المخصسه بالتوريد والتصدير بالمور والتخزين وغير ذلك من التسهيلات يمنع كل من الفريقين مساطقولي الامم بالرعايه بلائقذ ولا شرط للمصنوعات المزمعه والمواد والمنوجات الصناعيه الصادره من بلاد اى الفريقين قطع النظر عن النقطتالتي تصل منها والمواد المراد تصديرها لمقاطعات الفريق الاخرى قطع النظر شحتها ، كل افضليه اوريايه او امتياز او صانته ماله علاقه باى رسم او ضربه او نظام خاصه لتجاره والملاحق مسبق قد يمنع اوس يمنع من قبل الولايات المتحدة الاميريكيه او ملكه اليمن الى دولته اخرى يمنع حالا بلائقذ ولا شرط لتجاره وبلاحة ملكه اليمن والولايات المتحدة الاميريكيه طي انه يستثنى من نصوص هذه الاعطايه الامتيازات المتعلقه بالرسوم الجمريكيه التي كانت قد منحستها اوسوف تمنحها الولايات المتحدة الاميريكيه الى جمهوريه كوسا .

المادة الخامسه

يستثنى من نصوص المادة الرابعه من هذه الاعطايه الامتيازات التي كانت قد منحستها اوسوف تمنح
بفضل اتحاد جمريكي ينضم اليه احد الفريقين
الى البلاد المجاوره لتسهيل حركة المور عبر الحدود
من الولايات المتحدة الاميريكيه والبلدان التابعة لها او ملكاتها لمضهم
الهمش او لمنطقه تنال بناسا
والبلد الاخرى بتي نافذاً فيها يتعلق باية امتيازات منطوچه اوس تمنح فيما بعد من قبل الولايات
الصحده الاميريكيه والبلدان التابعة لها وملكاتها لمضهم الهمش قطع النظر عن اى تغيير
قد يحدث في الوضع السياسي لاي بلد من هذه البلاد او المنطقات .

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الحكومة الصليبية المتوكلية

لاشيء في هذه الاتفاقيه يحول دون اختيار والتزام كل من الفريقين بان يتخـذ
وينفذ داخل منطقتة سيادته
التدابير التي تتعلق باستيراد الذهب والفضه او تجارة الاسلحه والذخائر والمعدات
الحربية وفي ظروف استثنائه كل المواد الحربية الاخرى
التدابير اللازمة طبقا للتعهدات الخاصة بالمحافظة علي السلام والامن الدوليين
واللازمة لوقاية مصالح اى الفريقين الضرورية حين حدوث طارئ اهلي
القرانين المتعلقه بالهجره والسفروالاتمامه
واقترضا للحاجه ولثلا يكون في مثل هذه الظروف والاحوال تهيؤ من قبل احد الفريقين
ضد رعايا المواطنين او تجارة وملاحة الفريق الآخر وفي صالح رعايا المواطنين وتجارة وملاحة فريق
الثالث فان نصوص هذه الاتفاقيه لا تتناول التحريمات والتعهدات الثالثه
المفوضه لاسباب اخلاقيه او انسانيه
المقصود بها وقاية الحياه او الصحه النشريه او الحيوانيه او النباتيه
التي تتعلق بقوانين الشرطه والايرواد
المتعلقه بالبيضاع المصنوعه في المسجون
الماده السادسه
يسرى مضمون شروط هذه الاتفاقيه علي كل البلاد الواقعيه تحت سيادة او سلطه
اى الفريقين باستثناء منطقتة قتال بناما
الماده السابعه

تبقى هذه الاتفاقيه سارية المضمول الي ان تبدل باتفاقية تجاريه اوسع شولا او بمد
مضي ثلاثين يوما علي تاريخ اصدار اشمار كنائي من قبل احد الفريقين للفريق الآخر بالفائتها
بحسب الترتيبه ؛ وعلاوة علي ذلك فان كلا من الفريقين يمكن ان يلغي الماده الاولى ؛ الماد
الثانيه ؛ الماده الثالثه او الماده الرابعه بمد مضي ثلاثين يوما علي تاريخ اصدار
اشمار كنائي .

واني بالمهايه من حكومة اليمن الهديكم بموافقة حكومتي علي النصوص المذكوره فسي
هذه الاتفاقيه والتي تعتبر سارية المضمول من تاريخ هذا التوقيع .

عظيم
مطهر

محمد الكرم مطهر

وزير خارجيه ملكة اليمن بالنهايه

٢١٢

*Translation*THE ISLAMIC GOVERNMENT
ORDAINED BY ALLAHSANA'A
May 4, 1946
Jamada-al-Thaniya, 3, 1365

His Excellency

Mr. WILLIAM ALFRED EDDY
*Chief, U. S. Special Mission
to the Kingdom of The Yemen.*

I have the honor to acknowledge receipt of Your Excellency's letter dated May 4, 1946, corresponding to *Jamada-al-Thaniya, 3, 1365*, the text of which is as follows:—

I have the honor to make the following statement of my Government's understanding of the agreement reached through conversations held at Sana'a April 14 to May 4 by representatives of the Government of the United States of America and the Government of the Kingdom of the Yemen with reference to diplomatic and consular representation, juridical protection, commerce and navigation as hereafter defined. These two Governments, having in mind the letter dated March 4, 1946, from the President of the United States of America to the Imam Yehya Bin Mohamed Hamid-uddin, King of the Yemen, by which the United States of America recognized the complete and absolute independence of the Kingdom of the Yemen, and desiring to strengthen the friendly relations happily existing between the two countries, and to respect the rights of this independence recognized by the above-mentioned letter as the basis for all their relations and to maintain the most-favored-nation principle in its unconditional and unlimited form as the basis of their commercial relations, agree to the following provisions:

ARTICLE I

The United States of America and the Kingdom of the Yemen will exchange diplomatic representatives and consular officers at a date which shall be fixed by mutual agreement between the two Governments.

ARTICLE II

The diplomatic representatives of each Party accredited to the Government of the other Party shall enjoy in the territories of such other Party the rights, privileges, exemptions and immunities accorded under generally recognized principles of international law. The consular officers of each Party who are assigned to the Government of the other Party, and are duly provided with exequaturs, shall be permitted to reside in the territories of such other Party at the places where consular officers are permitted by the applicable laws to reside; they shall enjoy the honorary privileges and the

immunities accorded to officers of their rank by general international usage; and they shall not, in any event, be treated in a manner less favorable than similar officers of any third country.

ARTICLE III

Subjects of His Majesty the King of the Yemen in the United States of America and nationals of the United States of America in the Kingdom of the Yemen shall be received and treated in accordance with the requirements and practices of generally recognized international law. In respect of their persons, possessions and rights, such subjects or nationals shall enjoy the fullest protection of the laws and authorities of the country, and shall not be treated in any manner less favorable than the nationals of any third country. Subjects of His Majesty in the United States of America and nationals of the United States of America in the Kingdom of the Yemen shall be subject to the local laws and regulations, and shall enjoy the rights and privileges accorded in this third Article.

ARTICLE IV

In all matters relating to customs duties and charges of any kind imposed on or in connection with importation or exportation or otherwise affecting commerce and navigation, to the method of levying such duties and charges, to all rules and formalities in connection with importation or exportation, and to transit, warehousing and other facilities, each Party shall accord unconditional and unrestricted most-favored-nation treatment to articles the growth, produce or manufacture of the other Party, from whatever place arriving, or to articles destined for exportation to the territories of such other Party, by whatever route. Any advantage, favor, privilege or immunity with respect to any duty, charge or regulation affecting commerce or navigation now or hereafter accorded by the United States of America or by the Kingdom of the Yemen to any third country will be accorded immediately and unconditionally to the commerce and navigation of the Kingdom of the Yemen and of the United States of America, respectively. The advantages relating to customs duties now or hereafter accorded by the United States of America to the Republic of Cuba shall be excepted from the provisions of this agreement.

ARTICLE V

There shall be excepted from the provisions of Article IV of this Agreement advantages now or hereafter accorded; by virtue of a customs union of which either Party may become a member; to adjacent countries in order to facilitate frontier traffic; and by the United States of America or its territories or possessions to one another or to the Panama Canal Zone.

The last clause shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America or its territories or possessions to one another irrespective of any change

in the political status of any such territories or possessions. Nothing in this Agreement shall prevent the adoption or enforcement by either Party within the area of its jurisdiction; of measures relating to the importation or exportation of gold or silver or the traffic in arms, ammunition, and implements of war, and, in exceptional circumstances, all other military supplies; of measures necessary in pursuance of obligations for the maintenance or international peace and security or necessary for the protection of the essential interests of such Party in time of national emergency; or of statutes in relation to immigration and travel. Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either Party against the subjects, nationals, commerce or navigation of the other Party in favor of the subjects, nationals commerce or navigation of any third country, the provisions of this Agreement shall not extend to prohibitions or restrictions: imposed on moral or humanitarian grounds; designed to protect human, animal, or plant life or health; relating to prison-made goods; or relating to the enforcement of police or revenue law.

ARTICLE VI

The provisions of this Agreement shall apply to all territory under the sovereignty or authority of either of the parties, except the Panama Canal Zone.

ARTICLE VII

This Agreement shall continue in force until superseded by a more comprehensive commercial agreement, or until thirty days from the date of a written notice of termination given by either Party to the other Party, whichever is the earlier. Moreover, either Party may terminate Articles I, II, III, or IV on thirty days written notice.

On behalf of the Government of the Yemen, I declare my government's adherence to the provisions stated in this Agreement which is considered effective on the date of signature.

ABDUL KARIM MUTAHHAR
Deputy Foreign Minister

Agreement between the United States of America and New Zealand respecting a mutual aid settlement. Signed at Washington July 10, 1946; effective July 10, 1946.

July 10, 1946
[T. I. A. S. 1536]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF NEW ZEALAND ON SETTLEMENT FOR LEND-LEASE AND RECIPROCAL AID, SURPLUS WAR PROPERTY, AND CLAIMS

The Government of the United States of America and the Government of New Zealand have reached agreement as set forth below regarding settlement for lend-lease and reciprocal aid, for certain surplus war property, and for the financial claims of each Government against the other arising as a result of World War II. This settlement is complete and final. Both Governments, in arriving at this settlement, have taken full cognizance of the benefits already received by them in the defeat of their common enemies, and of the aid furnished by each Government to the other in the course of the war. No further benefits will be sought as consideration for lend-lease and reciprocal aid, for surplus war property covered by this Agreement, or for the settlement of other financial claims arising as a result of World War II, except as herein specifically provided.

I

LEND-LEASE AND RECIPROCAL AID

1. (a) The term "lend-lease article" as used in this Agreement means any article heretofore transferred by the Government of the United States under the Act of March 11, 1941

"Lend-lease article."

55 Stat. 31,
22 U. S. C., Supp.
V, §§ 411-419.

- (1) to the Government of New Zealand, or
- (2) to any other government and heretofore retransferred to the Government of New Zealand.

(b) The term "reciprocal aid article" as used in this Agreement means any article heretofore transferred by the Government of New Zealand to the Government of the United States under reciprocal aid.

"Reciprocal aid article."

2. In recognition of the mutual benefits received by the two Governments from the interchange of lend-lease and reciprocal aid, neither Government will be required to make any payment to the other for lend-lease and reciprocal aid articles and services used in the achievement of the common victory.

Payments not required.

3. (a) The Government of New Zealand hereby acquires, and shall be deemed to have acquired as of September 2, 1945, full title, without qualification as to disposition or use, to all lend-lease articles in the possession of the Government of New Zealand, its agents or transferees, on September 2, 1945, and not subsequently returned to the

Title to lend-lease articles in possession of New Zealand.

Government of the United States, other than lend-lease articles which on that date were in the possession of the armed forces of the Government of New Zealand.

(b) The Government of New Zealand hereby acquires, and shall be deemed to have acquired as of the date of loading on board ocean vessel for shipment to New Zealand, full title, without qualification as to disposition or use, to all lend-lease articles transferred to the Government of New Zealand on or after September 2, 1945, pursuant to lend-lease requisitions filed by the Government of New Zealand, and not subsequently returned to the Government of the United States, which articles constituted the lend-lease pipeline for the Government of New Zealand and in respect of which no further deliveries remain to be made.

(c) The Government of New Zealand hereby acquires, and shall be deemed to have acquired as of the date of delivery to the custody of the Government of New Zealand, full title, without qualification as to disposition or use, to all lend-lease articles, other than arms, ammunition and other lethal weapons, in addition to the articles covered by sub-paragraph (b) hereof, transferred to the Government of New Zealand between September 2, 1945, and December 31, 1945, both dates inclusive, and not subsequently returned to the Government of the United States.

(d) In consideration of the mutual undertakings of this Agreement, no payment shall be required from the Government of New Zealand with respect to the articles covered by sub-paragraphs (a), (b) and (c) hereof.

Title to reciprocal
aid articles in posses-
sion of U. S.

4. (a) The Government of the United States hereby acquires, and shall be deemed to have acquired as of September 2, 1945, full title, without qualification as to disposition or use, to all reciprocal aid articles in the possession of the Government of the United States, its agents or transferees, on September 2, 1945, and not subsequently returned to the Government of New Zealand, other than reciprocal aid articles which on that date were in the possession of the armed forces of the Government of the United States.

(b) The Government of the United States hereby acquires, and shall be deemed to have acquired as of the date of delivery to United States depot in New Zealand, or of loading aboard ocean vessel for shipment from New Zealand, whichever is the earlier, full title, without qualification as to disposition or use, to all reciprocal aid articles transferred to the Government of the United States between September 2, 1945, and December 31, 1945, both dates inclusive, and not subsequently returned to the Government of New Zealand, which articles constituted the reciprocal aid pipeline for the Government of the United States and in respect of which no further deliveries remain to be made.

(c) The Government of the United States hereby acquires, and shall be deemed to have acquired as of the date of delivery to the custody of the Government of the United States, full title, without qualification as to disposition or use, to all reciprocal aid articles, other than arms, ammunition and other lethal weapons, in addition to the

articles covered by sub-paragraph (b) hereof, transferred to the Government of the United States between September 2, 1945, and December 31, 1945, both dates inclusive, and not subsequently returned to the Government of New Zealand.

(d) In consideration of the mutual undertakings of this Agreement, no payment shall be required from the Government of the United States with respect to articles covered by sub-paragraphs (a), (b) and (c) hereof.

5. (a) The Government of the United States, with respect to lend-lease articles, and the Government of New Zealand, with respect to reciprocal aid articles, reserve a right to recapture, at any time after September 1, 1945, any such articles other than those to which title is passed pursuant to paragraphs 3 and 4 hereof, which are now in the possession of the armed forces of the other Government and, as of the date upon which notice requesting return is communicated to the other Government, are in the possession of or under the control of such other Government, although neither Government intends to exercise generally this right of recapture. Where either Government wishes from time to time to exercise this right of recapture, such Government will give reasonable notice of its intention and, without limiting the right of recapture, will provide full opportunity to the other Government for discussion of that Government's need for the articles in question.

Right to recapture
lend-lease or reciprocal
aid articles.

(b) The Government of New Zealand may, except as provided in paragraph 8 hereof, divert any such lend-lease articles covered by paragraph 5 (a) hereof to any uses in or outside of New Zealand or its territories, but will not, without the prior consent of the Government of the United States and without payment of any proceeds to the Government of the United States, transfer to any third country any such lend-lease articles in the categories of arms, ammunition and other lethal weapons.

Diversion of lend-
lease articles.
Post, p. 1794.

(c) The Government of the United States may divert any such reciprocal aid articles covered by paragraph 5 (a) hereof to any uses in or outside of the United States, its territories or possessions, but will not, without the prior consent of the Government of New Zealand and without payment of any proceeds to the Government of New Zealand, transfer to any third country any such reciprocal aid articles in the categories of arms, ammunition and other lethal weapons.

Diversion of reciprocal
aid articles.

(d) The Government of the United States, with respect to vessels transferred to the United States Navy under reciprocal aid, and the Government of New Zealand, with respect to vessels transferred by the United States Navy under lend-lease, will, unless otherwise agreed, each return to the other Government any such vessels in the possession of the recipient Government on the date when the request for return is communicated to such Government.

Vessels.

6. Both Governments agree that, when they dispose of articles acquired pursuant to paragraphs 3 and 4 hereof, they will use their best endeavors to avoid discrimination against the legitimate interests of the manufacturers or producers of such articles, or their agents or distributors, in each country.

II

SURPLUS WAR PROPERTY

Surplus non-combat
lend-lease aircraft and
related spares.

7. The Government of New Zealand, in consideration of the value of surplus non-combat lend-lease aircraft and related spares diverted to civilian use, and of the other surplus property covered by the contract between the Government of the United States and the Government of New Zealand dated December 18, 1945, as amended in this Agreement, and in order to further educational and cultural relationships between the two countries by means of scholarships or otherwise in a manner mutually agreeable, will pay to the Government of the United States the value of such aircraft and related spares and surplus property as provided in paragraphs 8 and 9 hereof, by any of the following methods or any combination thereof designated by the Government of the United States, employing in every case the rate of 3.2442 United States dollars to one New Zealand pound:

Title to real prop-
erty.

(i) (a) by delivery of title to the Government of the United States by the Government of New Zealand of such real property and improvements to real property in New Zealand as may be selected and determined by agreement between the two Governments, aggregating in value not more than \$1,200,000;

Fund for education-
al and cultural pro-
grams.

(b) by establishment of a fund in New Zealand pounds, equivalent to not more than the remaining amount due to the Government of the United States hereunder, for expenditure in accordance with agreements to be reached between the two Governments for carrying out educational and cultural programs of benefit to the two countries;

Other property or
services.

(ii) by delivery to the Government of the United States of such other property or services in New Zealand as may be selected and determined by agreement between the two Governments, aggregating in value not more than such part of the amount due to the Government of the United States as may not have been expended under the provisions of sub-paragraphs (i) (a) and (i) (b) hereof;

Residue.

(iii) in the event that, after three years from the date of this Agreement the two Governments have been unable to agree that the purposes described in sub-paragraphs (i) and (ii) above hereof can be carried out to the full extent now contemplated, any residue will be paid by the Government of New Zealand to the Government of the United States in United States dollars.

Lend-lease non-
combat aircraft or
related spares.
Restriction.

8. The Government of New Zealand will not divert to any civilian use any lend-lease non-combat aircraft or related spares in the possession of the Government of New Zealand except those acquired by the Government of New Zealand pursuant to separate agreement or agreements of sale between the two Governments. The Government of the United States will accept the return of, and will declare as

surplus, all lend-lease non-combat aircraft and related spares now in the possession of the Government of New Zealand which may be selected by the Government of New Zealand for diversion to civilian use. The Government of the United States will sell and the Government of New Zealand will purchase such aircraft and related spares under the terms and conditions of the contract dated December 18, 1945, described and amended in paragraph 9 hereof. The consideration for any such sales shall be calculated at the world disposal prices as determined by the Government of the United States for aircraft and related spares of the types covered by such sales. Payment for any such aircraft and related spares shall be made in accordance with paragraphs 7 and 9 of this Agreement.

9. In the contract dated December 18, 1945, the Government of the United States agreed to sell and the Government of New Zealand agreed to purchase certain surplus property described therein up to a total value of four million dollars. The terms and conditions of that contract shall remain in full force with the following amendments:

Contract of Dec. 18, 1945.

Amendments.

- (a) additional schedules listing non-combat aircraft and related spares and meteorological, communication, navigational and other airport articles and equipment shall be added to the contract;
- (b) the amount of four million dollars shall be increased by an amount up to \$750,000 to cover the value of non-combat aircraft and related spares and by a further amount sufficient to cover the value of the meteorological, communication, navigational and other airport articles and equipment described in subparagraph (a) hereof;
- (c) in lieu of the method of payment provided for in that contract, payment shall be made in accordance with paragraph 7 of this Agreement.

III

OTHER FINANCIAL CLAIMS

10. (a) The Government of New Zealand hereby assumes responsibility for the settlement and payment of all claims against the Government of the United States or members of the armed forces of the Government of the United States, arising from acts or omissions of members of the armed forces of the Government of the United States occurring in New Zealand before June 30, 1946.

Settlement and payment of claims.

(b) The following financial claims between the two Governments, arising out of existing arrangements in which the liability for payment has heretofore been acknowledged and the method of computation mutually agreed upon, are not covered by this settlement, as they will be settled in accordance with such arrangements:

Financial claims.

- (i) Claims by either Government arising out of lend-lease requisitions filed by the Government of New Zealand in which the Government of New Zealand agreed to make direct cash reimbursement to the Government of the United States for the material therein requisitioned and at the time of filing

such requisitions deposited with the Government of the United States the estimated cost of such material;

- (ii) Claims arising out of the agreement by the Government of the United States to pay the Government of New Zealand for the articles and services furnished by the Government of New Zealand to the Government of the United States not eligible for reciprocal aid, and for the articles and services furnished by the Government of New Zealand to the Government of the United States after December 31, 1945.

Waiver of certain claims.

(c) In consideration of the mutual undertakings described in this Agreement, and with the objective of arriving at as comprehensive a settlement as possible and of obviating protracted negotiations between the two Governments, all other financial claims whatsoever of one Government against the other which arose out of lend-lease or reciprocal aid or otherwise arose on or after September 3, 1939, and prior to September 2, 1945, out of or incidental to the conduct of World War II, and which are not otherwise dealt with in this Agreement, are hereby waived, and neither Government will hereafter raise or pursue any such claims against the other.

Effective date.

11. This Agreement shall take effect on the date of signature. Signed at Washington in duplicate this 10th day of July, 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

DEAN ACHESON

Acting Secretary of State of the United States of America

FOR THE GOVERNMENT OF NEW ZEALAND:

W. NASH

Minister of Finance of the Government of New Zealand

Agreement between the United States of America and Brazil respecting the disposition of lend-lease supplies in the United States. Signed at Washington June 28, 1946; effective June 28, 1946.

June 28, 1946
[T. I. A. S. 1537]

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND
THE UNITED STATES OF BRAZIL ON THE DISPOSITION OF LEND-
LEASE SUPPLIES IN INVENTORY OR PROCUREMENT IN THE
UNITED STATES OF AMERICA

The United States of America and the United States of Brazil in order to provide for the orderly disposition in their mutual interests of the undelivered articles which were in inventory or procurement in the United States of America, prior to September 2, 1945, for the purpose of providing mutual defense aid to the United States of Brazil under the Act of March 11, 1941, as amended, agree as follows:

55 Stat. 31.
22 U. S. C. Supp., V,
§§ 411-419.

ARTICLE I

All articles and services undertaken to be provided by the United States of America under this Agreement shall be made available under the authority and subject to the terms and conditions of the Act of March 11, 1941, as amended, and any acts supplementary thereto.

ARTICLE II

Within such periods as may be authorized by law, the United States of America agrees to transfer to the United States of Brazil and the United States of Brazil agrees to accept those articles which are or will be available to the United States of America for transfer to the United States of Brazil out of articles that were in inventory or procurement in the United States of America prior to September 2, 1945, for the purpose of providing defense aid under the Act of March 11, 1941, to the United States of Brazil, but were not transferred prior to the date of the signature of this Agreement.

Transfer of articles.

55 Stat. 31.
22 U. S. C., Supp. V,
§§ 411-419.

ARTICLE III

The United States of Brazil agrees to pay the United States of America for the articles transferred under Article II hereof at a time and in an amount determined as provided in Article III of the Agreement between the United States of America and the United States of Brazil on the subject of defense aid dated March 3, 1942. [1]

Payment for articles.

¹ [Not printed.]

Cost of transportation.

It is understood that accessorial charges, inland and ocean freight and other expenses connected with the transportation to the United States of Brazil of the articles transferred will be paid by the United States of Brazil.

ARTICLE IV

Without limitation upon the provisions of Article II hereof, it is agreed that the approximate value and the general categories of the articles to be transferred hereunder are as follows:

Industrial equipment	\$ 1,014,000
Air Forces equipment	137,000
Ordnance equipment	898,000

ARTICLE V

Transfer to a third country, restriction.

It is agreed that the articles transferred to the United States of Brazil under this Agreement shall not be retransferred to the Government of any third country without the consent of the President of the United States of America.

ARTICLE VI

It is agreed that transfers under this Agreement and articles so transferred are further subject to the provisions of Article VII of the Agreement between the United States of America and the United States of Brazil dated March 3, 1942.

ARTICLE VII

Nonapplicability to certain articles.

The provisions of this Agreement shall not apply to articles covered by requisitions calling for full cash payment by the United States of Brazil or to articles requisitioned under Brazilian Project Number 4 for the airplane engine factory at Xerem.

ARTICLE VIII

55 Stat. 31.
22 U. S. C., Supp. V,
§§ 411-419.

This Agreement does not constitute a final settlement of the terms and conditions upon which the United States of Brazil has received aid under the Act of March 11, 1941, except for the articles made available under the provisions hereof.

ARTICLE IX

It is understood that the articles comprising the category "Ordnance equipment" referred to in Article IV hereof are incomplete and that their completion is not contemplated under the terms of Article II hereof; nevertheless the United States of America agrees to undertake the completion of the said articles at the option and expense of the United States of Brazil.

ARTICLE X

Effective date.

This Agreement shall take effect as from this day's date.

DONE in duplicate, at Washington, this 28th day of June, 1946.

FOR THE UNITED STATES OF AMERICA

CHESTER T. LANE

CHESTER T. LANE, *Deputy Foreign
Liquidation Commissioner
Department of State*

FOR THE UNITED STATES OF BRAZIL

JOÃO VALDETARO, *Col.*

Colonel JOAO VALDETARO, *Chief of
the Brazilian Military Commission*

H. BAPTISTA COELHO

Commander HETTOR BAPTISTA COELHO,
Chief of the Brazilian Naval Commission

JOSÉ V. DE F. LIMA, *Ten Cel Ar*

Lieutenant Colonel JOSE VICENTE DE FARIA LIMA,
Chief of the Brazilian Aeronautical Commission

July 4, 1946
[T. I. A. S. 1539]

Provisional agreement between the United States of America and the Republic of the Philippines respecting general relations. Signed at Manila July 4, 1946; effective July 4, 1946.

PROVISIONAL AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES CONCERNING FRIENDLY RELATIONS AND DIPLOMATIC AND CONSULAR REPRESENTATION

The Government of the United States of America and the Government of the Republic of the Philippines, considering that in accordance with the expressed will of the Congress and people of the United States of America and of the Congress and people of the Philippines, the political ties which have united these two peoples are to be dissolved on July 4, 1946,

Considering also the mutual desire that the friendship and affection which have long existed between the two peoples shall be reaffirmed and continued without interruption for all time, and

Desiring to establish a basis for relations between the Governments of the two countries pending the conclusion, by established constitutional processes, of definitive treaties,

Do now make of record this provisional agreement concerning friendly relations and diplomatic and consular representation.

ARTICLE I

Recognition by U. S.

The Government of the United States of America recognizes the Republic of the Philippines as a separate, independent and self-governing nation and acknowledges the authority and control of the Government of the Republic of the Philippines over the territory of the Philippine Islands.

ARTICLE II

Notification to other Governments.

The Government of the United States of America will notify the Governments with which it has diplomatic relations of the independence of the Republic of the Philippines and will invite those Governments to recognize the Republic of the Philippines as a member of the family of nations.

ARTICLE III

Privileges and immunities of diplomatic representatives and consular officers.

The diplomatic representatives of each contracting party shall enjoy in the territories of the other the privileges and immunities derived from generally recognized international law. The consular representatives of each contracting party, duly provided with exequaturs, shall be permitted to reside in the territories of the other; they shall enjoy the privileges and immunities accorded to such officers by general international usage; and they shall not be treated in a manner less favorable than similar officers of any third country.

ARTICLE IV

The two contracting parties mutually agree that they will forthwith enter into negotiations for the conclusion of treaties and agreements regulating relations between the two countries, including a treaty of friendship, commerce and navigation, an executive agreement relating to trade, a general relations treaty, a consular convention, and other treaties and agreements as may be necessary, and will endeavor to conclude these instruments as soon as may be possible.

Negotiations for treaties and agreements.

ARTICLE V

This provisional agreement shall enter into force upon signature.

Entry into force.

IN WITNESS WHEREOF, the undersigned, duly authorized thereto by their respective Governments, have signed this provisional agreement at Manila this fourth day of July, one thousand nine hundred forty-six.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
[SEAL] PAUL V. McNUTT

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:
[SEAL] MANUEL ROXAS

March 18, 20, 25, April
9, May 3, June 3,
1946

[T. I. A. S. 1540]

Agreement between the United States of America, Argentina, Australia, Canada, and the United Kingdom, amending the agreement initialed at Washington April 22, 1942, and effective June 27, 1942, respecting wheat. Effected by exchanges of notes signed at Washington March 18, March 20, March 25, April 9, May 3, and June 3, 1946; effective June 3, 1946.

*The Secretary of State to the Argentine Chargé d'Affaires
ad interim [1]*

DEPARTMENT OF STATE
WASHINGTON

Mar 18 1946

SIR:

I have been requested by the International Wheat Council to invite your Government to signify its acceptance of the following recommendation adopted by that Council at its Eleventh Session held in Washington on 27th February 1946:

"The International Wheat Council hereby recommends to the Governments of Argentina, Australia, Canada, the United Kingdom, and the United States of America that:

(a) since it has been decided to invite the representatives of Belgium, Brazil, China, Denmark, France, India, Italy, the Netherlands, the Union of Soviet Socialist Republics, and Yugoslavia to become members of that Council; and

(b) since it has also been decided to establish a preparatory committee for the purpose of reviewing the Draft Convention with a view to submitting it, as amended by the Council in the light of the recommendations of that Committee, to the international wheat conference referred to in paragraph 3 of the Memorandum of Agreement;

the Memorandum of Agreement, approved by the Governments of Argentina, Australia, Canada, the United Kingdom, and the United States of America on 27th June 1942, be amended by the deletion of paragraphs 5, 6, 7, and 8 thereof and the substitution therefor of the following as paragraph 5 of that Memorandum:

'5. The International Wheat Council, referred to in Article VII of the Draft Convention, shall remain in being pending the conclusions of the international wheat conference referred to in paragraph 3 above or until such time as the governments represented on that Council may determine.'

Upon notification by this Government to the Governments of Argentina, Australia, Canada, and the United Kingdom that each of the

¹ [*Mutatis mutandis* to the Australian Minister, the Canadian Ambassador, and the British Ambassador.]

57 Stat. 1382.

57 Stat. 1382.

57 Stat. 1383.

Continuation of International Wheat Council.
57 Stat. 1391.

five Governments has signified its approval, the Memorandum of Agreement will be deemed to be so amended.

Accept, Sir, the renewed assurances of my high consideration.

JAMES F. BYRNES

The Honorable

Señor Don LUIS S. LUTI,

Minister Counselor,

Chargé d'Affaires ad interim of Argentina.

The Argentine Chargé d'Affaires ad interim to the Secretary of State

EMBAJADA
DE LA
REPÚBLICA ARGENTINA

D. E. No. 102

WASHINGTON, April 9, 1946.—

EXCELLENCY:

I have the honour to acknowledge the receipt of your note of March 18th, 1946, which refers to the deletion of paragraphs 5, 6, 7, and 8 of the Memorandum of Agreement approved by the Governments of Argentina, Australia, Canada, the United Kingdom and the United States of America on 27th June 1942, and to the substitution of paragraph 5 of such Memorandum by the one set forth on Your Excellency's note.

57 Stat. 1383.

My Government will consider such amendments of the above mentioned Memorandum, as entering into force upon being notified that the other four Governments have expressed their approval.

Please accept, Excellency, the assurances of my highest consideration.

L. S. LUTI

His Excellency the Secretary of State

Mr. JAMES F. BYRNES,

Washington, D.C.

The Australian Counsellor to the Secretary of State

AUSTRALIAN LEGATION
WASHINGTON 8, D.C.

No. 93/46

20th March, 1946.

SIR:

I have the honour to acknowledge your letter of March 18th, addressed to Sir Frederic Eggleston, who has now left Washington, inviting the Government of the Commonwealth of Australia to signify its acceptance of the following recommendation adopted by the International Wheat Council at its Eleventh Session held in Washington on 27th February, 1946:

“The International Wheat Council hereby recommends to the Governments of Argentina, Australia, Canada, the United Kingdom, and the United States of America that:

(a) since it has been decided to invite the representatives of Belgium, Brazil, China, Denmark, France, India, Italy, the Netherlands, the Union of Soviet Socialist Republics, and Yugoslavia to become members of that Council; and

(b) since it has also been decided to establish a preparatory committee for the purpose of reviewing the Draft Convention with a view to submitting it, as amended by the Council in the light of the recommendations of that Committee, to the international wheat conference referred to in paragraph 3 of the Memorandum of Agreement;

57 Stat. 1382.

the Memorandum of Agreement, approved by the Governments of Argentina, Australia, Canada, the United Kingdom, and the United States of America on 27th June 1942, be amended by the deletion of paragraphs 5, 6, 7, and 8 thereof and the substitution therefor of the following as paragraph 5 of that Memorandum:

57 Stat. 1382.

57 Stat. 1383.

‘5. The International Wheat Council, referred to in Article VII of the Draft Convention, shall remain in being pending the conclusions of the international wheat conference referred to in paragraph 3 above or until such time as the governments represented on that Council may determine.’”

57 Stat. 1391.

I have been directed by my Government to inform you that the recommendation in question has been approved by the Government of the Commonwealth of Australia.

I have the honour to be, With the highest consideration, Sir,
Your obedient servant,

JOHN : OLDHAM
Counsellor.

The Honorable

JAMES F. BYRNES,

*Secretary of State of the United States,
Washington, D. C.*

The Canadian Ambassador to the Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

WASHINGTON, D. C.,
March 25, 1946.

No. 105

SIR:

I have the honour to refer to your note of March 18, 1946, in which, at the request of the International Wheat Council, you invited my government to signify its acceptance of a recommendation adopted by the Council at its Eleventh Session held in Washington on the 27th February, 1946.

I am now instructed to inform you that the recommendation is acceptable to the Government of Canada, both with respect to (a) the invitation to representatives of the specified additional countries to

become members of the International Wheat Council and (b) the amendment of the Memorandum of Agreement of June 27, 1942, to the effect that the International Wheat Council shall remain in existence pending the conclusions of the international wheat conference referred to in the Memorandum of Agreement, or until such time as the governments represented on the Council may determine.

Accept, Sir, the renewed assurances of my highest consideration.

THOMAS A. STONE
For the Ambassador.

The Honourable JAMES F. BYRNES,
Secretary of State,
Washington, D. C.

The British Ambassador to the Acting Secretary of State

Ref: 667/12/46.
No. 271.

SIR,

I have the honour to acknowledge your note of March 18th, 1946, in which, at the request of the International Wheat Council, you invited my Government to signify its acceptance of the following recommendation adopted by that Council at its Eleventh Session held in Washington on February 27th, 1946:

“The International Wheat Council hereby recommends to the Governments of Argentina, Australia, Canada, the United Kingdom and the United States of America that:

- (a) since it has been decided to invite the representatives of Belgium, Brazil, China, Denmark, France, India, Italy, the Netherlands, the Union of Soviet Socialist Republics and Yugoslavia to become members of that Council; and
- (b) since it has also been decided to establish a preparatory committee for the purpose of reviewing the Draft Convention with a view to submitting it, as amended by the Council in the light of the recommendations of that Committee, to the international wheat conference referred to in paragraph 3 of the Memorandum of Agreement;

57 Stat. 1382.

the Memorandum of Agreement, approved by the Governments of Argentina, Australia, Canada, the United Kingdom and the United States of America on June 27th, 1942, be amended by the deletion of paragraphs 5, 6, 7 and 8 thereof and the substitution therefor of the following as paragraph 5 of that Memorandum:

57 Stat. 1382.

57 Stat. 1383.

‘5. The International Wheat Council, referred to in Article VII of the Draft Convention, shall remain in being pending the conclusions of the international wheat conference referred to in paragraph 3 above or until such time as the governments represented on that Council may determine.’”

57 Stat. 1391.

I have the honour to inform you that His Majesty's Government in the United Kingdom accepts the recommendation of the International Wheat Council and agrees that the Memorandum of Agreement referred to in this resolution shall be amended accordingly.

I have the honour to be, with the highest consideration, Sir,
your most obedient, humble servant,

HALIFAX

3rd May, 1946.

The Honourable

DEAN ACHESON,

*Acting Secretary of State of the
United States,
Washington, D. C.*

*The Secretary of State to the Argentine Chargé d' Affaires
ad interim [1]*

DEPARTMENT OF STATE

WASHINGTON

Jun 3 1946

SIR:

I wish to report that the member nations of the International Wheat Council, namely, Argentina, Australia, Canada, the United Kingdom and the United States of America, have unanimously agreed to the recommendation adopted by the Council at its Eleventh Session held in Washington on February 27, 1946, and have agreed that the Memorandum of Agreement is amended accordingly.

The recommendation follows:

"The International Wheat Council hereby recommends to the Governments of Argentina, Australia, Canada, the United Kingdom and the United States of America that:

- (a) since it has been decided to invite the representatives of Belgium, Brazil, China, Denmark, France, India, Italy, the Netherlands, the Union of Soviet Socialist Republics and Yugoslavia to become members of that Council; and
- (b) since it has also been decided to establish a preparatory committee for the purpose of reviewing the Draft Convention with a view to submitting it, as amended by the Council in the light of the recommendations of that Committee, to the international wheat conference referred to in paragraph 3 of the Memorandum of Agreement;

the Memorandum of Agreement, approved by the Governments of Argentina, Australia, Canada, the United Kingdom and the United

¹ [*Mutatis mutandis* to the Australian Chargé d'Affaires ad interim, the Canadian Ambassador, and the British Chargé d'Affaires ad interim.]

States of America on June 27th, 1942, be amended by the deletion of paragraphs 5, 6, 7 and 8 thereof and the substitution therefor of the following as paragraph 5 of that Memorandum:

57 Stat. 1382.

57 Stat. 1383.

‘5. The International Wheat Council, referred to in Article VII of the Draft Convention, shall remain in being pending the conclusions of the international wheat conference referred to in paragraph 3 above or until such time as the governments represented on that Council may determine.’ ”

Continuation of International Wheat Council.
57 Stat. 1391.

Accept, Sir, the renewed assurances of my high consideration.

For the Secretary of State:

WILLIAM L. CLAYTON

The Honorable

Senor Don LUIS S. LUTI,

Minister Counselor,

Chargé d’Affaires ad interim of Argentina

Agreement between the United States of America and Turkey respecting a mutual aid settlement. Signed at Ankara May 7, 1946; effective May 25, 1946, pursuant to exchange of notes of that date.

May 7, 1946
[T. I. A. S. 1541]

**AGREEMENT
ON LEND-LEASE AND CLAIMS BETWEEN THE
GOVERNMENTS OF THE UNITED STATES
OF AMERICA AND OF THE REPUBLIC
OF TURKEY**

**AGREEMENT
ON LEND-LEASE AND CLAIMS BETWEEN THE GOVERNMENTS
OF THE UNITED STATES OF AMERICA AND OF THE REPUBLIC
OF TURKEY**

The Government of the United States of America and the Government of the Republic of Turkey,

Animated by the desire to arrive at a final settlement of lend-lease and of financial claims of each government against the other arising out of World War II,

Considering the benefits which they have already received by the defeat of the common enemy, and affirming their intention to seek no further benefits as consideration for lend-lease or for the settlement of claims or other obligations arising out of the war, except as specifically provided in the present Agreement,

Declaring that this settlement is complete and final,

Reaffirming, pursuant to the general obligations assumed by them in Article VII of the Agreement of February 23, 1945 on the "Principles applying to Aid under the Act of March 11, 1941", their agreement to confer together and with other governments in the near future in the interest of

- (a) the expansion, by appropriate international and domestic measures, of production, employment and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples,
- (b) the elimination of all forms of discriminatory treatment in international commerce, and
- (c) the reduction of tariffs and other trade barriers,

Declaring it to be their policy

- (a) to avoid the adoption of new measures affecting international trade, payments or investments which would prejudice the objectives of such a conference and,
- (b) to afford to each other adequate opportunity for mutual consultation regarding the aforementioned measures,

Declaring that the recent Agreement between the two governments covering civil aviation [¹] and the application of the Government of the Republic of Turkey for membership in the International Bank for Reconstruction and Development and the International Monetary Fund are consonant with the spirit of the principles mentioned above,

Are agreed as follows:

ARTICLE I

The term "lend-lease article" as used in this Agreement means any article transferred by the Government of the United States under the Act of March 11, 1941:

¹[Department of State publication 2689.]

50 Stat. 1477.

55 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.

Ante, p. 1440.

Ante, p. 1401.

"Lend-lease article."

55 Stat. 31.
22 U. S. C., Supp.
V, §§ 411-419.

- (a) to the Government of the Republic of Turkey, or
- (b) to any other government and retransferred to the Government of the Republic of Turkey.

ARTICLE II

The Government of the Republic of Turkey will pay to the Government of the United States a net sum of 4,500,000 United States dollars within thirty (30) days after this Agreement has been executed. This amount is in payment for

Payment for lend-lease articles, etc.

- (a) all lend-lease articles in the categories of machine tools and other productive machinery, locomotives and other railroad rolling stock, and load-carrying trucks of 1½ ton and greater capacity.
 - (i) for which the Government of the United States has not received any payment; and
 - (ii) which were in the possession or control of the Government of the Republic of Turkey, its agents or distributees at midnight on September 1, 1945, or thereafter passed into the possession or control of the Government of the Republic of Turkey, its agents or distributees.
- (b) All lend-lease articles (other than those covered by requisitions calling for cash payment) transferred to the Government of the Republic of Turkey after March 11, 1941, for which the Government of the United States has not been reimbursed but for which it has been the policy of the Government of the United States to seek cash reimbursement from the Government of the Republic of Turkey.
- (c) The net amount of claims due from one Government to the other arising out of World War II, excluding amounts still payable for lend-lease articles covered by cash reimbursement lend-lease requisitions heretofore filed by the Government of the Republic of Turkey.

ARTICLE III

The Government of the Republic of Turkey hereby acquires, without qualification as to disposition or use, full title to all articles described in paragraphs (a) and (b) of Article II hereof, and to all lend-lease articles now in the possession or control of the Government of the Republic of Turkey, its agents or distributees, for which the Government of the United States has been fully reimbursed.

Title to lend-lease articles.

ARTICLE IV

- (a) Under Article V of the Agreement dated February 23, 1945, on the Principles applying to Mutual Aid Between the Governments of the United States and of the Republic of Turkey, the Government of the United States has the right to recover at the end of the present emergency, as determined by the President of the United States, such defense articles transferred

Right of U. S. to recapture certain articles.
59 Stat. 1477.

under that Agreement as have not been destroyed, lost or consumed, and as shall be determined by the President to be useful in the defense of the United States or of the Western Hemisphere, or to be otherwise of use to the United States. Although the Government of the United States does not intend to exercise generally this right of recapture, the Government of the United States may exercise this right, under procedures to be mutually agreed, at any time after September 1, 1945, with respect to lend-lease articles, other than those described in paragraphs (a) and (b) of Article II hereof, which, as of the date upon which notice requesting return is communicated to the Government of the Republic of Turkey, are not destroyed, lost or consumed.

Transfer to a third country.

- (b) The Government of the Republic of Turkey will not transfer or dispose of lend-lease articles, other than those described in paragraphs (a) and (b) of Article II hereof, to any third country.

ARTICLE V

Financial claims.

Financial claims between the two governments arising out of existing arrangements (such as the agreements on the disposal of chrome stocks recently concluded and the sale of United States surplus property located both inside and outside of Turkey) where the liability for payment has heretofore been acknowledged and the method of computation mutually agreed are not covered by this settlement as they will be settled in accordance with such arrangements. In consideration of the undertakings in this Agreement, and with the objective of arriving at as comprehensive a settlement as possible and of obviating protracted negotiations between the two governments, all other financial claims whatsoever of one government, its agencies and instrumentalities, against the other government, its agencies and instrumentalities, which (a) arose out of lend-lease, or (b) otherwise arose on or after March 11, 1941 and prior to September 2, 1945 out of or incidental to the conduct of World War II, and which are not otherwise dealt with in this Agreement, are hereby waived, and neither government will hereafter raise or pursue any such claims against the other.

Waiver of certain claims.

ARTICLE VI

Effective date.

The effective date of this Agreement shall be established through an exchange of notes which shall take place at Ankara as soon as possible.

Post, p. 1820.

Done at Ankara, in duplicate, in the English and Turkish languages, each of which shall be of equal authenticity, this 7th day of May, 1946.

For the Government of the
United States of
America

EDWIN C. WILSON

[SEAL]

For the Government of the
Republic of Turkey

HASAN SAKA

[SEAL]

Amerika Birleşik Devletleri Hükümetile
Türkiye Cumhuriyeti Hükümeti arasındaki
Icar ve İareye ve mutalebelere miteallik

A N L A Ş M A

Amerika Birleşik Devletleri Hükûmetile
Türkiye Cumhuriyeti Hükûmeti arasındaki
İcar ve İareye ve mutalebelere müteallik
A N L A Ş M A

—

Amerika Birleşik Devletleri Hükûmeti ve Türkiye Cumhuriyeti Hükûmeti,

İcar ve İarenin ve ikinci dünya harbi dolayısıyla her iki Hükûmetten birinin diğerinden olan malî mutalebelerinin kesin surette hal ve tesviyesine girişmek arzusunun besleyerek,

müşterek düşmanın yenilmesiyle şimdiden elde etmiş oldukları menfaatleri dikkat nazarına alarak ve İcar ve İare ile bu harpten doğan mutalebeler veya diğer vecibeler mukabilinde, bu Anlaşmada tasrih edilenler dışında, munzam hiç bir menfaat aramamaktaki kesin niyetlerini pekleştirerek,

bu hal ve tesviyenin tam ve kesin olduğunu beyan ederek,

11 Mart 1941 Kanunu gereğince yapılacak yardıma müteallik esaslar hakkındaki 23 Şubat 1945 tarihli Anlaşmanın 7-nci maddesi hükümlerine uyarak bağlandıkları genel vecibelere binsen :

- a) dahilî ve milletlerarası gerekli tedbirlerle bütün milletlerin hürriyet ve refahının maddî temellerini teşkil eyleyen istihsal, iş, malların mübadele ve

istihlâkinin arttırılması

b) milletlerarası ticarete her türlü farklı muamele-
nin ortadan kaldırılması

c) gümrük tarifelerinin ve diğer ticarî engellerin
indirilmesi ve hafifletilmesi

maksadile, yakın bir âtide aralarında ve diğer hükû-
metlerle birlikte müzakereye bulunmak hususundaki anlaşma-
larını pekleştirerek,

a) böyle bir Konferansta güdülecek amaçlara zarar
verebilecek milletlerarası ticarete, tediye veya
para yatırmalara dair yeni tedbirler almaktan kaçın-
manın ve

b) yukarıdaki tedbirlere dair birbirlerine yeter de-
recede karşılıklı istişare fırsatları vermenin
siyasetlerine uygun olduğunu beyan ederek,
sivil tayyareciliğe dair iki Hükûmet arasında yeni

imzalanmış bulunan Anlaşmanın ve Milletlerarası İmar ve Kalkınma
Bankası ile milletlerarası Para Sığınağına üye olmak için Türkiye
Hükûmetince yapılan müracaatın, yukarıda işaret edilen prensip-
lere uygun bulunduğunu müşahede ederek,

aşağıdaki hususlarda mutabık kalmışlardır :

Madde I

Bu Anlaşmada kullanılan "İcar ve İare maddesi" tabiri
11 Mart 1941 Kanunu gereğince Birleşik Devletler Hükûmeti tara-
fından

a) ister Türkiye Cumhuriyeti Hükûmetine

b) ister herhangi diğ er bir Hükümet e devredilmiş olup
bu Hükümet çe bilâhare Türkiye Cumhuriyeti Hükümetine
devriteslim edilen herhangi madde manasına gelir .

Madde II

Türkiye Cumhuriyeti Hükümeti bu Anlaşmanın icra mevkiine
konmasını takip eden 30 gün içinde Birleşik Devletler Hükümetine
tam "4.500.000" Birleşik Devletler doları ödeyecektir .

Bu para ş unların bedelini teşkil eder :

a)

(i) bedelleri Birleşik Devletler Hükümetine ödenmemiş
bulunan

ve

(ii) 1 Eylül 1945 gece yarısında Türkiye Hükümetinin,
ajanlarının veya yedimlerinin tasarrufunda veya kon-
trollü altında bulunmakta olan yahut da bu tarihten sonra
Türkiye Hükümetinin, ajanlarının veya yedimlerinin
tasarruf veya kontrollü altına girmiş olan

makine-aletler kategorisine giren bütün İcar ve İare maddeleri,
istihsale yarayan diğ er makineler, lokomotifler ve diğ er demir-
yolu müteharrik malzemesi, bir buçuk ve daha yüksek tonluk yük
kapasitesinde kamyonlar.

b) 11 Mart 1941 tarihinden sonra Türkiye Cumhuriyeti
Hükümetine devredilmiş bulunan ve bedellerinin peşin ödennesini
talep etmek Birleşik Devletler Hükümetince mutad olduđu halde
Türkiye Hükümeti tarafından Birleşik Devletler Hükümetine bedel-
leri henüz ödenmemiş bulunan bütün İcar ve İare maddeleri .
(peşin ödenmeyi gerektiren taleplerle alınanlar hariçtir)

c) İki Hükümetten birinin ikinci dünya harbinden doğan ve diğerinden olan alacaklarının tam tutarı. (Cumhuriyet Hükümeti tarafından şimdiye kadar peşin para ile ödenmek üzere taleplerle alınmış bulunmayan icar ve iare maddelerine ait bedeller hariçtir)

Madde III

Bu Anlaşmanın, ikinci maddesinin (a) ve (b) fıkralarında tasrih edilen bütün maddeler ve halen Türkiye Cumhuriyeti Hükümetinin, ajanlarının veya yedieminlerinin tasarrufunda veya kontrolü altında bulunan bütün icar ve iare maddeleri -ki bunların bedelleri Birleşik Devletler Hükümetine tamamen ödenmiş bulunmaktadır- işbu Anlaşma mucibince tasarruf ve kullanma bakımından Türkiye Cumhuriyeti Hükümetinin kayıtsız şartsız tam mülkiyetine girer .

Madde IV

a) Birleşik Devletler Hükümeti, Birleşik Devletler ile Türkiye Cumhuriyeti Hükümetleri arasında karşılıklı yardıma müteallik esaslara dair 23 Şubat 1945 tarihli Anlaşmanın 5-inci maddesi hükümleri gereğince, şimdiki fevkalâde şartlar devresinin, Birleşik Devletler Başkanı tarafından tayin edilecek şekilde sona ermesinde, bu Anlaşma hükümlerine tevfikân devredilmiş olup tahrip, zayi ve istihlâk edilmemiş ve Birleşik Devletlerin veya batı yarım küresinin savunmasına faydalı ve yahut Birleşik Devletler için başkaca faydası bulunduğu Başkan tarafından tayin edilecek olan savunma maddelerini geri almak hakkını haizdir. Her ne kadar, Birleşik Devletler Hükümeti, bu geri alma hakkını umumî olarak kullanmak niyetinde değilse de, Birleşik Devletler Hükümeti işbu hakkını, bu Anlaşmanın ikinci maddesinin (a) ve (b) fıkralarında tasrih

edilen maddeler hariç olmak üzere, Türkiye Cumhuriyeti Hükûmetine geri alma talebi ihbar edildiği tarihte tahrir, zayi ve istihlâk edilmemiş olan İcar ve İare maddeleri için, karşılıklı olarak mutabık kalınacak bir usule göre, 1 Eylül 1945 tarihinden sonra, herhangi bir zamanda kullanılabilir .

b) Türkiye Cumhuriyeti Hükûmeti işbu Anlaşmanın ikinci maddesinin (a) ve (b) fıkralarında tasrih edilenler dışında kalan İcar ve İare maddelerini üçüncü hiçbir memlekete devretmeyecek ve onun tasarrufuna bırakmayacaktır .

Madde V

İki Hükûmetin (krom sotklarının kullanılmasına müteallik olarak yeni yapılan Anlaşma ve Türkiye'nin içinde ve dışında bulunan, Birleşik Devletlere ait malzeme fazlasının satışına dair Anlaşma gibi) mevcut anlaşmalardan doğmuş olup ödenmesi mükellefiyeti evvelce kabul edilen ve hesaplama usulü karşılıklı kararlaştırılan malî alacakları yukarıda bahsi geçen anlaşmalara göre hal ve tesviye edileceğinden işbu Anlaşmada yer bulmamıştır .

İşbu Anlaşmadaki taahhütler dolayısıyla ve mümkün olduğu kadar şümüllü bir hal ve tesviyeye erişmek ve iki Hükûmet arasında uzun müzakerelerin önünü almak amacı ile, iki Hükûmetten birinin, ajanlarının veya vasıtalarının, diğerinden, ajanlarından veya vasıtalarından olan

a) İcar ve İareden doğan yahut

b) 11 Mart 1941 tarihinden veya bundan sonra ve 2 Eylül 1945 tarihinden evvel, ikinci dünya harbi hareketâtından dolayı veya bu vesile ile husule gelmiş olup bu Anlaşmada ayrıca yer bulmamış olan

herhangi bir mahiyette bütün malî mutalebeler bu Anlaşma ile iptal edilmiştir ; ve iki Hükümetten hiç birisi bundan böyle diğerine karşı böyle hiçbir mutalebeyi ne ortaya atacak ne de takip edecektir.

Madde VI

İşbu Anlaşmanın yürürlüğe giriş tarihi mümkün olduğu kadar kısa bir zamanda Ankara'da Nota teatisi suretile tayin edilecektir.

Ankara'da 7 Mayıs 1946 tarihinde İngilizce ve Türkçe ikişer nüsha olarak ve her iki metin aynı zamanda muteber olmak üzere yapılmıştır .

Amerika Birleşik Devletleri
Hükümeti namına

John C. Wilson

Türkiye Cumhuriyeti
Hükümeti namına

Şifasay Sakay



The Turkish Minister of Foreign Affairs to the American Ambassador

TÜRKİYE CÜMHURİYETİ
HARİCIYE VEKÂLETİ

No. 45554/109

ANKARA, le 25 Mai 1946

MONSIEUR L'AMBASSADEUR,

Me référant à l'article VI de l'Accord relatif au Prêt et Bail et aux réclamations entre le Gouvernement de la République Turque et le Gouvernement des Etats-Unis d'Amérique signé à Ankara en date du 7 Mai 1946, j'ai l'honneur de proposer à Votre Excellence au nom de mon Gouvernement que la date de la mise en vigueur de l'Accord précité soit fixée pour le 25 Mai 1946.

Je Vous prie, Monsieur l'Ambassadeur, de me confirmer l'accord de Votre Gouvernement sur ce qui précède.

Veillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

HASAN SAKA

Son Excellence

Monsieur EDWIN C. WILSON,

Ambassadeur des Etats-Unis d'Amérique

Ankara.

The American Ambassador to the Turkish Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 751

Ankara, May 25, 1946

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note No. 45554/109 dated May 25, 1946, reading as follows:

"Mr. Ambassador:

"With reference to Article VI of the Agreement relating to Lend-Lease and claims between the Government of the Turkish Republic and the Government of the United States of America signed at Ankara on May 7, 1946, I have the honor to propose to Your Excellency on behalf of my Government that the date of entry into effect of the above-mentioned Agreement be May 25, 1946.

"I request, Mr. Ambassador, that you give me confirmation of your Government's agreement with the foregoing.

"Please accept, etc.,"

I take pleasure in informing your Excellency that my Government is in agreement with the foregoing.

Please accept, Excellency, the assurances of my highest consideration.

EDWIN C. WILSON

His Excellency

M. HASAN SAKA,

*Minister of Foreign Affairs,
Ankara.*

Agreement between the United States of America, Argentina, and Brazil, respecting rubber. Effected by exchange of notes signed at Buenos Aires May 2, 1945; effective May 2, 1945.

May 2, 1945
[T. I. A. S. 1542]

The American Chargé d'Affaires ad interim to the Argentine Acting Minister for Foreign Affairs and Worship

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 976

Buenos Aires, May 2, 1945.

EXCELLENCY,

I have the honor to address Your Excellency with reference to the negotiations carried out by the Joint Mission representing the Governments of the United States of America, and of Brazil, relative to the distribution and supply of rubber to the Republic of Argentina and to express the agreement of my Government to the following clauses:

1. The Republic of Argentina will be integrated, from this date, into the system, for establishing the allocation and supply of tires and tubes and for obtaining the maximum conservation of rubber during the present emergency, which system has been developed through agreements between Brazil and the United States of America and between the United States of America and various of the other American Republics.
2. In order to further the war effort, the Government of Argentina will promptly adopt and implement appropriate measures for the accomplishment of the following purposes:
 - (a) to ensure that rubber, rubber products, and material utilized in the production of rubber products, will be used solely to satisfy the essential economic requirements of Argentina;
 - (b) to prevent the sale of rubber products and of materials imported for the production of such products at prices exceeding the cost of such products and materials plus reasonable margins of profit;
 - (c) to prevent contraband transactions in natural rubber and rubber products produced in other American Republics;
 - (d) to prevent the utilization of natural rubber for the manufacture of articles not essential to the economic requirements of Argentina or for the manufacture of tires and tubes except in such sizes and for such purposes as may be necessary to satisfy such requirements;
 - (e) to establish procedures for the issuance of import recommendations for quantities of tires, tubes and other rubber products, and for materials to be imported for the production

Adoption of certain
measures to further
war effort.

of such products, not exceeding allocations established pursuant to these agreements, so as to permit an orderly operation and control with respect to Argentina of the present system of allocation and supply.

Interim period.

3. In order to permit the orderly establishment of the procedures referred to under paragraph 2 above and the completion of the necessary technical studies, there will occur an interim period of approximately two months, commencing upon this date, during which the following steps, intermediate to the final integration of Argentina into the present system, will be taken:

Interim allocation of tires and tubes.

- (a) an interim allocation of 3000 tires and an equivalent number of tubes will be established for immediate importation by Argentina from Brazil or in part from the United States of America depending on the availability of the sizes and quantities into which such allocation is divided as the result of special consultation which will take place between the parties;

Interim allocation of synthetic rubber.

- (b) an interim allocation of 1000 metric tons of synthetic rubber (GRS) and materials for its utilization for the production and repair of tires and tubes in Argentina will be established for immediate importation by Argentina from the United States of America, or from stocks held in Brazil;

Studies.

- (c) appropriate studies will be conducted by representatives designated by Argentina in consultation with representatives of the United States of America and of Brazil to determine:

- (1) the quantities and sizes of tires and tubes which are essential for the economic requirements of Argentina;
- (2) the portion of these requirements which can be supplied through production in Argentina by the utilization of existing facilities and maximum quantities of synthetic rubber;
- (3) the portion of these requirements which must be supplied by importation from Brazil and the United States of America; and
- (4) the quantity and type of materials needed to secure the maximum supply of local requirements from local production.

Technical mission of experts to study in U. S.

- (d) Argentina will designate a technical mission of experts which will proceed to the United States of America for study of the methods required for the maximum utilization of synthetic rubber and the United States of America will facilitate the studies of such mission through the furnishing of technical advice and assistance subject to the limitation of the use of such technical advice to the maximum utilization of synthetic rubber during the period of the emergency.

- (e) on the basis of the studies concluded under subparagraph (c) above, regular allocations on a quarterly basis of tires and tubes required to be imported by Argentina will be established.

4. Following the aforesaid interim period and the completion of the establishment of the procedures agreed upon above by Argentina, Brazil and the United States of America will use their best efforts to insure that the essential economic requirements of Argentina for tires and tubes and the materials necessary for their manufacture, which must be obtained by importation, will be met so far as they can be supplied within the limitations of the available supply, of the essential requirements of war and with due consideration for the essential requirements of other countries.
5. It is understood and agreed that this agreement will remain in force during such period as the present emergency shortage of natural rubber continues and shall terminate ninety days after it is mutually agreed between the parties that such emergency conditions no longer exist.

Continuance in force; termination.

Your Excellency's note, this note and that of the Chargé d'Affaires of Brazil, all of even date, constitute as from today an agreement among our respective Governments which will remain in force until such time as the terms of paragraph five herein are fulfilled.

I avail myself of this opportunity to reiterate to Your Excellency the assurances of my most distinguished consideration.

EDWARD L. REED

Chargé d'Affaires a. i.

His Excellency

Doctor CÉSAR AMEGHINO,

Acting Minister for Foreign Affairs and Worship,

Etc., etc., etc.

The Argentine Acting Minister for Foreign Affairs and Worship to the American Chargé d'Affaires ad interim

MINISTERIO DE
RELACIONES EXTERIORES Y CULTO

D.A.E.N°

BUENOS AIRES, *Mayo 2 de 1945.*

SEÑOR ENCARGADO DE NEGOCIOS:

Tengo el honor de dirigirme a V. S. con referencia a las negociaciones realizadas con la Comisión conjunta estadounidense-brasileño relativas a la distribución y el suministro de caucho a la República Argentina, para dejar constancia de la conformidad de mi Gobierno a las siguientes cláusulas:

- 1 - La República Argentina se incorpora desde la fecha al regimen que, para establecer la distribución y el suministro de cámaras y cubiertas y obtener el máximo grado de conservación del caucho durante el actual periodo de emergencia, ha sido preparado mediante convenios entre Estados Unidos de América y Brasil y entre Estados Unidos de América y otras repúblicas americanas.

2 - Con el objeto de fomentar el esfuerzo bélico, el Gobierno argentino adoptará sin demora y pondrá en vigor las medidas adecuadas para el cumplimiento de los siguientes fines:

- a) asegurar que el caucho, productos de caucho y material utilizado en la fabricación de productos de caucho, será empleado únicamente para satisfacer las necesidades económicas esenciales de la Argentina;
- b) Impedir la venta de productos de caucho y de todo material importado para la fabricación de dichos productos a precios que excedan el costo de tales productos y materiales, más un margen razonable de beneficios;
- c) Impedir transacciones de contrabando de caucho natural y de productos de caucho fabricados en otras repúblicas americanas;
- d) Impedir la utilización de caucho natural para la fabricación de artículos no esenciales para las necesidades económicas de la Argentina, o para la fabricación de cubiertas y cámaras, salvo que sea en los tamaños y para los fines que fueran imprescindibles para satisfacer aquellas necesidades;
- e) Establecer procedimientos para el otorgamiento de permisos de importación para cantidades de cubiertas, cámaras y otros productos de caucho, y para materiales a importarse para la fabricación de dichos productos, cuyos permisos no deberán exceder las asignaciones establecidas de acuerdo con estos convenios, a fin de permitir una operación y contralor metódicos con respecto a la Argentina del actual sistema de distribución y suministro.

3 - Para permitir el establecimiento metódico de las medidas previstas en el párrafo 2 y dar tiempo a la realización de los estudios técnicos necesarios, habrá un periodo intermediario de aproximadamente dos meses contados a partir de la fecha, durante el cual y hasta tanto se produzca la incorporación definitiva de la República Argentina en el regimen previsto en el presente Acuerdo, se adoptarán las siguientes medidas:

- a) Se asignará provisoriamente una cuota de 3.000 cubiertas y un número equivalente de cámaras para su importación inmediata en la Argentina del Brasil o en parte de Estados Unidos de América; según la disponibilidad de los tamaños y cantidades en que aquella cuota ha de dividirse como resultado de las consultas que al efecto realicen las partes;
- b) Se asignará provisoriamente una cuota de 1.000 toneladas métricas de caucho sintético (GRS) y materiales para ser utilizados en la producción y reconstitución de cámaras y cubiertas, que será importada inmediatamente por la República Argentina de los Estados Unidos de América o de existencias mantenidas en el Brasil.
- c) Se harán estudios adecuados por representantes designados por la Argentina, en consulta con representantes de los Estados Unidos y del Brasil, para determinar:

- (1) Las cantidades y los tamaños de cámaras y cubiertas que son esenciales para las necesidades económicas de la Argentina;
- (2) La parte de estas necesidades que habrán de satisfacerse mediante la fabricación en la Argentina, utilizando las facilidades que existan y las cantidades máximas de caucho sintético;
- (3) La parte de estas necesidades que habrán de satisfacerse mediante la importación del Brasil y de los Estados Unidos, y
- (4) Las cantidades y tipos de materiales necesarios para asegurar el máximo suministro de las necesidades locales por medio de la producción local.
- d) La Argentina designará una misión de peritos que se dirigirán a los Estados Unidos para estudiar los métodos adecuados para la utilización máxima del caucho sintético, y los Estados Unidos facilitarán la tarea de dicha misión proporcionándole el asesoramiento técnico y ayuda, sujeto a la limitación del empleo de dicho asesoramiento técnico a la utilización máxima del caucho sintético durante el periodo de emergencia.
- e) Sobre la base de los estudios establecidos en el sub-párrafo (c) se fijarán asignaciones regulares por periodos trimestrales, de cámaras y cubiertas que la Argentina necesita importar.
- 4 - Después del periodo provisional precitado y luego de haber la Argentina terminado de establecer los procedimientos susodichos, el Brasil y los Estados Unidos de América se esforzarán por asegurar que las necesidades económicas esenciales de la Argentina relativas a cámaras y cubiertas y el material necesario para su manufactura, que deba ser obtenido mediante importación, sean satisfechas hasta donde puedan serlo dentro de las limitaciones de suministros disponibles para los requerimientos bélicos esenciales, y con la debida consideración hacia las necesidades esenciales de otros países.
- 5 - Queda entendido y convenido que este Acuerdo permanecerá en vigor mientras dure la actual situación de escasez de caucho natural y que terminará noventa días después que las Partes interesadas hayan decidido por mútuo acuerdo que la situación de emergencia ya no existe.

Esta nota, y la respuesta de V. S. y del representante del Brasil, constituirán desde la fecha un Acuerdo entre nuestros Gobiernos, que estará en pleno vigor hasta tanto se aplique el precedente párrafo 5.

Saludo a V. E. con mi más alta consideración.

C AMEGHINO

A S.S. el Señor *Encargado de Negocios*
de los *Estados Unidos de América*,
Dn. EDWARD JOHN REED.
Capital Federal

Translation

MINISTRY OF
FOREIGN AFFAIRS AND WORSHIP

D.A.E. No.

BUENOS AIRES, *May 2, 1945.*

MR. CHARGÉ D'AFFAIRES:

I have the honor to address Your Excellency with reference to the negotiations carried out with the United States-Brazil Joint Mission, relative to the distribution and supply of rubber to the Republic of Argentina, in order to express the agreement of my Government to the following clauses:

[For English version of paragraphs 1-5, see note no. 976 of May 2, 1945 from the American Chargé d'Affaires ad interim to the Argentine Acting Minister for Foreign Affairs and Worship.]

Ame., p. 1821.

This note, Your Excellency's reply and that of Brazil's representative, will constitute as from today an Agreement among our respective Governments which will remain in force until such time as the terms of paragraph 5 herein are applied.

I convey to Your Excellency the assurances of my highest consideration.

C. AMEGHINO

His Excellency

EDWARD JOHN REED

Chargé d'Affaires of the United States of America,

The Federal Capital.

The Brazilian Chargé d'Affaires to the Argentine Acting Minister for Foreign Affairs

Nº 52/890.(42)(41)

BUENOS AIRES, *2 de maio de 1945.*

SENHOR MINISTRO,

Tenho a honra de acusar o recebimento da Nota, de Vossa Excelência, desta mesma data, referente às negociações realizadas em 26 de abril último, entre a Comissão Conjunta Brasil-Estados Unidos da América e a Secretaria de Indústria e Comércio da República Argentina, com o objetivo de estabelecer a distribuição e suprimento de artefatos de borracha e assuntos correlatos, nas quais foram concluídos entendimentos no sentido de integrar a República Argentina no sistema de distribuição e suprimento de pneumáticos e câmaras de ar e de conservação máxima de borracha, enquanto durar a atual situação de escassez de borracha natural, sistema êsse estabelecido entre o Brasil e os Estados Unidos da América e entre os Estados Unidos da América e várias outras Repúblicas americanas.

2. Em resposta, cumpre-me tomar devida nota da conformidade do Governo argentino as cláusulas abaixo transcritas e que foram acordadas entre os Senhores Cônsul Geral Mario Moreira da Silva, membro da Comissão de Contrôlo dos Acordos de Washington, representando o Brasil, e Francis Adams Truslow, Presidente da

Rubber Development Corporation, organismo oficial dos Estados Unidos da América, em missão conjunta dos Governos brasileiro e dos Estados Unidos da América e o Senhor General D. Julio Checchi, Secretário de Indústria e Comércio, representando o Govêrno da República Argentina:

- 1 - A República Argentina se incorpora, desde esta data, ao regimen que, para estabelecer a distribuição e o suprimento de pneumáticos e câmaras de ar e de conservação máxima de borracha durante a presente emergência, foi assentado mediante acordos entre o Brasil e os Estados Unidos da América, e entre os Estados Unidos da América e várias outras Repúblicas americanas.
- 2 - Com o fim de incrementar o esforço de guerra, o Govêrno da República Argentina adotará e porá em vigor, sem demora, as medidas adequadas para o cumprimento das medidas seguintes:
 - a) assegurar que a borracha e seus artefatos e o material utilizado na fabricação de produtos de borracha serão exclusivamente empregados para satisfazer as necessidades econômicas essenciais da República Argentina;
 - b) impedir a venda de produtos de borracha e de todo o material importado para a fabricação dos referidos produtos a preços que excedam o custo dêses produtos, acrescido de uma razoável margem de lucros;
 - c) evitar o comércio de contrabando de borracha natural e de seus artefatos, produzidos em outras Repúblicas americanas;
 - d) impedir a utilização de borracha natural para a fabricação de artigos não essenciais às exigências econômicas básicas da República Argentina ou na manufatura de pneumáticos e câmaras de ar, exceto nas medidas e para os fins indispensáveis à satisfação de tais exigências;
 - e) estabelecer as necessárias providências para a concessão de licenças de importação correspondentes às quantidades de pneumáticos, câmaras de ar e outros artefatos de borracha, bem como para os materiais a serem importados, destinados à produção de tais artefatos, nunca excedentes às quotas estabelecidas como resultado do presente Acôrdo, de modo a permitir o funcionamento normal e o contrôle do atual sistema de distribuição e suprimento, no que diz respeito à República Argentina.
- 3 - Para permitir o estabelecimento metódico das medidas previstas no parágrafo 2 e dar tempo à conclusão dos necessários estudos técnicos, haverá um período intermediário de dois meses aproximadamente, a partir desta data, durante o qual serão tomadas as seguintes medidas, até a integração da República Argentina no regimen previsto no presente Acôrdo.

- a) fixar-se-á provisoriamente uma quota de 3.000 (três mil) pneumáticos e uma quantidade equivalente de câmaras de ar para a importação imediata do Brasil ou parcialmente dos Estados Unidos da América, pela República Argentina, dentro das disponibilidades das medidas e quantidades em que se dividirá a referida quota, como resultado de consulta especial a ser realizada entre as partes;
 - b) fixar-se-á uma quota provisória de 1.000 (mil) toneladas métricas de borracha sintética (GRS) e de materiais para a sua utilização na produção e reconstrução de pneumáticos e câmaras de ar na República Argentina, os quais serão imediatamente importados dos Estados Unidos da América ou dos estoques existentes no Brasil, pertencentes aos Estados Unidos da América;
 - c) serão efetuados estudos adequados pelos representantes designados pela República Argentina, em consulta com os representantes do Brasil e dos Estados Unidos da América, com o fim de determinar:
 - (1) as quantidades e medidas dos pneumáticos e câmaras de ar correspondentes às necessidades econômicas essenciais à República Argentina;
 - (2) a parcela dessas necessidades que deverão ser supridas pela fabricação na Argentina, utilizando-se os recursos existentes e as quantidades máximas de borracha sintética;
 - (3) a parcela dessas necessidades que deverão ser supridas pela importação do Brasil e dos Estados Unidos da América; e
 - (4) as quantidades e tipos de materiais necessários para assegurar o máximo suprimento das exigências locais, por meio da produção própria.
 - d) A República Argentina designará uma missão de técnicos, que irá aos Estados Unidos da América para estudar os métodos adequados à utilização máxima de borracha sintética e os Estados Unidos da América concederão todas as facilidades a essa missão, proporcionando-lhe a instrução técnica e ajuda, limitada exclusivamente esta ao conhecimento dos processos de utilização máxima de borracha sintética, durante o período de emergência;
 - e) com base nos estudos concluídos nos termos do sub-parágrafo (c) serão fixadas quotas regulares trimestrais de pneumáticos e câmaras de ar a serem importados pela República Argentina.
- 4 - Decorrido o citado prazo provisório e uma vez postas em prática pela República Argentina as providências acordadas acima, o Brasil e os Estados Unidos da América empregarão seus esforços no sentido de assegurar que as necessidades econômicas essenciais da República Argentina, relativas a pneumáticos e câmaras de ar e materiais necessários para a

sua manufatura, que devam ser obtidos mediante importação, sejam satisfeitas dentro das possibilidades de suprimento, em face das limitações dos estoques disponíveis, das exigências bélicas e com a devida consideração das necessidades essenciais dos demais países.

- 5 - Fica entendido e acordado que este Acôrdo vigorará enquanto dure a atual situação de escassez de borracha natural e que terminará noventa dias depois que as Partes interessadas decidam, por mútuo acôrdo, em que a referida situação de emergência deixou de existir.

Esta nota, a de Vossa Excelência e a do representante diplomático dos Estados Unidos da América junto ao Govêrno argentino, constituirão, desde esta data, Acôrdo entre os nossos Governos, que estará em pleno vigor enquanto não fôr denunciado pela forma estabelecida no seu parágrafo 5 (cinco).

Aproveito o ensêjo para reiterar a Vossa Excelência os protestos da minha mais alta consideração.

PAULO DEMÔRO.

Encarregado de Negócios do Brasil.

E Cópia Autêntica

Sécretaria de Estado das Relações Exteriores

Rio de Janeiro D. F., em 25 de junho de 1946

A. DE MELLO FRANCO

Chefe da Divisão de Atos, Congressos e Conferências Internacionais

A Sua Excelência o Senhor Doutor CÉSAR AMEGHINO,
Ministro interino das Relações Exteriores e Culto.

Translation

Mn/65-26-6-45

No. 52/890.(42) (41)

BUENOS AIRES, May 2, 1945

MR. MINISTER,

I have the honor to acknowledge receipt of Your Excellency's note of this same date, referring to the negotiations which took place on April 26 last between the Joint Brazil-United States Commission and the Department of Industry and Commerce of the Argentine Republic, for the purpose of establishing the distribution and supply of rubber products and matters related thereto, in the course of which agreements were concluded with a view to integrating the Argentine Republic into the system for the distribution and supply of tires and tubes and for the maximum conservation of rubber, for as long a time as the present situation of scarcity of natural rubber prevails, that system having been established between Brazil and the United States of America and between the United States of America and various other American republics.

2. In reply, I have the honor to take due note of the agreement of the Argentine Government to the clauses transcribed below, which were agreed upon between Consul General Mario Moreira da Silva, verified member of the Commission for the Control of Washington Agreements, representing Brazil, and Francis Adams Truslow, President of

the Rubber Development Corporation, an official agency of the United States of America, in a joint mission of the Governments of Brazil and of the United States of America and General D. Julio Checchi, Secretary of Industry and Commerce, representing the Government of the Argentine Republic.

Ante, p. 1821.

[For English version of paragraphs 1-5, see note no. 976 of May 2, 1945 from the American Chargé d'Affaires ad interim to the Argentine Acting Minister for Foreign Affairs and Worship.]

Ante, p. 1823.

This note, Your Excellency's note, and that of the diplomatic representative of the United States of America accredited to the Argentine Government will constitute, as from today, an Agreement between our Governments which will remain in force until terminated in the manner prescribed in Paragraph 5 (five) herein.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

PAULO DEMÓRO.
Brazilian Chargé d'Affaires.

This is a True Copy

Department of State for Foreign Affairs

Rio de Janeiro, D.F., June 25, 1946

A. DE MELLO FRANCO

Chief of the Division of International Acts, Congresses and Conferences.

His Excellency

Dr. CÉSAR AMEGHINO

Acting Minister of Foreign Affairs and Worship

Note by the Department of State

[This agreement was terminated with respect to the United States and Argentina, effective October 1, 1946, by an exchange of notes of October 1, 1946 between the American Ambassador at Buenos Aires and the Argentine Minister for Foreign Affairs and with respect to the United States and Brazil, effective August 29, 1946, by an exchange of notes of August 19 and 29 and September 9, 1946 between the American Ambassador at Rio de Janeiro and the Acting Brazilian Minister for Foreign Affairs.]

Act of Chapultepec. Agreement between the United States of America and other American Republics contained in the Final Act of the Inter-American Conference on Problems of War and Peace. Signed at Mexico City March 8, 1945; effective March 8, 1945.

March 8, 1945
[T. I. A. S. 1543]

**ACTA FINAL
DE LA
CONFERENCIA INTERAMERICANA SOBRE PROBLEMAS
DE LA GUERRA Y DE LA PAZ**

En virtud de la invitación hecha el 10 de enero de 1945, por el Gobierno de los Estados Unidos Mexicanos, se reunieron en la ciudad de México, el 21 de febrero del mismo año, las Delegaciones de los países que en seguida se enumeran de acuerdo con el orden de precedencias que resultó del sorteo verificado—el mismo día 21—conforme al inciso g) del artículo 5o. del Reglamento de la Conferencia:

VIII

ASISTENCIA RECIPROCA Y SOLIDARIDAD AMERICANA

Los Gobiernos representados en la Conferencia Interamericana sobre Problemas de la Guerra y de la Paz,

CONSIDERANDO:

Que los pueblos americanos, animados de profundo amor a la justicia, permanecen sinceramente adictos a los postulados del Derecho Internacional;

Que son sus deseos que tales postulados, no obstante las difíciles circunstancias actuales, prevalezcan todavía con más fuerza en las futuras relaciones internacionales;

Que las Conferencias Interamericanas han proclamado más de una vez ciertos principios fundamentales, pero que éstos deben ser reafirmados en el momento en que se trata de reconstruir las bases jurídicas de la comunidad de naciones:

Que la nueva situación del mundo hace cada vez más imperiosa la unión y la solidaridad de los pueblos americanos para la defensa de sus derechos y el mantenimiento de la paz internacional;

Que los Estados americanos han venido incorporando a su Derecho Internacional, desde 1890, por medio de Convenciones, Resoluciones y Declaraciones, las normas siguientes:

- a) La proscripción de la conquista territorial y el desconocimiento de toda adquisición hecha por la violencia (Primera Conferencia Internacional Americana, 1890);
- b) La condenación de la intervención de un Estado en los asuntos internos o externos de otro (Séptima Conferencia Internacional

Americana, 1933, y Conferencia Interamericana de Consolidación de la Paz, 1936);

- c) El reconocimiento de que toda guerra o amenaza de guerra afecta directa o indirectamente a todos los pueblos civilizados y pone en peligro los grandes principios de libertad y de justicia que constituyen el ideal de América y la norma de su política internacional (Conferencia Interamericana de Consolidación de la Paz, 1936);
- d) El sistema de las consultas mutuas para buscar un procedimiento de cooperación pacifista, en caso de guerra o amenaza de guerra entre países americanos (Conferencia Interamericana de Consolidación de la Paz, 1936);
- e) El reconocimiento de que todo acto susceptible de perturbar la paz de América afecta a todas las naciones americanas y a cada una de ellas y justifica la iniciación de los procedimientos de consulta (Conferencia Interamericana de Consolidación de la Paz, 1936);
- f) La adopción de la vía de la conciliación, del arbitraje amplio, o de la justicia internacional, para resolver toda diferencia o disputa entre las naciones de América, cualesquiera que sean su naturaleza y su origen (Conferencia Interamericana de Consolidación de la Paz, 1936);
- g) El reconocimiento de que el respeto de la personalidad, soberanía e independencia de cada Estado americano constituye la esencia del orden internacional, amparado por la solidaridad continental manifestada históricamente y sostenida por declaraciones y tratados vigentes (Octava Conferencia Internacional Americana, 1938);
- h) La afirmación de que el respeto y la fiel observancia de los tratados constituyen norma indispensable para el desarrollo de las relaciones pacíficas entre los Estados y que ellos sólo podrán ser revisados mediante acuerdo de las partes (Declaración de Principios Americanos, Octava Conferencia Internacional Americana, 1938);
- i) La proclamación de su interés común y de la determinación de hacer efectiva su solidaridad, coordinando sus respectivas voluntades mediante el procedimiento de consulta, y usando los medios que en cada caso aconsejen las circunstancias, en cualquier ocasión en que la paz, la seguridad o la integridad territorial de las Repúblicas americanas se vean amenazadas por actos de cualquier naturaleza que puedan menoscabarlas (Declaración de Lima, Octava Conferencia Internacional Americana, 1938);
- j) La declaración de que todo atentado de un Estados no americano contra la integridad territorial o la inviolabilidad del territorio, contra la soberanía o la independencia política de un Estado americano, será considerado como un acto de agresión contra todos los Estados americanos (Declaración XV de la Segunda Reunión de Consulta de los Ministros de Relaciones Exteriores, La Habana, 1940);

Que el perfeccionamiento de estas normas, practicadas constantemente por los Estados americanos para garantizar la paz y la solidaridad entre las Naciones del Hemisferio, es un medio eficaz de contribuir al sistema general de seguridad mundial y de facilitar su implantación;

Que la seguridad y solidaridad del Continente se afectan lo mismo cuando se produce un acto de agresión contra cualquiera de las naciones americanas por parte de un Estado no americano, como cuando el acto de agresión proviene de un Estado americano contra otro u otros Estados americanos,

PARTE I

DECLARAN:

1o.—Que todos los Estados soberanos son jurídicamente iguales entre sí.

2o.—Que todo Estado tiene derecho al respeto de su personalidad e independencia por parte de los demás miembros de la comunidad internacional.

3o.—Que todo atentado de un Estado contra la integridad o la inviolabilidad del territorio, o contra la soberanía o independencia política de un Estado americano, será, de acuerdo con la parte III de esta Acta, considerado como un acto de agresión contra los demás Estados que la firman. En todo caso, se considerará como un acto de agresión la invasión, por fuerzas armadas de un Estado, al territorio de otro, traspasando las fronteras establecidas por tratados y demarcadas de conformidad con ellos.

4o.—Que en el caso de que se ejecuten actos de agresión o de que haya razones para creer que se prepara una agresión por parte de un Estado cualquiera contra la integridad o la inviolabilidad del territorio, o contra la soberanía o la independencia política de un Estado americano, los Estados signatarios de la presente Acta se consultarán entre sí para concertar las medidas que convenga tomar.

5o.—Que durante la guerra, y hasta tanto se celebre el tratado que se recomienda en la Parte II de esta Acta, los signatarios de ella reconocen que tales amenazas y actos de agresión, definidos en los párrafos tercero y cuarto constituyen un obstáculo al esfuerzo bélico de las Naciones Unidas y exigen que se adopten, dentro del alcance de sus poderes constitucionales generales y de guerra, los procedimientos que se estimen necesarios, a saber: el retiro de los Jefes de Misión; la ruptura de las relaciones diplomáticas; la ruptura de las relaciones consulares; la ruptura de las relaciones postales, telegráficas, telefónicas y radiotelefónicas; la interrupción de las relaciones económicas, comerciales y financieras; el empleo de las fuerzas militares para evitar o repeler la agresión.

6o.—Que los principios y procedimientos contenidos en esta Declaración entrarán en vigor inmediatamente, por cuanto cualquier acto de agresión o amenaza de agresión durante el presente estado de guerra se opone al esfuerzo bélico de las Naciones Unidas para obtener la victoria; y que en el futuro y con el objeto de que los principios y

procedimientos aquí estipulados se acomoden a las normas constitucionales de cada República, los Gobiernos respectivos tomarán las medidas necesarias para perfeccionar este instrumento con el fin de que esté en vigor en todo tiempo.

PARTE II

La Conferencia Interamericana sobre Problemas de la Guerra y de la Paz,

RECOMIENDA:

Que, con el fin de hacer frente a las amenazas o actos de agresión que después del restablecimiento de la paz se presenten contra cualquiera de las Repúblicas americanas, los Gobiernos de estas Repúblicas deberán considerar de acuerdo con sus procedimientos constitucionales la celebración de un tratado que estipule las medidas encaminadas a conjurar tales amenazas o actos por medio del empleo, por todos o algunos de los signatarios de dicho tratado, de una o más de las siguientes medidas: el retiro de los Jefes de Misión Diplomática; la ruptura de las relaciones diplomáticas; la ruptura de las relaciones consulares; la ruptura de las relaciones postales, telegráficas, telefónicas y radiotelefónicas; la interrupción de las relaciones económicas, comerciales y financieras; el empleo de las fuerzas militares para evitar o repeler la agresión.

PARTE III

La Declaración y la Recomendación anteriores establecen un acuerdo regional para tratar asuntos concernientes al mantenimiento de la paz y la seguridad internacionales susceptibles de acción regional en este Hemisferio. Tal acuerdo y los actos y procedimientos pertinentes deberán ser compatibles con los principios y propósitos de la organización general internacional, cuando ella se establezca.

El presente acuerdo se conocerá con el nombre de "ACTA DE CHAPULTEPEC".

(Aprobada en la sesión plenaria del día 6 de marzo de 1945).

En testimonio de lo cual, los Delegados de las Repúblicas americanas que participaron en la Conferencia Interamericana sobre Problemas de la Guerra y de la Paz, firman la presente Acta Final, hecha en español, en la ciudad de México, a los ocho días del mes de marzo de mil novecientos cuarenta y cinco.

La Secretaría General depositará el original en los Archivos de la Secretaría de Relaciones Exteriores del Gobierno de México, la que remitirá copias certificadas de la misma a los Gobiernos de las Repúblicas americanas, a la Unión Panamericana, a la Secretaría General de la Sociedad de las Naciones, a la Oficina Internacional del Trabajo, a la Oficina Sanitaria Panamericana y a la Unión Interamericana del Caribe.

La Unión Panamericana se encargará de hacer las traducciones de esta Acta a los demás idiomas oficiales de la Conferencia.

COLOMBIA:

Alberto Lleras Camargo.
 Jorge Soto del Corral.
 Carlos Lleras Restrepo.
 Alberto González Fernández.
 Emilio Toro.
 Jorge Zalamea.
 Jaime Paredes.

CUBA:

Gustavo Cuervo Rubio.
 Guillermo Belt.
 Marcos A. Kohly.
 Emilio Núñez Portuondo.
 Luis Machado.
 Pelayo Cuervo Navarro.
 César Salaya.
 Ramiro Hernández Portela.
 Manuel Bisbé.
 Mariano Brull.
 Ernesto Dihigo.
 Manuel Dorta Duque.
 Alberto Espinosa.
 Gustavo Gutiérrez.

PANAMA:

Roberto Jiménez.
 Jorge Eduardo Boyd.
 Ricardo Marcillac.
 Juan Galindo.

ESTADOS UNIDOS DE AMERICA:

Edward R. Stettinius Jr.
 Nelson A. Rockefeller.

URUGUAY:

Jacobo Varela.
 Mateo Marques Castro.
 Cyro Giambruno.
 Eduardo Rodríguez Larreta.
 Juan F. Guichón.

GUATEMALA:

Enrique Muñoz Meany.
 Guillermo Toriello.
 Eugenio Silva Peña.
 Manuel Noriega Morales.

BRASIL:

Pedro Leao Velloso.
 Hildebrando Accioly.
 Pedro Calmon Moniz de
 Bittencourt.
 Valentín Boucas.
 Joao Carlos Vital.

VENEZUELA:

Caracciolo Parra Pérez.

MEXICO:

Ezequiel Padilla.
 Gustavo P. Serrano.
 Francisco Castillo Nájera.
 Alfonso Reyes.
 Pedro Martínez Tornel.

NICARAGUA:

Mariano Argüello Vargas.
 Guillermo Sevilla Sacasa.
 Lorenzo Guerrero.

CHILE:

Joaquín Fernández Fernán-
 dez.
 Julio Escudero.
 Pedro Castelblanco Agüero.
 Félix Nieto del Río.
 Pablo Ramírez.
 Oscar Gajardo Villarreal.
 Humberto Alvarez Suárez.
 Germán Vergara.
 Guillermo del Pedregal.

PARAGUAY:

Celso R. Velásquez.
 Carlos A. Pedretti.
 Juan Manuel Alvarez.
 Mario Ferrario.

ECUADOR:

Camilo Ponce Enríquez.
 Modesto Larrea Jijón.
 Eduardo Larrea.
 Gonzalo Escudero.
 Neftalí Ponce.
 Eduardo Ludeña.

HONDURAS:

Julián R. Cáceres.
 Angel Hernández.
 Virgilio R. Gálvez.
 Juan Angel Paz y Paz.

PERU:

Manuel C. Gallagher.
 Arturo García.
 Luis Fernán Cisneros.

COSTA RICA:

Julio Acosta García.
 Luis Anderson.
 Rafael Oreamuno.
 Luis Demetrio Tinoco.

HAITI:

Gérard Lescot.
André Liautaud.

REPUBLICA DOMINICANA:

Manuel A. Peña Battle.
Jesús Ma. Troncoso.
Tulio M. Cestero.
Gustavo Julio Henríquez.
Emilio García Godoy.
Joaquín Balaguer.
Virgilio Díaz Ordóñez.
Tulio Franco Franco.
Rafael Matos Díaz.
Minerva Bernardino.

BOLIVIA:

Gustavo Chacón.
Víctor Paz Estenssoro.
Carlos Montenegro.
Eduardo Arze Quiroga.
Víctor Andrade.
Luis Iturralde.

EL SALVADOR:

Héctor Escobar Serrano.
Carlos Adalberto Alfaro.
Miguel Francisco Chavarría.

En la ciudad de México, a los cuatro días del mes de abril de mil novecientos cuarenta y cinco, el Excelentísimo señor Adolfo N. Calvo, Enviado Extraordinario y Ministro Plenipotenciario de la República Argentina, debidamente autorizado por su Gobierno y en nombre de éste suscribe la presente Acta Final, de conformidad con la Resolución LIX aprobada por la Conferencia Interamericana sobre Problemas de la Guerra y de la Paz el día siete de marzo del mismo año. [1]

ADOLFO N. CALVO.

CERTIFICO QUE EL TEXTO PRECEDENTE ES COPIA EXACTA DEL ORIGINAL DEL ACTA FINAL DE LA CONFERENCIA INTERAMERICANA SOBRE PROBLEMAS DE LA GUERRA Y DE LA PAZ, QUE SE CONSERVA DEPOSITADO EN LOS ARCHIVOS DE LA SECRETARÍA DE RELACIONES EXTERIORES DE LOS ESTADOS UNIDOS MEXICANOS.

MÉXICO, DISTRITO FEDERAL, a veintidós de mayo de mil novecientos cuarenta y cinco.

P. CAMPOS ORTIZ
Lic. PABLO CAMPOS ORTIZ
Oficial Mayor de
La Secretaría de Relaciones Exteriores de
México. [2]

¹ [Translation: In the City of Mexico, on April the fourth, nineteen hundred and forty-five, His Excellency, Señor Adolfo N. Calvo, Envoy Extraordinary and Minister Plenipotentiary of the Argentine Republic, duly authorized by his Government and on behalf thereof, signs the present Final Act in accordance with Resolution LIX approved by the Inter-American Conference on Problems of War and Peace on March seventh of the same year.]

² [Translation: I certify that the preceding text is an exact copy of the original of the Final Act of the Inter-American Conference on Problems of War and Peace which is deposited in the Archives of the Ministry of Foreign Affairs of the United Mexican States.]

MEXICO, D.F., May 22, 1945.

P. CAMPOS ORTIZ
Lic. PABLO CAMPOS ORTIZ
Chief Clerk
Ministry of Foreign Affairs of Mexico.]

Official English Translation Prepared by the Pan American Union

FINAL ACT
OF THE
INTER-AMERICAN CONFERENCE ON PROBLEMS OF WAR
AND PEACE

PURSUANT to the invitation extended on January 10, 1945, by the Government of the United Mexican States, the Delegations of the countries enumerated below met in Mexico City on February 21, 1945. The order of precedence was determined by a drawing of lots on February 21, in conformity with Article 5, paragraph (g), of the Regulations of the Conference:

VIII

RECIPROCAL ASSISTANCE AND AMERICAN SOLIDARITY

WHEREAS:

The peoples of the Americas, animated by a profound love of justice, remain sincerely devoted to the principles of international law;

It is their desire that such principles, notwithstanding the present difficult circumstances, prevail with even greater force in future international relations;

The inter-American conferences have repeatedly proclaimed certain fundamental principles, but these must be reaffirmed at a time when the juridical bases of the community of nations are being re-established;

The new situation in the world makes more imperative than ever the union and solidarity of the American peoples, for the defense of their rights and the maintenance of international peace;

The American states have been incorporating in their international law, since 1890, by means of conventions, resolutions and declarations, the following principles:

- a) The proscription of territorial conquest and the non-recognition of all acquisitions made by force (First International Conference of American States, 1890);
- b) The condemnation of intervention by one State in the internal or external affairs of another (Seventh International Conference of American States, 1933, [1] and Inter-American Conference for the Maintenance of Peace, 1936); [2]

¹ [Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933, Department of State publication 666, Conference Series 19.]

² [Report of the Delegation of the United States of America to the Inter-American Conference for the Maintenance of Peace, Buenos Aires, Argentina, December 1-23, 1936, Department of State publication 1088, Conference Series 33.]

c) The recognition that every war or threat of war affects directly or indirectly all civilized peoples, and endangers the great principles of liberty and justice which constitute the American ideal and the standard of American international policy (Inter-American Conference for the Maintenance of Peace, 1936);

d) The system of mutual consultation in order to find means of peaceful cooperation in the event of war or threat of war between American countries (Inter-American Conference for the Maintenance of Peace, 1936);

e) The recognition that every act susceptible of disturbing the peace of America affects each and every one of the American nations and justifies the initiation of the procedure of consultation (Inter-American Conference for the Maintenance of Peace, 1936).

f) The adoption of conciliation, unrestricted arbitration, or the application of international justice, in the solution of any difference or dispute between American nations, whatever its nature or origin (Inter-American Conference for the Maintenance of Peace, 1936);

g) The recognition that respect for the personality, sovereignty and independence of each American State constitutes the essence of international order sustained by continental solidarity, which historically has been expressed and sustained by declarations and treaties in force (Eighth International Conference of American States, 1938); [1]

h) The affirmation that respect for and the faithful observance of treaties constitute the indispensable rule for the development of peaceful relations between States, and that treaties can only be revised by agreement of the contracting parties (Declaration of American Principles, Eighth International Conference of American States, 1938);

i) The proclamation that, in case the peace, security or territorial integrity of any American republic is threatened by acts of any nature that may impair them, they proclaim their common concern and their determination to make effective their solidarity, coordinating their respective sovereign wills by means of the procedure of consultation, using the measures which in each case the circumstances may make advisable (Declaration of Lima, Eighth International Conference of American States, 1938);

j) The declaration that any attempt on the part of a non-American state against the integrity or inviolability of the territory, the sovereignty or the political independence of an American State shall be considered as an act of aggression against all the American States (Declaration XV of the Second Meeting of the Ministers of Foreign Affairs, Habana, 1940); [2]

The furtherance of these principles, which the American States have constantly practised in order to assure peace and solidarity

¹ [Report of the Delegation of the United States of America to the Eighth International Conference of American States, Lima, Peru, December 9-27, 1938, Department of State publication 1624, Conference Series 50.]

² [Second Meeting of the Ministers of Foreign Affairs of the American Republics, Habana, July 21-30, 1940, Department of State publication 1575, Conference Series 48, p. 71.]

among the nations of the Continent, constitutes an effective means of contributing to the general system of world security and of facilitating its establishment;

The security and solidarity of the Continent are affected to the same extent by an act of aggression against any of the American States by a non-American State, as by an act of aggression of an American State against one or more American States;

PART I

The Governments Represented at the Inter-American Conference on Problems of War and Peace

DECLARE:

1. That all sovereign States are juridically equal among themselves. Juridical equality of States.

2. That every State has the right to the respect of its individuality and independence, on the part of the other members of the international community.

3. That every attack of a State against the integrity or the inviolability of the territory, or against the sovereignty or political independence of an American State, shall, conformably to Part III hereof, be considered as an act of aggression against the other States which sign this Act. In any case invasion by armed forces of one State into the territory of another trespassing boundaries established by treaty and demarcated in accordance therewith shall constitute an act of aggression. Attack against an American State.

4. That in case acts of aggression occur or there are reasons to believe that an aggression is being prepared by any other State against the integrity or inviolability of the territory, or against the sovereignty or political independence of an American State, the States signatory to this Act will consult among themselves in order to agree upon the measures it may be advisable to take. Acts of aggression.

5. That during the war, and until the treaty recommended in Part II hereof is concluded, the signatories of this Act recognize that such threats and acts of aggression, as indicated in paragraphs 3 and 4 above, constitute an interference with the war effort of the United Nations, calling for such procedures, within the scope of their constitutional powers of a general nature and for war, as may be found necessary, including: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; breaking of postal, telegraphic, telephonic, radio-telephonic relations; interruption of economic, commercial and financial relations; use of armed force to prevent or repel aggression. Procedures in case of aggression, etc.

6. That the principles and procedure contained in this Declaration shall become effective immediately, inasmuch as any act of aggression or threat of aggression during the present state of war interferes with the war effort of the United Nations to obtain victory. Henceforth, and to the end that the principles and procedures herein stipulated shall conform with the constitutional processes of each Republic, the respective Governments shall take the necessary steps to perfect this instrument in order that it shall be in force at all times. Effective date.

PART II

The Inter-American Conference on Problems of War and Peace
RECOMMENDS:

Recommendation
for a treaty.

That for the purpose of meeting threats or acts of aggression against any American Republic following the establishment of peace, the Governments of the American Republics consider the conclusion, in accordance with their constitutional processes, of a treaty establishing procedures whereby such threats or acts may be met by the use, by all or some of the signatories of said treaty, of any one or more of the following measures: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; breaking of postal, telegraphic, telephonic, radio-telephonic relations; interruption of economic, commercial and financial relations; use of armed force to prevent or repel aggression.

Measures to meet
threats or acts of ag-
gression.

PART III

Regional arrange-
ment.

The above Declaration and Recommendation constitute a regional arrangement for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action in this Hemisphere. The said arrangement, and the pertinent activities and procedures, shall be consistent with the purposes and principles of the general international organization, when established.

This agreement shall be known as the "ACT OF CHAPULTEPEC."

(Approved at the plenary session of March 6, 1945)

In testimony whereof, the Delegates of the American Republics participating in the Inter-American Conference on Problems of War and Peace, sign the present Final Act, in the Spanish language, at the City of Mexico on the eighth day of March, nineteen hundred and forty-five.

Depository.

The original shall be deposited by the General Secretariat in the Archives of the Ministry of Foreign Affairs of Mexico, which shall transmit certified copies to the Governments of the American Republics, to the Pan American Union, to the General Secretariat of the League of Nations, to the International Labor Office, to the Pan American Sanitary Bureau and to the Inter-American Union of the Caribbean.

Translations.

The Pan American Union shall prepare the translations of this Act into the other official languages of the Conference.

Ante, p. 1835.

[For signatories to Final Act see the Spanish text.]

I hereby certify that the foregoing is a faithful English translation of the Spanish text of the Final Act of the Inter-American Conference on the Problems of War and Peace, signed at Mexico City on March 8, 1945.

WASHINGTON, D. C., April 30, 1945

PEDRO DE ALBA
*Secretary of the Governing Board
of the Pan American Union*

Financial agreement between the United States of America and the United Kingdom. Signed at Washington December 6, 1945; effective July 15, 1946.

December 6, 1945
[T. I. A. S. 1545]

FINANCIAL AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES AND THE UNITED KINGDOM

It is hereby agreed between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland as follows:

1. Effective date of the Agreement. The effective date of this Agreement shall be the date on which the Government of the United States notifies the Government of the United Kingdom that the Congress of the United States has made available the funds necessary to extend to the Government of the United Kingdom the line of credit in accordance with the provisions of this Agreement.

Post, p. 1845.

2. Line of credit. The Government of the United States will extend to the Government of the United Kingdom a line of credit of \$3,750,000,000 which may be drawn upon at any time between the effective date of this Agreement and December 31, 1951, inclusive.

3. Purpose of the line of credit. The purpose of the line of credit is to facilitate purchases by the United Kingdom of goods and services in the United States, to assist the United Kingdom to meet transitional postwar deficits in its current balance of payments, to help the United Kingdom to maintain adequate reserves of gold and dollars, and to assist the Government of the United Kingdom to assume the obligations of multilateral trade, as defined in this and other agreements.

4. Amortization and interest.

(i) The amount of the line of credit drawn by December 31, 1951, shall be repaid in 50 annual installments beginning on December 31, 1951, with interest at the rate of 2 percent per annum. Interest for the year 1951 shall be computed on the amount outstanding on December 31, 1951, and for each year thereafter, interest shall be computed on the amount outstanding on January 1 of each such year.

Forty-nine annual installments of principal repayments and interest shall be equal, calculated at the rate of \$31,823,000 for each \$1,000,000,000 of the line of credit drawn by December 31, 1951, and the fiftieth annual installment shall be at the rate of \$31,840,736.65 for each such \$1,000,000,000. Each installment shall consist of the full amount of the interest due and the remainder of the installment shall be the principal to be repaid in that year. Payments required by this section are subject to the provisions of section 5.

(ii) The Government of the United Kingdom may accelerate repayment of the amount drawn under this line of credit.

5. Waiver of interest payments. In any year in which the Government of the United Kingdom requests the Government of the United States to waive the amount of the interest due in the installment of that year, the Government of the United States will grant the waiver if:

(a) the Government of the United Kingdom finds that a waiver is necessary in view of the present and prospective conditions of international exchange and the level of its gold and foreign exchange reserves and

(b) the International Monetary Fund certifies that the income of the United Kingdom from home-produced exports plus its net income from invisible current transactions in its balance of payments was on the average over the five preceding calendar years less than the average annual amount of United Kingdom imports during 1936-8, fixed at £866 million, as such figure may be adjusted for changes in the price level of these imports. Any amount in excess of £43,750,000 released or paid in any year on account of sterling balances accumulated to the credit of overseas governments, monetary authorities and banks before the effective date of this Agreement shall be regarded as a capital transaction and therefore shall not be included in the above calculation of the net income from invisible current transactions for that year. If waiver is requested for an interest payment prior to that due in 1955, the average income shall be computed for the calendar years from 1950 through the year preceding that in which the request is made.

6. Relation of this line of credit to other obligations.

(i) It is understood that any amounts required to discharge obligations of the United Kingdom to third countries outstanding on the effective date of this Agreement will be found from resources other than this line of credit.

(ii) The Government of the United Kingdom will not arrange any long-term loans from governments within the British Commonwealth after December 6, 1945, and before the end of 1951 on terms more favorable to the lender than the terms of this line of credit.

(iii) Waiver of interest will not be requested or allowed under section 5 in any year unless the aggregate of the releases or payments in that year of sterling balances accumulated to the credit of overseas governments, monetary authorities and banks (except in the case of colonial dependencies) before the effective date of this Agreement is reduced proportionately, and unless interest payments due in that year on loans referred to in (ii) above are waived. The proportionate reduction of the releases or payments of sterling balances shall be calculated in relation to the aggregate released and paid in the most recent year in which waiver of interest was not requested.

(iv) The application of the principles set forth in this section shall be the subject of full consultation between the two governments as occasion may arise.

7. Sterling area exchange arrangements.

The Government of the United Kingdom will complete arrangements as early as practicable and in any case not later than one year after the effective date of this Agreement, unless in exceptional cases a later date is agreed upon after consultation, under which immediately after the completion of such arrangements the sterling receipts from current transactions of all sterling area countries (apart from any receipts arising out of military expenditure by the Government of the United Kingdom prior to December 31, 1948, to the extent to which they are treated by agreement with the countries concerned on the same basis as the balances accumulated during the war) will be freely available for current transactions in any currency area without discrimination; with the result that any discrimination arising from the so-called sterling area dollar pool will be entirely removed and that each member of the sterling area will have its current sterling and dollar receipts at its free disposition for current transactions anywhere.

8. Other exchange arrangements.

(i) The Government of the United Kingdom agrees that after the effective date of this Agreement it will not apply exchange controls in such a manner as to restrict (a) payments or transfers in respect of products of the United States permitted to be imported into the United Kingdom or other current transactions between the two countries or (b) the use of sterling balances to the credit of residents of the United States arising out of current transactions. Nothing in this paragraph (i) shall affect the provisions of Article VII of the Articles of Agreement of the International Monetary Fund when those Articles have come into force.

Ante, p. 1410.

(ii) The Governments of the United States and the United Kingdom agree that not later than one year after the effective date of this Agreement, unless in exceptional cases a later date is agreed upon after consultation, they will impose no restrictions on payments and transfers for current transactions. The obligations of this paragraph (ii) shall not apply:

(a) to balances of third countries and their nationals accumulated before this paragraph (ii) becomes effective; or

(b) to restrictions imposed in conformity with the Articles of Agreement of the International Monetary Fund, provided that the Governments of the United Kingdom and the United States will not continue to invoke the provisions of Article XIV, Section 2 of those Articles after this paragraph (ii) becomes effective, unless in exceptional cases after consultation they agree otherwise; or

Ante, p. 1420.

(c) to restrictions imposed in connection with measures designed to uncover and dispose of assets of Germany and Japan.

(iii) This section and section 9, which are in anticipation of more comprehensive arrangements by multilateral agreement, shall operate until December 31, 1951.

9. Import arrangements. If either the Government of the United States or the Government of the United Kingdom imposes or maintains

quantitative import restrictions, such restrictions shall be administered on a basis which does not discriminate against imports from the other country in respect of any product; provided that this undertaking shall not apply in cases in which (a) its application would have the effect of preventing the country imposing such restrictions from utilizing, for the purchase of needed imports, inconvertible currencies accumulated up to December 31, 1946, or (b) there may be special necessity for the country imposing such restrictions to assist, by measures not involving a substantial departure from the general rule of non-discrimination, a country whose economy has been disrupted by war, or (c) either government imposes quantitative restrictions having equivalent effect to any exchange restrictions which that government is authorized to impose in conformity with Article VII of the Articles of Agreement of the International Monetary Fund. The provisions of this section shall become effective as soon as practicable but not later than December 31, 1946.

Ante, p. 1410.

10. Accumulated sterling balances.

(i) The Government of the United Kingdom intends to make agreements with the countries concerned, varying according to the circumstances of each case, for an early settlement covering the sterling balances accumulated by sterling area and other countries prior to such settlement (together with any future receipts arising out of military expenditure by the Government of the United Kingdom to the extent to which they are treated on the same basis by agreement with the countries concerned). The settlements with the sterling area countries will be on the basis of dividing these accumulated balances into three categories (a) balances to be released at once and convertible into any currency for current transactions, (b) balances to be similarly released by installments over a period of years beginning in 1951, and (c) balances to be adjusted as a contribution to the settlement of war and postwar indebtedness and in recognition of the benefits which the countries concerned might be expected to gain from such a settlement. The Government of the United Kingdom will make every endeavor to secure the early completion of these arrangements.

(ii) In consideration of the fact that an important purpose of the present line of credit is to promote the development of multilateral trade and facilitate its early resumption on a non-discriminatory basis, the Government of the United Kingdom agrees that any sterling balances released or otherwise available for current payments will, not later than one year after the effective date of this Agreement unless in special cases a later date is agreed upon after consultation, be freely available for current transactions in any currency area without discrimination.

11. Definitions.

For the purposes of this Agreement:

(i) The term "current transactions" shall have the meaning prescribed in Article XIX (i) of the Articles of Agreement of the International Monetary Fund.

"Current transactions."

Ante, p. 1425.

(ii) The term "sterling area" means the United Kingdom and the other territories declared by the Defence (Finance) (Definition of Sterling Area) (No. 2) Order, 1944, to be included in the sterling area, namely "the following territories excluding Canada and Newfoundland, that is to say—

"Sterling area."

- (a) any Dominion,
- (b) any other part of His Majesty's dominions,
- (c) any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by His Majesty's Government in the United Kingdom or in any Dominion,
- (d) any British protectorate or protected State,
- (e) Egypt, the Anglo-Egyptian Sudan and Iraq,
- (f) Iceland and the Faroe Islands."

12. Consultation on Agreement. Either government shall be entitled to approach the other for a reconsideration of any of the provisions of this Agreement, if in its opinion the prevailing conditions of international exchange justify such reconsideration, with a view to agreeing upon modifications for presentation to their respective legislatures.

Signed in duplicate at Washington, District of Columbia, this 6th day of December, 1945.

For the GOVERNMENT OF THE UNITED STATES OF AMERICA:

FRED M. VINSON
Secretary of the Treasury
of the United States of America

For the GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

HALIFAX.
His Majesty's Ambassador Extraordinary
and Plenipotentiary at Washington

The Acting Secretary of State to the British Ambassador

DEPARTMENT OF STATE
WASHINGTON
July 15, 1946.

EXCELLENCY:

I have the honor to inform you that on July 15, 1946 there were made available by an Act of Congress of the United States, approved by the President, the funds necessary to extend to the Government of the United Kingdom the line of credit in accordance with the provisions of the Financial Agreement of December 6, 1945 between the Governments of the United States and the United Kingdom.

Ante, p. 535.

The effective date of the Agreement, pursuant to Section 1 thereof, is therefore July 15, 1946.

Effective date.

May I request that any communications concerning the operation

of the Agreement be addressed to the Secretary of the Treasury and that a copy of such communications be sent to the Secretary of State.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
The Right Honorable
THE LORD INVERCHAPEL, P.C., G.C.M.G.,
British Ambassador.

The British Ambassador to the Secretary of State

BRITISH EMBASSY,
WASHINGTON 8, D. C.
July 15th, 1946.

Ref. 35/-/46.

EXCELLENCY,

I have the honour to refer to your note of July 15th, 1946, in which you were so good as to inform me that on July 15th, 1946 there were made available by an Act of Congress of the United States, approved by the President, the funds necessary to extend to His Majesty's Government in the United Kingdom the line of credit in accordance with the provisions of the Financial Agreement of December 6th, 1945, between the Governments of the United States and the United Kingdom, and that the effective date of the Agreement, pursuant to Section 1 thereof, is July 15th, 1946.

2. I have noted your request that any communications concerning the operation of this Agreement should be addressed to the Secretary of the Treasury and that a copy of such communications should be sent to Your Excellency.

Accept, Excellency, the renewed assurances of my highest consideration.

INVERCHAPEL

His Excellency
The Honourable JAMES F. BYRNES,
Secretary of State of the United States,
Washington, D. C.

The Inter-American System. Arrangements between the United States of America and other American Republics embodied in Resolution IX of the Final Act of the Inter-American Conference on Problems of War and Peace. Signed at Mexico City March 8, 1945; effective March 8, 1945.

March 8, 1945
[T. I. A. S. 1548]

ACTA FINAL
DE LA
CONFERENCIA INTERAMERICANA SOBRE PROBLEMAS DE
LA GUERRA Y DE LA PAZ

En virtud de la invitación hecha el 10 de enero de 1945, por el Gobierno de los Estados Unidos Mexicanos, se reunieron en la ciudad de México, el 21 de febrero del mismo año, las Delegaciones de los países que en seguida se enumeran de acuerdo con el orden de precedencias que resultó del sorteo verificado—el mismo día 21—conforme al inciso g) del artículo 5o. del Reglamento de la Conferencia:

IX

REORGANIZACION, CONSOLIDACION Y FORTALECIMIENTO
DEL SISTEMA INTERAMERICANO

La Conferencia Interamericana sobre Problemas de la Guerra y de la Paz,

CONSIDERANDO:

Que el sistema interamericano y los principios, instrumentos, organismos y procedimientos que le dan substancia constituyen la manifestación viva de la determinación de las Repúblicas soberanas de América de actuar unidas para el logro de sus propósitos comunes en el mantenimiento de la paz, la seguridad y el fomento del bienestar de sus pueblos;

Que el sistema interamericano se inspira y tradicionalmente se ha inspirado en un profundo sentimiento de cooperación universal;

Que el sistema interamericano, como expresión de los ideales, las necesidades y la voluntad comunes de la colectividad de Repúblicas americanas, debe mejorarse y fortalecerse aun más ahora para realizar el ajuste y la solución de los problemas interamericanos;

Que el sistema interamericano debe, además, mantener las más amplias relaciones con el organismo internacional general propuesto y asumir las responsabilidades pertinentes en armonía con los principios y propósitos de dicho organismo internacional general,

RESUELVE:

10.—Las Conferencias Internacionales Americanas se celebrarán ordinariamente cada cuatro años y serán el órgano interamericano que se encargue de formular la política general interamericana y de determinar la estructura y las funciones de los instrumentos y organismos interamericanos. La próxima Conferencia se reunirá en Bogotá en 1946.

20.—Las Reuniones Ordinarias de Consulta entre los Ministros de Relaciones Exteriores se celebrarán anualmente, previa convocatoria especial del Consejo de la Unión Panamericana, salvo el caso de que en el mismo año hubiere de celebrarse la Conferencia Internacional Americana prevista en el artículo anterior. La próxima reunión ordinaria de Ministros de Relaciones Exteriores se efectuará en 1947.

Corresponderá a las Reuniones de Consulta tomar decisiones concernientes a los problemas de mayor urgencia e importancia dentro del sistema interamericano y a las situaciones y disputas de todo género que puedan turbar la paz de las Repúblicas del Hemisferio.

Si excepcionalmente los Ministros de Relaciones Exteriores no pudieren concurrir, se harán representar por un Delegado especial.

30.—El Consejo Directivo de la Unión Panamericana se compondrá de sendos Delegados ad hoc, designados por las Repúblicas americanas, los cuales tendrán categoría de Embajadores y gozarán de los privilegios e inmunidades que como a tales les correspondan; pero no podrán formar parte de la misión diplomática acreditada ante el Gobierno en cuyo territorio se halle la sede de la Unión Panamericana. Esta norma regirá cuando termine el actual período de sesiones del presente Consejo.

40.—Además de sus funciones actuales, el Consejo Directivo de la Unión Panamericana

- a) Conocerá, dentro de los límites que le tracen las Conferencias Internacionales Americanas, o por encargo especial de las Reuniones de los Ministros de Relaciones Exteriores, de cualquier asunto que afecte al funcionamiento efectivo del sistema interamericano y a la solidaridad y bienestar general de las Repúblicas americanas;
- b) Convocará a las Reuniones Ordinarias de Consulta entre los Ministros de Relaciones Exteriores, previstas en el inciso primero del Artículo 2, o a reuniones extraordinarias, cuando ellas sean solicitadas, para tratar exclusivamente cuestiones de emergencia. En este último caso, la convocatoria se determinará por mayoría absoluta de votos de los miembros del Consejo;
- c) Supervisará los organismos interamericanos que estén relacionados con la Unión Panamericana, o que pasen a estar relacionados con ella, y recibirá y aprobará los informes anuales o especiales de esos organismos.

50.—La Presidencia del Consejo Directivo de la Unión Panamericana se designará por elecciones anuales y el Presidente no podrá ser reelecto para el período inmediato.

El Consejo Directivo de la Unión Panamericana se reunirá cuando menos una vez por semana.

La sede de la Unión Panamericana y del Consejo Directivo continuará en Washington.

El Director de la Unión Panamericana será designado por el Consejo para un período de diez años; no podrá ser reelecto ni ser sucedido por una persona de su misma nacionalidad.

Cuando se produzca vacante en el cargo de Director de la Unión Panamericana, se elegirá libremente su reemplazo hasta el término del período, y dicho reemplazo podrá ser reelecto si la vacante se hubiere producido en la segunda mitad del período.

El primer período comenzará a contarse desde el 1o. de enero de 1955.

La designación y reemplazo del Subdirector se regirá por las mismas normas anteriores, pero el primer período comenzará a contarse desde el 1o. de enero de 1960.

Queda entendido que en cualquier tiempo el Consejo Directivo podrá, con el voto de 15 de sus miembros, acordar la remoción del Director o del Subdirector por razones relacionadas con la eficacia del organismo.

6o.—Mientras la Novena Conferencia Internacional Americana, de acuerdo con el procedimiento que se establece adelante, crea o confirma los diversos organismos del sistema americano, continuarán en sus funciones los siguientes organismos creados por las Reuniones de Consulta entre los Ministros de Relaciones Exteriores: el Comité Jurídico Interamericano, el Comité Consultivo de Emergencia para la Defensa Política y la Junta Interamericana de Defensa.

7o.—En sustitución del organismo de emergencia que actualmente funciona con el nombre de Comité Consultivo Económico-Financiero Interamericano, créase un Consejo Interamericano Económico y Social, de carácter permanente que dependerá del Consejo Directivo de la Unión Panamericana, los miembros del cual serán designados por los respectivos Gobiernos y que tendrá facultades para:

- a) Procurar el cumplimiento de las recomendaciones de las Conferencias Internacionales Americanas;
- b) Actuar como organismo coordinador de todas las actividades oficiales interamericanas de carácter económico y social;
- c) Promover el progreso social y la elevación del nivel de vida para todos los pueblos americanos;
- d) Empezar estudios y otras actividades por iniciativa propia o a petición de cualquier gobierno americano;
- e) Recabar y preparar informes sobre asuntos económicos y sociales para uso de las Repúblicas americanas;
- f) Mantener contacto con la entidad correspondiente del organismo internacional, cuando se establezca, y con los organismos internacionales de carácter económico y social existentes o proyectados.

El Consejo Directivo de la Unión Panamericana tendrá facultad para organizar provisionalmente el Consejo Interamericano Económico y Social. La organización definitiva corresponderá a la Novena Conferencia Internacional Americana.

80.—Será mantenida la Oficina de Cooperación Intelectual con el objeto de intensificar, por todos los medios a su alcance, las relaciones espirituales entre los países americanos.

90.—Se encarga al Consejo Directivo de la Unión Panamericana de preparar, a partir del 1o. de mayo de 1945 y asesorándose de todos aquellos organismos panamericanos que estime convenientes, un anteproyecto de pacto constitutivo destinado a mejorar y fortalecer el sistema panamericano. El Consejo Directivo deberá someter a todos los Gobiernos del Continente dicho anteproyecto antes del 31 de diciembre de 1945.

El anteproyecto de Pacto proclamará en primer término:

El reconocimiento, por parte de todas las Repúblicas americanas, del Derecho Internacional como regla efectiva de su conducta y el compromiso de las mismas de observar las normas enunciadas en una "Declaración de Derechos y Deberes de los Estados" y en una "Declaración de Derechos y Deberes Internacionales del Hombre", que sirvan para precisar los principios fundamentales del Derecho Internacional y que deberán figurar como anexos al Pacto, a fin de que, sin necesidad de modificar éste, puedan ser revisadas de tiempo en tiempo con objeto de que correspondan a las necesidades y aspiraciones de la convivencia internacional.

Para la elaboración de la primera Declaración, deberán coordinarse los principios ya incorporados al patrimonio jurídico del sistema interamericano, especialmente los contenidos en la "Convención sobre Derechos y Deberes de los Estados", aprobada en la Séptima Conferencia Internacional Americana; en la "Declaración de Principios sobre Solidaridad y Cooperación Interamericanas", adoptada en la Conferencia Interamericana de Consolidación de la Paz; en la "Declaración de los Principios de Solidaridad de América" y la "Declaración de Principios Americanos", frutos de la Octava Conferencia Internacional Americana; en la "Declaración sobre Mantenimiento de las Actividades Internacionales dentro de la Moral Cristiana" y la Declaración relativa a "Asistencia Recíproca y Cooperación Defensiva de las Naciones Americanas", sancionadas respectivamente en la Primera y Segunda Reuniones de Consulta; y en las Declaraciones acerca de "Solidaridad Continental en la Observancia de los Tratados Internacionales" y "Política del Buen Vecino", y que adoptó la Tercera Reunión de Consulta. Se tomará también en cuenta el proyecto de "Reafirmación de Principios Fundamentales de Derecho Internacional", preparado por el Comité Jurídico Interamericano y cualquiera Declaración de Principios que pudiera adoptar esta Conferencia.

En cuanto a la segunda Declaración antes mencionada, el texto será el que, en cumplimiento de la misión que se le confía en otra resolución de la presente Conferencia, formulará el Comité Jurídico Interamericano.

Es el deseo de la Conferencia Interamericana sobre Problemas de la Guerra y de la Paz que se tome en cuenta la Comisión Interamericana de Mujeres, que por 16 años ha prestado eminentes servicios a la causa americana y a la humanidad y que se la incluya entre las instituciones que integran la Unión Panamericana, con las mismas prerrogativas e igual tratamiento de que gozan las otras instituciones interamericanas que han trabajado dentro y fuera de la Unión Panamericana con carácter permanente o de emergencia.

10o.—El anteproyecto de Pacto deberá proveer al fortalecimiento del sistema americano sobre las bases de esta resolución y con la creación de nuevos órganos o la eliminación y adaptación de los actuales, precisando sus funciones y su coordinación entre sí y con la organización mundial.

El mismo anteproyecto atenderá a la necesidad de acelerar la consolidación y extensión de los instrumentos interamericanos de paz ya existentes y a la simplificación y mejoramiento del organismo de paz interamericano; a este fin, el Consejo Directivo de la Unión Panamericana deberá utilizar los servicios del Comité Jurídico Interamericano. Asimismo, el anteproyecto procurará la consolidación y simplificación de todos los demás instrumentos interamericanos, con el propósito de que su acción sea más efectiva.

11o.—Los Gobiernos americanos enviarán al Consejo Directivo de la Unión Panamericana, antes del 1o. de septiembre de 1945, todas las iniciativas que se relacionen con los artículos anteriores.

12o.—El anteproyecto contendrá asimismo el establecimiento de un sistema equitativo de financiación para el sostenimiento de la Unión Panamericana y de todos los organismos conexos.

(Aprobada en la sesión plenaria del día 6 de marzo de 1945).

En testimonio de lo cual, los Delegados de las Repúblicas americanas que participaron en la Conferencia Interamericana sobre Problemas de la Guerra y de la Paz, firman la presente Acta Final, hecha en español, en la ciudad de México, a los ocho días del mes de marzo de mil novecientos cuarenta y cinco.

La Secretaría General depositará el original en los Archivos de la Secretaría de Relaciones Exteriores del Gobierno de México, la que remitirá copias certificadas de la misma a los Gobiernos de las Repúblicas americanas, a la Unión Panamericana, a la Secretaría General de la Sociedad de las Naciones, a la Oficina Internacional del Trabajo, a la Oficina Sanitaria Panamericana y a la Unión Interamericana del Caribe.

La Unión Panamericana se encargará de hacer las traducciones de esta Acta a los demás idiomas oficiales de la Conferencia.

COLOMBIA:

Alberto Lleras Camargo.
 Jorge Soto del Corral.
 Carlos Lleras Restrepo.
 Alberto González Fernández.
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CUBA:

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 Germán Vergara.
 Guillermo del Pedregal.

PARAGUAY:

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 Mario Ferrario.

ECUADOR:

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 Modesto Larrea Jijón.
 Eduardo Larrea.
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HONDURAS:

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 Angel Hernández.
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PERU:

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Carlos Montenegro.
Eduardo Arze Quiroga.
Víctor Andrade.
Luis Iturralde.

EL SALVADOR:

Héctor Escobar Serrano.
Carlos Adalberto Alfaro.
Miguel Francisco Chavarría.

En la ciudad de México, a los cuatro días del mes de abril de mil novecientos cuarenta y cinco, el Excelentísimo señor Adolfo N. Calvo, Enviado Extraordinario y Ministro Plenipotenciario de la República Argentina, debidamente autorizado por su Gobierno y en nombre de éste suscribe la presente Acta Final, de conformidad con la Resolución LIX aprobada por la Conferencia Interamericana sobre Problemas de la Guerra y de la Paz el día siete de marzo del mismo año.[¹]

ADOLFO N. CALVO.

CERTIFICO QUE EL TEXTO PRECEDENTE ES COPIA EXACTA DEL ORIGINAL DEL ACTA FINAL DE LA CONFERENCIA INTERAMERICANA SOBRE PROBLEMAS DE LA GUERRA Y DE LA PAZ, QUE SE CONSERVA DEPOSITADO EN LOS ARCHIVOS DE LA SECRETARÍA DE RELACIONES EXTERIORES DE LOS ESTADOS UNIDOS MEXICANOS.

MÉXICO, DISTRITO FEDERAL, a Veintidós de Mayo de Mil Novecientos Cuarenta y Cinco.

P. CAMPOS ORTIZ
Lic. PABLO CAMPOS ORTIZ,
Oficial Mayor de

La Secretaría de Relaciones Exteriores de México.[²]

¹ [Translation: In the City of México, on April the fourth, nineteen hundred and forty-five, His Excellency, Señor Adolfo N. Calvo, Envoy Extraordinary and Minister Plenipotentiary of the Argentine Republic, duly authorized by his Government and on behalf thereof, signs the present Final Act in accordance with Resolution LIX approved by the Inter-American Conference on Problems of War and Peace on March seventh of the same year.]

² [Translation: I certify that the preceding text is an exact copy of the original of the Final Act of the Inter-American Conference on Problems of War and Peace which is deposited in the Archives of the Ministry of Foreign Affairs of the United Mexican States.

México, D. F., May 22, 1945.

P. CAMPOS ORTIZ
Lic. PABLO CAMPOS ORTIZ
Chief Clerk
Ministry of Foreign Affairs of Mexico.]

Official English Translation Prepared by the Pan American Union

FINAL ACT
OF THE
INTER-AMERICAN CONFERENCE ON PROBLEMS OF WAR
AND PEACE

PURSUANT to the invitation extended on January 10, 1945, by the Government of the United Mexican States, the Delegations of the countries enumerated below met in Mexico City on February 21, 1945. The order of precedence was determined by a drawing of lots on February 21, in conformity with Article 5, paragraph (g), of the Regulations of the Conference:

IX

REORGANIZATION, CONSOLIDATION AND STRENGTHENING OF
THE INTER-AMERICAN SYSTEM

WHEREAS:

The inter-American system and the principles, instruments, agencies, and procedures that give it substance, constitute the living manifestation of the determination of the sovereign American Republics to act together for the fulfillment of their common purposes in the maintenance of peace and security and in the promotion of the well-being of their peoples;

The inter-American system is and has traditionally been inspired by a deep sense of universal cooperation;

The inter-American system, as an expression of the common ideals, the needs, and the will of the community of American Republics, should be further improved and strengthened for the purpose of adjusting and solving inter-American problems;

The inter-American system should, furthermore, maintain the closest relations with the proposed general international organization and assume the appropriate responsibilities in harmony with the principles and purposes of the general international organization,

The Inter-American Conference on Problems of War and Peace

RESOLVES:

1. That the International Conferences of American States shall meet ordinarily at four-year intervals and shall be the inter-American organ entrusted with the formulation of general inter-American policy and the determination of the structure and functions of inter-American instruments and agencies. The next Conference shall meet in Bogotá in 1946.

2. The regular Meetings of the Ministers of Foreign Affairs shall be held annually upon special call by the Governing Board of the

Meetings of International Conferences of American States.

Meetings of Ministers of Foreign Affairs.

Pan American Union, unless there should be held in the same year an International Conference of American States pursuant to the preceding article. The next regular Meeting of the Ministers of Foreign Affairs shall be held in 1947.

The Meetings shall be charged with taking decisions on problems of great urgency and importance concerning the inter-American system and with regard to situations and disputes of every kind which may disturb the peace of the American Republics.

If, under exceptional circumstances, a Minister of Foreign Affairs should be unable to attend, he may be represented by a special delegate.

3. The Governing Board of the Pan American Union shall be composed of one *ad hoc* delegate designated by each of the American Republics, which delegates shall have the rank of Ambassadors and shall enjoy the corresponding privileges and immunities, but shall not be part of the diplomatic mission accredited to the government of the country in which the Pan American Union has its seat. This provision shall take effect at the expiration of the present period of sessions of the existing Board.

Composition of
Governing Board of
Pan American Union.

4. In addition to its present functions the Governing Board of the Pan American Union

Additional func-
tions of Governing
Board.

a) Shall take action, within the limitations imposed upon it by the International Conferences of American States or pursuant to the specific direction of the Meetings of Ministers of Foreign Affairs, on every matter that affects the effective functioning of the inter-American system and the solidarity and general welfare of the American Republics;

b) Shall call the regular Meetings of Ministers of Foreign Affairs provided for in Paragraph 1 of Article 2 hereof, and special meetings, when they are requested, to consider exclusively emergency questions. In the latter case the call shall be made upon the vote of an absolute majority of the Board;

c) Shall supervise the inter-American agencies which are or may become related to the Pan American Union, and shall receive and approve annual or special reports from these agencies.

5. The Chairman of the Governing Board of the Pan American Union shall be elected annually and shall not be eligible for re-election for the term immediately following.

Chairman of Gov-
erning Board.
Election.

The Governing Board of the Pan American Union shall meet at least once each week.

Meetings.

The seat of the Pan American Union and of the Governing Board shall continue to be in Washington.

Location.

The Director General of the Pan American Union shall be chosen by the Governing Board for a term of ten years; he shall not be eligible for re-election, nor can he be succeeded by a person of the same nationality.

Director General of
Pan American Union.

In the event of a vacancy in the office of Director General of the Pan American Union, a successor shall be appointed who shall hold office until the end of the term and who may be re-elected if the vacancy occurs during the second half of the term.

Vacancy in office of
Director General.

First term.

The first term shall begin on January 1, 1955.

Assistant Director.

The appointment and replacement of the Assistant Director shall be made in accordance with the above rules, except that the first term shall begin on January 1, 1960.

Removal of Director General or Assistant Director.

It is understood that the Governing Board may at any time, by vote of fifteen of its members, remove the Director General or the Assistant Director, on grounds relating to the efficiency of the organization.

Continuation of certain agencies.

6. Until the Ninth International Conference of American States, in accordance with the procedure provided hereinafter, creates or confirms the various agencies of the inter-American system, the following agencies created by the Meetings of Ministers of Foreign Affairs shall continue to function: The Inter-American Juridical Committee, the Emergency Advisory Committee for Political Defense, and the Inter-American Defense Board.

Inter-American Economic and Social Council.

7. In place of the emergency agency now functioning as the Inter-American Financial and Economic Advisory Committee, there is hereby created a permanent Inter-American Economic and Social Council—subsidiary to the Governing Board of the Pan American Union—the members of which shall be designated by the respective Governments, and which shall be empowered:

- a) To carry out recommendations of the International Conferences of American States;
- b) To serve as the coordinating agency for all official inter-American economic and social activities;
- c) To promote social progress and the raising of the standard of living for all the American peoples;
- d) To undertake studies and other activities upon its own initiative or upon the request of any American government;
- e) To collect and prepare reports on economic and social matters for the use of the American Republics;
- f) To maintain liaison with the corresponding agency of the general international organization when established, and with existing or projected international economic and social agencies.

The Governing Board of the Pan American Union is authorized to organize provisionally the Inter-American Economic and Social Council. The permanent organization shall be established by the Ninth International Conference of American States.

8. The Division of Intellectual Cooperation of the Pan American Union shall be maintained for the purpose of strengthening by all means at its command the spiritual bonds between the American nations.

Preparation of a draft charter for improving, etc., Pan American system.

9. The Governing Board of the Pan American Union, availing itself of all Pan American agencies that it deems appropriate, is charged with preparing, beginning May 1, 1945, a draft charter for the improvement and strengthening of the Pan American system. The Governing Board shall submit the draft to the Governments of the Continent prior to December 31, 1945.

The draft charter shall first of all proclaim:

The recognition, by all the American Republics, of international law

as the effective rule of their conduct and the pledge of those Governments to observe the standards enunciated in a "Declaration of the Rights and Duties of States" and a "Declaration of the International Rights and Duties of Man"; these shall serve as the definition of the fundamental principles of international law and shall appear as an annex to the charter, so that, without amending it, the Declarations may be revised from time to time to adapt them to the requirements and aspirations of international life.

For the preparation of the first Declaration, the principles already incorporated into the juridical heritage of the inter-American system shall be coordinated, especially those contained in the "Convention on the Rights and Duties of States" approved at the Seventh International Conference of American States; [1] in the "Declaration of Principles of Inter-American Solidarity and Cooperation" adopted at the Inter-American Conference for the Maintenance of Peace; [2] in the "Declaration of the Principles of the Solidarity of America," and the "Declaration of American Principles" adopted at the Eighth International Conference of American States; [3] in the "Declaration on the Maintenance of International Activities in Accordance with Christian Morality" [4] and the declaration relative to "Reciprocal Assistance and Cooperation for the Defense of the Nations of the Americas," [5] approved at the First and Second Meetings of Ministers of Foreign Affairs, respectively; and in the Declarations on "Continental Solidarity in Observance of Treaties" and "The Good Neighbor Policy," adopted at the Third Meeting of Ministers of Foreign Affairs. [6] The draft declaration on "Reaffirmation of Fundamental Principles of International Law" prepared by the Inter-American Juridical Committee, and any Declaration of Principles that may be adopted by this Conference, shall also be taken into account.

49 Stat. 3097.

In regard to the second Declaration mentioned above, the text shall be that formulated by the Inter-American Juridical Committee in fulfillment of the request contained in another resolution of the present Conference.

It is the desire of the Inter-American Conference on Problems of War and Peace that there shall be taken into account the Inter-American Commission of Women, which for sixteen years has rendered eminent services to the cause of America and humanity, and that it

Inter-American
Commission of
Women.

¹ [Treaty Series 881; 49 Stat. 3097.]

² [Report of the Delegation of the United States of America to the Inter-American Conference for the Maintenance of Peace, Buenos Aires, Argentina, December 1-23, 1936, Department of State publication 1088, Conference Series 33, pp. 227-228.]

³ [Report of the Delegation of the United States of America to the Eighth International Conference of American States, Lima, Peru, December 9-27, 1938, Department of State publication 1624, Conference Series 50, pp. 189-190.]

⁴ [Report of the Delegate of the United States of America to the Meeting of the Foreign Ministers of the American Republics, Held at Panamá September 23-October 3, 1939, Department of State publication 1451, Conference Series 44, p. 60.]

⁵ [Second Meeting of the Ministers of Foreign Affairs of the American Republics, Habana, July 21-30, 1940 (Report of the Secretary of State), Department of State publication 1575, Conference Series 48, pp. 71-72.]

⁶ [Department of State Bulletin, Feb. 7, 1942, vol. VI, no. 137, publication 1696.]

be included among the organizations which form the Pan American Union, with the same prerogatives and position that have been accorded to other inter-American institutions of a permanent or emergency character that have functioned within or without the Pan American Union.

10. The draft charter shall provide for the strengthening of the inter-American system on the bases of this resolution and by the creation of new agencies or the elimination or adaptation of existing agencies, specifying and coordinating their functions as among themselves and with the world organization.

Improvement of
inter-American peace
structure.

The draft shall take into account the need of accelerating the consolidation and extension of existing inter-American peace instruments and the simplification and improvement of the inter-American peace structure, and to this end the Governing Board of the Pan American Union shall utilize the services of the Inter-American Juridical Committee. In addition, the draft shall provide for the consolidation and simplification of all other inter-American instruments so that they may be more effective.

Proposals.
Time limitation.

11. The American Governments shall send to the Governing Board of the Pan American Union prior to September 1, 1945, all their proposals relating to the preceding articles.

Financial support of
Pan American Union.

12. The draft charter shall also provide for the establishment of an equitable system for the financial support of the Pan American Union and of all its related agencies.

(Approved at the plenary session of March 6, 1945)

In testimony whereof, the Delegates of the American Republics participating in the Inter-American Conference on Problems of War and Peace, sign the present Final Act, in the Spanish language, at the City of Mexico on the eighth day of March, nineteen hundred and forty-five.

Depository.

The original shall be deposited by the General Secretariat in the Archives of the Ministry of Foreign Affairs of Mexico, which shall transmit certified copies to the Governments of the American Republics, to the Pan American Union, to the General Secretariat of the League of Nations, to the International Labor Office, to the Pan American Sanitary Bureau and to the Inter-American Union of the Caribbean.

The Pan American Union shall prepare the translations of this Act into the other official languages of the Conference.

Ante, p. 1852.

[For signatories to the Final Act see the Spanish text.]

I hereby certify that the foregoing is a faithful English translation of the Spanish text of the Final Act of the Inter-American Conference on the Problems of War and Peace, signed at Mexico City on March 8, 1945.

WASHINGTON, D. C., *April 30, 1945*

PEDRO DE ALBA
*Secretary of the Governing Board
of the Pan American Union*

Agreement between the United States of America and Sweden amending the agreement of December 16, 1944, respecting air transport services. Effected by exchange of notes dated at Stockholm December 4, 1945; effective December 4, 1945.

December 4, 1945
[T. I. A. S. 1550]

The American Legation to the Swedish Royal Ministry of Foreign Affairs

No. 868

LEGATION OF THE
UNITED STATES OF AMERICA

The Legation of the United States of America presents its compliments to the Royal Ministry of Foreign Affairs and, with reference to the latter's note of September 27, 1945^[1] regarding certain changes in paragraphs A and B of the Annex to the Air Transport Agreement between Sweden and the United States, has the honor to inform the Royal Ministry that the Government of the United States agrees to the modifications proposed therein.

58 Stat. 1472.

Accordingly, paragraph A of the Annex would read "United States, via intermediate points, to Stockholm and points beyond: in both directions", and paragraph B would read "Sweden via intermediate points to New York or Chicago and points beyond in both directions".

It would also be necessary to change the phrase immediately preceding the route descriptions in paragraphs A and B to: "To the following route or routes".

If agreeable to the Royal Ministry, the Government of the United States suggests that the date on which these changes become effective be the date of this note.

STOCKHOLM, *December 4, 1945.*

C. M. R.

The Swedish Royal Ministry of Foreign Affairs to the American Legation

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES.

Par note du 4 décembre 1945 /No. 868/ la Légation des États-Unis a bien voulu informer le Ministère Royal des Affaires Étrangères que le Gouvernement des États-Unis accepte, pour sa part, les modifications proposées dans les paragraphes A et B de l'annexe à l'accord aérien du 16 décembre 1944 entre la Suède et les États-Unis, en proposant que ces modifications entrent en vigueur à la date de la note susmentionnée.

¹ [Not printed.]

En se référant à ce qui précède, le Ministère Royal s'empresse de porter à la connaissance de la Légation que le Gouvernement du Roi, pour sa part, est d'accord avec la proposition susvisée et que, par conséquent, les susdites modifications entrent en vigueur à la date de la présente note.

Les paragraphes A et B de l'annexe auront ainsi la teneur suivante:

"A. Airlines of the United States authorized under the present agreement are accorded rights of transit and non-traffic stop in Swedish territory, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Stockholm, on the following route or routes:

United States, via intermediate points,
to Stockholm and points beyond; in both directions.

B. Airlines of Sweden authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of the United States, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at New York or Chicago, on the following route or routes:

Sweden, via intermediate points, to New York or Chicago and points beyond; in both directions."

STOCKHOLM le 4 décembre 1945.

[SEAL]

Légation des Etats-Unis d'Amérique.

Translation

MINISTRY OF FOREIGN AFFAIRS

By a note of December 4, 1945, No. 868, the Legation of the United States was good enough to inform the Royal Ministry of Foreign Affairs that the Government of the United States accepts, for its part, the proposed amendments to paragraphs A and B of the Annex to the Air Agreement of December 16, 1944, between Sweden and the United States, and proposes that these amendments enter into force on the date of the above-mentioned note.

Referring to the foregoing, the Royal Ministry hastens to inform the Legation that the King's Government, for its part, agrees to the above-mentioned proposal and that, as a result, the aforesaid amendments shall enter into force on the date of the present note.

The text of paragraphs A and B of the Annex will thus read as follows:

"A. Airlines of the United States authorized under the present agreement are accorded rights of transit and non-traffic stop in Swedish territory, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Stockholm, on the following route or routes:

United States, via intermediate points, to Stockholm and points beyond; in both directions.

B. Airlines of Sweden authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of the United States, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at New York or Chicago, on the following route or routes:

Sweden, via intermediate points, to New York or Chicago and points beyond; in both directions."

STOCKHOLM, *December 4, 1945.*

[SEAL]

Legation of the United States of America.

February 25, 1946
[T. I. A. S. 1553]

Interim agreement between the United States of America and other Governments respecting North American regional broadcasting. Signed at Washington February 25, 1946; effective March 29, 1946.

INTERIM AGREEMENT (MODUS VIVENDI), CONCLUDED AT THE SECOND NORTH AMERICAN REGIONAL BROADCASTING CONFERENCE, TO REGULATE THE USE OF THE STANDARD BROADCAST BAND IN THE NORTH AMERICAN REGION

The undersigned, duly authorized representatives of the Governments of Canada, Cuba, the Dominican Republic, His Majesty's Government in the United Kingdom in respect of the Bahama Islands, His Majesty's Government in the United Kingdom and the Government of Newfoundland in respect of Newfoundland, the United Mexican States, and the Government of the United States of America, meeting in Washington, D.C., at the Second North American Regional Broadcasting Conference from February 4 to 25, 1946, for the purpose of considering the problems incident to the expiration on March 28, 1946, of the North American Regional Broadcasting Agreement, signed in Habana, Cuba, on December 13, 1937, as well as improvements in the use of the standard broadcast band in the North American Region,

55 Stat. 1005.

A G R E E:

ARTICLE I

To continue, during the interim period described in ARTICLE XVII hereof, the application within their respective jurisdictions of all the provisions of the North American Regional Broadcasting Agreement signed at Habana December 13, 1937, subject to the modifications and additions hereinafter stipulated.

Post, p. 1865.

55 Stat. 1005.

ARTICLE II

Parts V and VI of the North American Regional Broadcasting Agreement, Habana 1937, are hereby expressly made inapplicable to this Interim Agreement.

Inapplicability of
certain provisions.
55 Stat. 1017.

ARTICLE III

Cuba agrees to relinquish to the United States of America the use of the clear channel 1540 kc with Class I-A privileges in exchange for the use of the frequency 640 kc in the manner stipulated in Annex 1 hereof.

Post, p. 1867.

ARTICLE IV

Cuba shall have the right to use the additional broadcasting facilities detailed in Annex 1 hereof with the power, and under the

Post, p. 1867.

conditions of operation and limitations specified therein. The so-called 650-mile rule contained in Part II, C, Section 4, paragraph B, of the North American Regional Broadcasting Agreement, Habana 1937, shall not be applicable to Cuba in connection with the use of those frequencies in Annex I hereof.

55 Stat. 1010.

ARTICLE V

Cuba shall have the right to operate Special Class II stations on the regional frequencies described in Annex 2, with the power and under the conditions of operation and limitations specified therein.

Post, p. 1869.

ARTICLE VI

The Government of the Bahama Islands will cease all operations on the frequency of 640 kc not later than August 1, 1946. On or before June 1, 1946, the Government of the Bahama Islands shall notify directly the Government of Cuba the exact date on which it will cease using the said frequency.

Cessation of use of certain frequency by Bahama Islands.

ARTICLE VII

The United States of America agrees to the assignment of the frequency 1540 kc with Class I-A protection in accordance with the North American Regional Broadcasting Agreement, Habana 1937, to the Government of the Bahama Islands subject to the terms of this Agreement.

Assignment of frequency to Bahama Islands.

55 Stat. 1005.

The United States of America further agrees to collaborate with the Government of the Bahama Islands, after tests have been conducted on 1540 kc or other frequencies which may be suggested by the United States, with a view to determining whether the 1540 kc frequency or some other frequency should be substituted in the Bahama Islands for 640 kc.

ARTICLE VIII

The Governments parties to this Agreement shall cooperate to minimize interference to their respective services. Recognizing that propagation over sea water is superior to over-land propagation and that the present standards do not adequately take into account conditions of this nature, the Governments parties to this Agreement agree to cooperate with a view to minimizing interference in the event that sky wave signal intensities exceed the values stipulated in this instrument.

Minimization of interference.

ARTICLE IX

Except as herein specifically provided, nothing contained in this Interim Agreement shall limit or restrict the use of any clear channel assigned under the North American Regional Broadcasting Agreement, Habana, 1937, for use by Class I-A stations in the country in which such stations may be located.

Channel for Class I-A stations.

55 Stat. 1005.

ARTICLE X

The Governments parties hereto undertake to apply the provisions of this Interim Agreement and to take the steps necessary to enforce said provisions upon the operating agencies recognized or authorized by them to establish and operate broadcast stations within their respective countries.

ARTICLE XI

Notifications of a complete list of all broadcasting stations in the standard broadcast band actually in operation in each country having been made and accepted without objection on the part of any Government pursuant to Part III of the North American Regional Broadcasting Agreement, Habana 1937, and of changes similarly made and accepted during the life of said Agreement, the signatories and adherents hereto will continue to recognize these notifications including the specific changes and modifications stipulated in this instrument.

ARTICLE XII

A permanent North American Regional Broadcasting Engineering Committee composed of four experts, one each from Canada, Cuba, Mexico, and the United States, shall be established for the purpose of determining facts and making recommendations thereon which will enable Governments to comply with the technical provisions of this Agreement to their mutual satisfaction. The organization, duties, and procedures of the committee shall be governed by Annex 3.

ARTICLE XIII

In order to conclude a new North American Regional Broadcasting Agreement at the earliest possible date, the signatory Governments will

A. Commence immediately the necessary studies for the conclusions of such an Agreement.

B. Exchange views following their respective studies. For this purpose each Government shall, on or before October 1, 1946, submit to the Inter-American Radio Office, twelve copies of its conclusions together with supporting data.

C. Hold a meeting of their technicians in Habana, Cuba, on or about January 2, 1947, preparatory to the Third North American Regional Broadcasting Conference, who shall examine the technical aspects of the documents communicated by the interested Governments. A joint report of their findings, views and recommendations shall be circulated to the Governments by the Inter-American Radio Office not later than March 1, 1947.

D. Communicate to the other Governments through the Inter-American Radio Office, before June 1, 1947, after consideration of this joint report, their proposals for the Third North American Regional Broadcasting Conference.

List of broadcasting stations in each country.

55 Stat. 1015.

Establishment of Engineering Committee.

Post, p. 1871.

Preliminary work for new agreement.

ARTICLE XIV

The preparation and circulation of the agenda for the Third North American Regional Broadcasting Conference not later than August 1, 1947, shall be the responsibility of the Inter-American Radio Office.

Third North American Regional Broadcasting Conference.

ARTICLE XV

The Government of Canada shall be in charge of the organization and convocation of the Third North American Regional Broadcasting Conference, which shall be held in Canada on or about September 15, 1947.

ARTICLE XVI

This Interim Agreement shall be considered in connection with the provisions of the North American Regional Broadcasting Agreement, Habana 1937, but in case of conflict the terms of this Interim Agreement shall prevail.

55 Stat. 1005.

ARTICLE XVII

This Interim Agreement shall be in force for a period of three years commencing March 29, 1946, unless before its expiration there shall be signed and ratified a new North American Regional Broadcasting Agreement.

Entry into force; duration.

ARTICLE XVIII

This Interim Agreement shall remain open for signature by the Government of the Republic of Haiti, a signatory to the North American Regional Broadcasting Agreement, Habana 1937.

IN WITNESS WHEREOF the respective representatives have signed this Interim Agreement in duplicate, one in English and one in Spanish, each of which shall remain deposited in the archives of the Government of Cuba and a certified copy of each of which shall be forwarded to each Government.

DONE at Washington, this 25th day of February 1946.

FOR THE GOVERNMENT OF CANADA:

F. H. SOWARD.

G. C. W. BROWNE.

FOR THE GOVERNMENT OF CUBA:

CARLOS MARISTANY.

L. MACHADO.

NICOLÁS MENDOZA.

FOR THE GOVERNMENT OF THE DOMINICAN REPUBLIC:

J. R. RODRÍGUEZ

FOR HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM IN RESPECT OF THE BAHAMA ISLANDS:

A. D. HODGSON

FOR HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE GOVERNMENT OF NEWFOUNDLAND IN RESPECT OF NEWFOUNDLAND:

H. J. CLARKE.

FOR THE GOVERNMENT OF THE UNITED MEXICAN STATES:

With reservation in regard to Article XII.

R. AVILA CAMACHO.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

EWELL K. JETT.

HARVEY B. OTTERMAN.

FOR THE GOVERNMENT OF THE REPUBLIC OF HAITI:

SECOND NORTH AMERICAN REGIONAL BROADCASTING CONFERENCE
INTERIM AGREEMENT—ANNEX 1

Use by Cuba of Clear Channels

Cuba may operate Class II unlimited time stations on the following clear channels assigned to Class I-A stations in other countries, subject to the conditions of operation, power and limitations hereinafter specified:

FRE- QUENCY (kc)	LOCATION	MAXI- MUM POWER AT NIGHT	TYPE OF ANTEN- NA	LIMITATION TO SPECIFIED CONTOUR OR MAXIMUM RADIATION (mv/m un- attenuated field at one mile) IN DIRECTION INDICATED
640 (U. S.)	Province of Habana	25 kw	Direc- tional	225 - Los Angeles, California See* 392 - U. S. Class II Stations 500 - St. John's Newfoundland The interfering signal at this station's 0.477 mv/m 50% sky wave con- tour shall not exceed 0.025 mv/m 10% of the time.
670 (U. S.)	Province of Oriente	1 kw	Direc- tional	45 - Chicago, Illinois See*
690 (Canada)	Province of Habana	25 kw	Direc- tional*	Signal at Canadian border shall not exceed 0.039 mv/m 10% of the time. Maximum limitation 2.5 mv/m to XEN.
730 (Mexico)	Province of Oriente	10 kw	Direc- tional	175 - Cabo Catoche, Quintana See** Roo. Maximum limitation to CKAC, Montreal, Quebec 2.5 mv/m ground wave contour.
740 (Canada)	Province of Habana	10 kw	Direc- tional	Signal at Canadian Border shall not exceed 0.050 mv/m 10% of the time. Maximum limitation to KTRH at Houston, Texas—2.25 mv/m ground wave contour.
800 (Mexico)	Province of Oriente	250 w	Non- Direc- tional	75 - Cabo Catoche, Quintana See*** Roo. Maximum limitation of 2.5 mv/m ground wave contour of CHRC, Quebec, Quebec; CJAD, Montreal, Quebec; CKLW, Windsor, Ontario; CHAB, Moose Jaw, Saskatchewan.
830 (U. S.)	Province of Habana	1 kw	Direc- tional	42 - Minneapolis, Minnesota. See*

[See footnotes at end of table.]

FRE- QUENCY (kc)	LOCATION	MAXI- MUM POWER AT NIGHT	TYPE OF ANTEN- NA	LIMITATION TO SPECIFIED CONTOUR OR MAXIMUM RADIATION (mv/m un- attenuated field at one mile) IN DIRECTION INDICATED
850 (U. S.)	Province of Oriente	2 kw	Non- Direc- tional	200 - Denver, Colorado. See*
860 (Canada)	Province of Habana	15 kw	Direc- tional	Signal at Canadian Border shall not exceed 0.030 mv/m 10% of the time.
890 (U. S.)	Province of Cama- guey	1 kw	Direc- tional	35 - Chicago, Illinois. See*

*The interfering signal shall not exceed 0.025 mv/m 10% of the time at night at the present 0.4 mv/m 50% contour of the respective U. S. Class I-A stations.

**In any case, in order to prevent objectionable interference, the station at Holguin must reduce radiation so as not to exceed 10% of the time, one twentieth of the signal of XEX at any point in Mexico.

***In any case, in order to prevent objectionable interference, the station at Oriente must reduce radiation so as not to exceed 10% of the time, one twentieth of the signal of XELO at any point in Mexico.

SECOND NORTH AMERICAN REGIONAL BROADCASTING CONFERENCE
INTERIM AGREEMENT—ANNEX 2

Use By Cuba Of Special Class II Stations on Regional Channels

In addition to others specified in Table V, Appendix I of the North American Regional Broadcasting Agreement, Cuba may operate Special Class II stations on the following Regional Channels, subject to the conditions of operation, power and limitations hereinafter specified:

FRE- QUENCY (kc)	LOCATION	MAXI- MUM POWER AT NIGHT	TYPE OF AN- TENNA	MAXIMUM LIMITATIONS TO CLASS III STATIONS TO THE CONTOUR INDICATED BELOW
590	Province of Habana	25 kw	Direc- tional	Uniontown, Pennsylvania (WMBS) 1.6 mv/m Austin, Texas (KTBC) 3.0 mv/m Kalamazoo, Michigan (WKZO) 1.12 mv/m Omaha, Nebraska (WOW) 1.0 mv/m Boston, Massachusetts (WEEI) 1.0 mv/m Mexico, D. F. (XEPH) 1.83 mv/m
600	Province of Oriente	10 kw	Direc- tional	Winston Salem, North Carolina (WSJS) 1.7 mv/m Memphis, Tennessee (WREC) 0.9 mv/m Baltimore, Maryland (WCAO) 1.0 mv/m Bridgeport, Connecticut (WICC) 1.0 mv/m Merida, Yucatan (XEZ) 1.80 mv/m
630	Province of Santa Clara	25 kw	Direc- tional	Washington, D. C. (WMAL) 1.0 mv/m St. Louis, Missouri (KXOK) 1.04 mv/m Providence, Rhode Island (WPRO) 1.0 mv/m Monterey, Nuevo Leon (XEFB) 2.5 mv/m
790	Province of Habana	2 kw	Non- Direc- tional	Memphis, Tennessee (WMC) 1.6 mv/m Norfolk, Virginia (WTAR) 1.4 mv/m
		10 kw	Direc- tional	Mexico, D. F. (XERC) 1.0 mv/m

FRE- QUENCY (kc)	LOCATION	MAXI- MUM POWER AT NIGHT	TYPE OF AN- TENNA	MAXIMUM LIMITATIONS TO CLASS III STATIONS TO THE CONTOUR INDICATED BELOW
910*	Province of Habana	10 kw	Direc- tional	Richmond, Virginia (WRNL) 2.35 mv/m Johnson City, Tennessee (WJHL) 3.48 mv/m Meridian, Mississippi (WCOC) 5.60 mv/m
920	Province of Camaguey	10 kw	Direc- tional	Providence, Rhode Island (WJAR) 1.0 mv/m Fairmont, West Virginia (WMMN) 1.1 mv/m Atlanta, Georgia (WGST) 2.4 mv/m Little Rock, Arkansas (KARK) 1.0 mv/m Hermosillo, Sonora (XEBH) 1.0 mv/m
950	Province of Habana	2 kw	Non- Direc- tional	Houston, Texas (KPRC) 1.7 mv/m Spartanburg, South Carolina (WSPA) 2.5 mv/m
		10 kw	Direc- tional	Ciudad Trujillo, D. R. (HIX) 2.4 mv/m
960	Province of Camaguey	2 kw	Non- Direc- tional	Roanoke, Virginia (WDBJ) 1.2 mv/m Birmingham, Alabama (WBRC) 1.6 mv/m
		10 kw	Direc- tional	Nuevo Laredo, Tamaulipas (XEFE) 1.0 mv/m Veracruz, Veracruz (XEU) 1.0 mv/m

*Cuba agrees to make every effort to reduce as much as possible the interference to the three above U. S. Class III stations using the Regional Channel 910kc.

SECOND NORTH AMERICAN REGIONAL BROADCASTING CONFERENCE
INTERIM AGREEMENT—ANNEX 3

North American Regional Broadcasting Engineering Committee

A. The members of this Committee shall be appointed by their respective Governments under such circumstances and for such periods as each may decide. The first meeting of the committee shall be convened before June 1, 1946 by the member appointed by the United States of America for the purpose of electing a chairman, and of adopting rules of practice and procedure to be followed in the performance of the functions herein after set forth. These rules shall include detailed requirements as to the methods of measurements, and other matters of importance to the Committee. The rules will be distributed to all interested Governments.

Appointment of members.

B. This Committee shall, whenever a request is made by any signatory or adherent to this Agreement, perform the following duties:

Duties of committee.

1. Inspect new installations or changes in existing facilities prior to regular operation to insure that adequate provision is made to prevent radiation toward other countries in excess of the acceptable maximum.
2. Investigate whenever observed interference indicates the possibility of maladjustments of radio transmitting equipment, and recommend adjustments or modifications to insure that the specified radiation in pertinent directions is not exceeded.
3. Investigate whenever observed interference indicates the possibility of other maladjustments of transmitting equipment resulting in objectionable interference from causes such as excessive frequency deviation, excessive modulation, spurious emissions, or other causes and to recommend all necessary adjustments or modifications to eliminate such interference.

C. Upon receipt of a notification for construction of a new station or changes in facilities of an existing station in another country, any Government receiving such notice may request that prior to regular operation there shall be an inspection by the North American Regional Broadcasting Engineering Committee. As construction nears completion, but prior to operation, the Government of the country in which the station is located shall notify the Government of the country requesting the inspection that the installation is ready for inspection. The representatives of these Governments on the Engineering Committee will then make immediate arrangements for inspection of the facilities.

Inspection of new stations.

D. When any Government signatory or adhering to this Agreement has reason to believe that interference in excess of that permitted by this Agreement is being caused to any station located in that country

Interference by stations in other countries.

as a result of the operation of a station located in another country signatory or adhering to this Agreement, such Government shall notify its representative on the North American Regional Broadcasting Engineering Committee and the Government of the country in which the alleged interfering station is located that it has reason to believe that excessive interference is being caused and shall state the general character of such interference. On receipt of the notice, the Government to which it is addressed will refer the same to its committee member. Within ten days the interested committee members shall meet at the location of the alleged interfering station and make such measurements as appear necessary to determine material facts bearing upon the issues raised in the complaint.

E. In the event the Government requesting an inspection or investigation or the Government of a country in which an inspection or investigation is requested does not have a representative on the North American Regional Broadcasting Engineering Committee, such Government shall designate a committee representative to serve the particular case. In any case where neither Government is represented on the standing committee, both shall designate committee representatives for that purpose.

F. In making field intensity measurements or inspections, committee members shall be governed by the standards of good engineering practice accepted by the Committee.

Provision of radio measuring equipment.

G. Each committee member shall be individually provided by his Government with appropriate items of radio measuring equipment or apparatus properly calibrated in accordance with mutually acceptable standards.

Report of committee.

H. Where examination shows that the construction referred to in Paragraph "C" hereof is in accordance with the notification, and that provisions have been made for protection in accordance with the notification, the Committee will so report to the Government of the country in which the station is located and at the same time communicate a copy of such report to the Government or Governments requesting the examination. Where the examination indicates that the construction is not in accordance with the notification, or that provisions have not been made for protection in accordance with the notification, the Committee shall make such report to the Governments together with recommendations as to changes of construction, modification, or adjustments of circuits necessary to comply fully with the notification.

I. Where measurements are made following a complaint by a signatory or adhering Government, the results of such measurements with recommendations of the Committee members shall be communicated forthwith to the interested Governments.

Corrections or adjustments.

J. Upon receipt of a report that inspection of facilities shows that adequate provisions had not been made to prevent radiations in excess of the accepted maximum with recommendations as to measure necessary for correction, the Government of the country in which the facilities are located shall take steps to see that the necessary corrections or adjustments are made prior to operation of the facilities.

K. Upon receipt of a report indicating that interference investigated is, in fact, excessive, the Government of the country in which the interfering station is located shall immediately take steps providing for the elimination of such interference. If the interference found by the Committee cannot be eliminated within ten days by adjustments of equipment, the power of the offending station shall be reduced as much as is necessary to eliminate such interference.

Elimination of interference.

L. Where the committee members of the interested Governments do not agree as to their report or recommendations relating to inspection of new or changed facilities, or upon the investigation of an interference complaint, each committee member shall make a complete report covering all material facts with respect to the matters under consideration and such recommendations as he may believe proper, transmitting the same immediately to the interested Governments. Copies of both reports shall be referred to the full committee. The full committee shall review the case and make such additional investigations as it may deem necessary and then report its findings and recommendations to the Governments of the stations concerned in the matter. Upon receipt of such recommendations, the Government of the country in which the facilities concerned are located shall take such steps as is necessary to comply with the recommendations of the Committee. If the interference found by the Committee cannot be eliminated within ten days by adjustments of equipment, the power of the offending station shall be reduced as much as is necessary to eliminate such interference.

Disagreement of committee on report or recommendations.

Review of case.

I certify that the foregoing is a true and exact copy of the Interim Agreement (Modus Vivendi) and its annexes, concluded at the Second North American Regional Broadcasting Conference, to regulate the use of the standard broadcast band in the North American region, held at Washington, D.C., from February 4 to 25, 1946, and signed in Washington in two originals in the Spanish and English language which are deposited in the archives of the Government of Cuba.

In testimony whereof, I, Alberto Inocente Alvarez, Minister of State of the Republic of Cuba, have hereunto caused the Seal of the Republic of Cuba to be affixed, and I have authenticated with my signature this copy, in the city of Habana, this 3rd day of June, 1946.

[SEAL]

A. INOCENTE ALVAREZ

CONVENIO INTERINO (MODUS VIVENDI) CONCERTADO EN LA SEGUNDA CONFERENCIA REGIONAL NORTEAMERICANA DE RADIODIFUSIÓN PARA REGULAR EL USO DE LA BANDA NORMAL DE RADIODIFUSIÓN EN LA REGIÓN NORTEAMERICANA

Los infrascritos, representantes debidamente autorizados de los Gobiernos de Canadá, Cuba, la República Dominicana, el Gobierno de Su Majestad en el Reino Unido respecto de las Islas Bahamas, el Gobierno de Su Majestad en el Reino Unido y el Gobierno de Terranova con respecto a Terranova, los Estados Unidos Mexicanos y los Estados Unidos de América, reunidos en Washington, D. C., en la Segunda Conferencia Regional Norteamericana de Radiodifusión, del 4 al 25 de febrero de 1946, a fin de considerar los problemas inherentes a la expiración, el 28 de marzo de 1946, del Convenio Regional Norteamericano de Radiodifusión, firmado en La Habana, Cuba, el 13 de diciembre de 1937, así como la mejoría en el uso de la banda normal de radiodifusión en la Región Norteamericana,

A C U E R D A N

ARTÍCULO I

Continuar aplicando, dentro de sus respectivas jurisdicciones, durante el período provisional descrito en el Artículo XVII de este instrumento, todas las disposiciones administrativas y normas de ingeniería del Convenio Regional Norteamericano de Radiodifusión firmado en La Habana el 13 de diciembre de 1937, sujeto a las modificaciones y adiciones estipuladas más adelante.

ARTÍCULO II

Las Partes V y VI del Convenio Regional Norteamericano de Radiodifusión, Habana, 1937, serán inaplicables a este Convenio Interino.

ARTÍCULO III

Cuba está de acuerdo en ceder a los Estados Unidos de América, el uso del canal despejado de 1540 kc. para estación Clase I-A, a cambio de la frecuencia de 640 kc., en la forma estipulada en el Anexo 1 de este instrumento.

ARTÍCULO IV

Cuba tendrá derecho a usar las facilidades adicionales de radiodifusión detalladas en el Anexo 1 de este instrumento, con la potencia y bajo las condiciones de operación y limitaciones especificadas en el mismo. La llamada regla de las 650 millas, contenida en la Parte II,

C, Sección 4, párrafo B, del Convenio Regional Norteamericano de Radiodifusión, Habana, 1937, no será aplicable a Cuba en relación con el uso de las frecuencias relacionadas en el Anexo 1.

ARTÍCULO V

Cuba tendrá derecho a operar estaciones de la Clase II Especiales en las frecuencias regionales descritas en el Anexo 2, con la potencia y bajo las condiciones de operación y limitaciones especificadas en el mismo.

ARTÍCULO VI

El Gobierno de las Islas Bahamas cesará toda operación en la frecuencia de 640 kc. a más tardar el primero de agosto de 1946. El Gobierno de las Islas Bahamas notificará directamente al Gobierno de Cuba, en o antes del día primero de junio de 1946, la fecha exacta en que dejará de usar dicha frecuencia.

ARTÍCULO VII

Los Estados Unidos de América están de acuerdo en asignar la frecuencia de 1540 kc. con protección Clase I-A, de conformidad con el Convenio Regional Norteamericano de Radiodifusión, Habana, 1937, al Gobierno de las Islas Bahamas, con sujeción a las estipulaciones de este Convenio.

Los Estados Unidos de América están de acuerdo además, en colaborar con el Gobierno de las Islas Bahamas, después de que se hayan realizado pruebas en 1540 kc. o en otras frecuencias que pueden ser sugeridas por los Estados Unidos de América, con miras a determinar si la frecuencia de 1540 kc. o alguna otra frecuencia podría substituir, en las Islas Bahamas, la de 640 kc.

ARTÍCULO VIII

Los Gobiernos parte de este Convenio cooperarán para reducir al mínimo las interferencias a sus servicios respectivos. Reconociendo que la propagación sobre el mar es superior a la propagación sobre tierra y que las normas de ingeniería actuales no toman en cuenta de manera apropiada condiciones de esta naturaleza, los Gobiernos están de acuerdo en cooperar para reducir a un mínimo las interferencias, en caso de que las intensidades de la señal reflejada excedan de los valores estipulados en este Convenio.

ARTÍCULO IX

Salvo lo estipulado específicamente en este Convenio Interino, los Gobiernos signatarios están de acuerdo en que nada de lo que él contiene limitará o restringirá el uso de cualquier canal despejado, asignado por el Convenio Regional Norteamericano de Radiodifusión, Habana, 1937, para uso de estaciones Clase I-A en el país en el cual puedan estar ubicadas dichas estaciones.

ARTÍCULO X

Los Gobiernos signatarios y adheridos a este Convenio se comprometen a aplicar las disposiciones del mismo y a tomar las medidas necesarias para que las empresas particulares reconocidas o autorizadas por ellos para establecer y operar estaciones radiodifusoras dentro de sus países respectivos, cumplan dichas disposiciones.

ARTÍCULO XI

Las notificaciones contenidas en una lista completa de las estaciones radiodifusoras en la banda normal de radiodifusión actualmente en operación en cada país y que hayan sido hechas y aceptadas sin objeción por parte de los expresados Gobiernos de acuerdo con la Parte III del Convenio Regional Norteamericano de Radiodifusión, Habana, 1937, así como los cambios igualmente hechos y aceptados durante la vigencia de dicho Convenio, los continuarán reconociendo los signatarios y adheridos a este Convenio Interino, sujeto a los cambios y modificaciones específicos estipulados en este instrumento.

ARTÍCULO XII

Se establecerá un Comité Regional Norteamericano de Ingeniería de Radiodifusión compuesto de cuatro técnicos, uno de Canadá, uno de Cuba, uno de México y uno de los Estados Unidos de América, con el objeto de determinar hechos y hacer recomendaciones pertinentes que capaciten a los Gobiernos para cumplir las disposiciones de este Convenio, para su mutua satisfacción. La organización, deberes y procedimientos de este Comité serán regidos por el Anexo 3.

ARTÍCULO XIII

Con objeto de concertar un nuevo Convenio Regional Norteamericano de Radiodifusión en la fecha más próxima posible, los Gobiernos signatarios:

A. Iniciarán inmediatamente los estudios necesarios para la concertación de dicho Convenio.

B. Intercambiarán sus puntos de vista, una vez terminados sus estudios respectivos. Para este fin, cada Gobierno enviará a la Oficina Interamericana de Radio el primero de octubre de 1946, o antes de esa fecha, doce copias de sus conclusiones y datos que las fundamenten.

C. Celebrarán en la ciudad de La Habana, Cuba, una reunión de sus técnicos alrededor del día 2 de enero de 1947, en preparación de la Tercera Conferencia Regional Norteamericana de Radiodifusión, quienes examinarán los aspectos técnicos de los documentos presentados por los Gobiernos interesados. El informe general de los técnicos sobre sus puntos de vista, conclusiones y recomendaciones se hará circular entre los Gobiernos por la Oficina Interamericana de Radio, a más tardar el primero de marzo de 1947.

D. Comunicarán a los demás Gobiernos, a través de la Oficina Interamericana de Radio, después de considerar el informe general, y antes del primero de junio de 1947, sus proposiciones en relación con la Tercera Conferencia Regional Norteamericana de Radiodifusión.

ARTÍCULO XIV

La Oficina Interamericana de Radio será la encargada de preparar y hacer circular, a más tardar el primero de agosto de 1947, la Agenda para la Tercera Conferencia Regional Norteamericana de Radiodifusión.

ARTÍCULO XV

El Gobierno del Canadá tendrá a su cargo la organización y convocatoria de la Tercera Conferencia Regional Norteamericana de Radiodifusión, que tendrá lugar en Canadá alrededor del día 15 de septiembre de 1947.

ARTÍCULO XVI

Este Convenio Interino se aplicará en conexión con las disposiciones del Convenio Regional Norteamericano de Radiodifusión, Habana, 1937; pero, en caso de conflicto, prevalecerán las estipulaciones de este Convenio Interino.

ARTÍCULO XVII

Este Convenio Interino regirá por un período de tres años, a partir del 29 de marzo de 1946, a menos que, antes de su expiración, se haya firmado y ratificado un nuevo Convenio Regional Norteamericano de Radiodifusión.

ARTÍCULO XVIII

Este Convenio Interino estará abierto a la firma del Gobierno de la República de Haití, signatario del Convenio Regional Norteamericano de Radiodifusión, Habana, 1937.

EN TESTIMONIO DE LO CUAL, los representantes, debidamente autorizados por sus respectivos Gobiernos, firman este Convenio, cuyo texto ha sido redactado en español e inglés. Ambos textos quedarán depositados en los archivos del Gobierno de Cuba y se remitirá una copia certificada de cada uno de ellos a los Gobiernos contratantes.

HECHO en Washington, D.C., a 25 de febrero de 1946.

POR EL GOBIERNO DE CANADÁ:

F. H. SOWARD.

G. C. W. BROWNE.

POR EL GOBIERNO DE CUBA:

CARLOS MARISTANY.

L. MACHADO.

NICOLÁS MENDOZA.

POR EL GOBIERNO DE LA REPÚBLICA DOMINICANA:

J. R. RODRÍGUEZ.

POR EL GOBIERNO DE SU MAJESTAD BRITÁNICA EN EL REINO UNIDO CON RESPECTO A LAS ISLAS BAHAMAS:

A. D. HODGSON.

POR EL GOBIERNO DE SU MAJESTAD BRITÁNICA EN EL REINO UNIDO Y EL GOBIERNO DE TERRANOVA CON RESPECTO A TERRANOVA:

H. J. CLARKE.

POR EL GOBIERNO DE LOS ESTADOS UNIDOS MEXICANOS (CON RESERVA EN LO QUE RESPECTA AL ARTÍCULO XII)

R. AVILA CAMACHO.

POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA:

EWELL K. JETT.

HARVEY B. OTTERMAN.

POR EL GOBIERNO DE LA REPÚBLICA DE HAITÍ:

SEGUNDA CONFERENCIA REGIONAL NORTEAMERICANA DE
RADIODIFUSIÓN CONVENIO INTERINO—ANEXO I

Uso por Cuba de Canales Despejados

Cuba podrá operar estaciones Clase II sin limitación de tiempo en los siguientes canales despejados asignados a estaciones Clase I-A en otros países, con sujeción a las condiciones de operación, potencia y limitaciones que se especifican a continuación:

FRE- CUENCIA	UBICACIÓN	POTEN- CIA MÁXIMA NO- TURNA (kw)	TIPO DE ANTENA	LIMITACIÓN AL CONTORNO ESPECIFI- CADO O RADIACIÓN MÁXIMA (mv/m) sin atenuación a una milla) EN LA DIREC- CIÓN INDICADA
640 E. U. A.	Provincia Habana	25	Direc- cional	225 - Los Angeles, California, Véase* 392 - Estaciones Clase II de E. U. 500 - De San Juan, Terranova. La señal interferente al contorno de 0.477 mv/m, onda reflejada 50% del tiempo, de esta es- tación, no deberá exceder de 0.025 mv/m, 10% del tiempo.
670 E. U. A.	Provincia Oriente	1	Direc- cional	45 - Chicago, Illinois, Véase*
690 Canadá	Provincia Habana	25	Direc- cional	La señal en la frontera canadiense no debe exceder de 0.039 mv/m, 10% del tiempo. Máxima limitación a XEN de 2.5 mv/m
730 México	Provincia Oriente	10	Direc- cional	175 - Cabo Catoche, Quintana Roo, Véase**, Máxima limitación a CKAC, Montreal, Quebec 2.5 mv/m, contorno de onda te- rrestre.
740 Canadá	Provincia Habana	10	Direc- cional	La señal en la frontera canadiense no deberá exceder de 0.050 mv/m, 10 % del tiempo. Limitación máxima a KTRH, Hous- ton, Texas, 2.25 mv/m, contorno de onda terrestre
800 México	Provincia Oriente	250 w	No di- reccional	75 - Cabo Catoche, Quintana Roo, Véase * * * Limitación máxima a 2.5 mv/m, contorno de onda te- rrestre, de CHRC, Quebec; CJAD, Montreal, Quebec; CKLW, Wind- sor, Ontario; CHAB, Moose Jaw, Saskatchewan.
830 E.U.A.	Provincia Habana	1	Direc- cional	42 - Minneapolis, Minnesota, Véase *
850 E.U.A.	Provincia Oriente	2	No di- reccional	200 - Denver, Colorado, Véase *

[See footnotes at end of table.]

FRECUENCIA	UBICACIÓN	POTENCIA MÁXIMA NOCTURNA (kw)	TIPO DE ANTENA	LIMITACIÓN AL CONTORNO ESPECIFICADO O RADIACIÓN MÁXIMA (mv/m) sin atenuación a una milla) EN LA DIRECCIÓN INDICADA
860 Canadá	Provincia Habana	15	Direccional	La señal en la frontera canadiense no deberá exceder de 0.030 mv/m, 10% del tiempo
890 E.U.A.	Provincia Camagüey	1	Direccional	35-Chicago, Illinois, Véase*

*La señal interferente no deberá exceder de 0.025 mv/m, 10 % del tiempo durante la noche, respecto del actual contorno de 0.4 mv/m, 50 % del tiempo, de las respectivas estaciones Clase I-A de E. U.

**En cualquier caso, con objeto de prevenir interferencia objetable, la estación en Holguín deberá reducir su radiación de manera que no exceda, durante 10 % del tiempo, la vigésima parte de la señal de XEX en cualquier punto de México.

***En cualquier caso, con objeto de prevenir interferencia objetable, la estación en Oriente deberá reducir su radiación de manera que no exceda, durante el 10 % del tiempo, la vigésima parte de la señal de XELO en cualquier punto de México.

SEGUNDA CONFERENCIA REGIONAL NORTEAMERICANA DE
RADIODIFUSIÓN CONVENIO INTERINO—ANEXO 2

Uso por Cuba de Estaciones Clase II Especiales
en Canales Regionales

Además de las estaciones especificadas en la Tabla V, Apéndice I, del Convenio Regional Norteamericano de Radiodifusión, Habana, 1937, Cuba podrá operar las siguientes estaciones Clase II Especiales en canales regionales, con sujeción a las condiciones de operación, potencia y limitaciones que se detallan a continuación.

FRECUENCIA (kc)	UBICACIÓN	POTENCIA MÁXIMA NOCTURNA (kw)	TIPO DE ANTENA	LIMITACIÓN MÁXIMA A ESTACIONES CLASE III AL CONTORNO INDICADO ABAJO
590	Provincia Habana	25	Direccional	Uniontown, Pennsylvania (WMBS) 1.6 mv/m Austin, Texas (KTBC) 3.0 mv/m Kalamazoo, Michigan (WKZO) 1.12 mv/m Omaha, Nebraska (WOW) 1.0 mv/m Boston, Massachusetts (WEEI) 1.0 mv/m México, D. F. (XEPH) 1.83 mv/m
600	Provincia Oriente	10	Direccional	Winston Salem, North Carolina (WSJS) 1.7 mv/m Memphis, Tennessee (WREC) 0.9 mv/m Baltimore, Maryland (WCAO) 1.0 mv/m Bridgeport, Connecticut (WICC) 1.0 mv/m Mérida, Yucatán (XEZ) 1.80 mv/m
630	Provincia Santa Clara	25	Direccional	Washington, D. C. (WMAL) 1.0 mv/m St. Louis, Missouri (KXOK) 1.04 mv/m Providence, Rhode Island (WPRO) 1.0 mv/m Monterey, Nuevo León (XEFB) 2.5 mv/m
790	Provincia Habana	2	No direccional	Memphis, Tennessee (WMC) 1.6 mv/m Norfolk, Virginia (WTAR) 1.4 mv/m
		10	Direccional	México, D. F. (XERC) 1.0 mv/m

FRECUEN- CIA (kc)	UBICACIÓN	POTEN- CIA MÁ- XIMA NOC- TURNA (kw)	TIPO DE ANTENA	LIMITACIÓN MÁXIMA A ESTA- CIONES CLASE III AL CON- TORNO INDICADO ABAJO
910*	Provincia Habana	10	Direc- cional	Richmond, Virginia (WRNL) 2.35 mv/m Johnson City, Tennessee (WJHL) 3.48 mv/m Meridian, Mississippi (WCOC) 5.60 mv/m
920	Provincia Camagüey	10	Direc- cional	Providence, Rhode Island (WJAR) 1.0 mv/m Fairmont, West Virginia (WMMN) 1.1 mv/m Atlanta, Georgia (WGST) 2.4 mv/m Little Rock, Arkansas (KARK) 1.0 mv/m Hermosillo, Sonora (XEBH) 1.0 mv/m
950	Provincia Habana	2	No di- reccional	Houston, Texas (KPRC) 1.7 mv/m Spartanburg, South Carolina (WSPA) 2.5 mv/m
		10	Direc- cional	Ciudad Trujillo, R. D. (HIX) 2.4 mv/m
960	Provincia Camagüey	2	No di- reccional	Roanoke, Virginia (WDBJ) 1.2 mv/m Birmingham, Alabama (WBRC) 1.6 mv/m Nuevo Laredo, Tamaulipas (XEFE) 1.0 mv/m
		10	Direc- cional	Veracruz, Veracruz (XEU) 1.0 mv/m

*Cuba está de acuerdo en esforzarse para reducir en lo posible la interferencia producida a las tres estaciones Clase III de los Estados Unidos que usan el canal regional de 910 kc.

SEGUNDA CONFERENCIA REGIONAL NORTEAMERICANA DE
RADIODIFUSIÓN CONVENIO INTERINO—ANEXO 3

Comité Regional Norteamericano de Ingeniería de Radiodifusión

A. Los representantes ante este Comité serán nombrados por sus Gobiernos respectivos, bajo las condiciones y por los períodos que cada uno señale. La primera reunión de este Comité será convocada para celebrarse antes del primero de junio de 1946 por el representante de los Estados Unidos de América, con el fin de elegir un Presidente y de adoptar las reglas de práctica y procedimiento que deben seguirse para el desarrollo de las funciones que se especifican más adelante. Estas reglas incluirán requisitos detallados para los métodos de mediciones y para otros asuntos de importancia para el Comité. Las reglas serán distribuidas entre los Gobiernos interesados.

B. Cada vez que un Gobierno signatario o adherido a este Convenio lo solicite, el Comité llevará a cabo las siguientes funciones:

1. Inspeccionar nuevas instalaciones o cambios en las existentes, con anticipación al comienzo de su operación regular, para asegurar que se han tomado medidas adecuadas tendientes a impedir una radiación hacia otros países que sea superior al máximo aceptable.
2. Investigar, cuando la interferencia observada indique la posibilidad de malos ajustes del equipo transmisor de radio, y recomendar ajustes o modificaciones para asegurar que no se exceda la radiación especificada en las direcciones que sean del caso.
3. Investigar, cuando la interferencia observada indique la posibilidad de malos ajustes del equipo transmisor de radio que den por resultado interferencia objetable motivada por excesiva desviación de frecuencia, excesiva modulación, emisiones espurias u otras causas y recomendar los ajustes o modificaciones necesarios para eliminar dicha interferencia.

C. Al recibo de una notificación sobre la construcción de una nueva estación o de cambios a las existentes en otro país, cualquier gobierno que la reciba puede solicitar que, con anterioridad a la operación regular, se lleve a cabo una inspección por parte del Comité Regional Norteamericano de Ingeniería de Radiodifusión. Al aproximarse la terminación de la construcción, pero con anterioridad a su operación, el gobierno del país en donde esté ubicada la estación notificará al gobierno que solicita la inspección, que la instalación está lista para ese objeto. Los representantes de estos Gobiernos ante el Comité de Ingeniería harán entonces arreglos inmediatos para la inspección de la instalación.

D. Cuando cualquier gobierno signatario o adherido a este Convenio tenga alguna razón para creer que una interferencia superior a la permitida por este Convenio está siendo producida a una estación

ubicada en su país, como consecuencia de la operación de una estación situada en otro país signatario o adherido al Convenio, dicho gobierno notificará a su representante ante el Comité Regional Norteamericano de Ingeniería de Radiodifusión y al gobierno del país en el cual esté situada la estación señalada como interferente, que hay razón para creer que se está causando interferencia excesiva y definirá el carácter general de tal interferencia. Al recibo del aviso, el gobierno al cual se dirige lo turnará a su representante en el Comité. Dentro de un plazo de diez días, los representantes interesados del Comité deberán reunirse en el lugar de ubicación de la estación señalada como interferente y realizarán aquellas mediciones que les parezcan necesarias para determinar hechos materiales que sostengan los puntos en que se basa la queja.

E. Cuando el gobierno que solicite una inspección o investigación, o cuando el gobierno de un país señalado para efectuar una inspección o investigación, no tenga un representante ante el Comité Regional Norteamericano de Ingeniería de Radiodifusión, ese gobierno designará un representante ante el Comité que actúe para el caso particular. En la eventualidad de que ninguno de los dos gobiernos esté representado en el Comité, ambos designarán representantes ante dicho Comité para tomar parte en la inspección o investigación solicitada.

F. Al efectuar mediciones de intensidad de campo o inspecciones, los representantes ante el Comité se regirán por las normas de buena ingeniería aceptadas por el Comité.

G. Cada representante ante el Comité deberá ser provisto individualmente por su gobierno de los elementos apropiados para el equipo destinado a mediciones de radio, o de los aparatos debidamente calibrados, de acuerdo con normas mutuamente aceptables.

H. Cuando el examen demuestre que la construcción a que se refiere el párrafo C de este Artículo está de acuerdo con la notificación, y que se han tomado medidas para la protección, de conformidad con la misma notificación, el Comité lo informará así al gobierno del país en el cual esté ubicada la estación y, al mismo tiempo, comunicará este informe al gobierno o gobiernos que solicitaron el examen. Cuando el examen indique que la construcción no está de acuerdo con la notificación, o que no se han tomado medidas para la protección conforme a la notificación, el Comité rendirá informe en ese sentido a los gobiernos, juntamente con las recomendaciones relativas a cambios de construcción, modificación o ajustes de circuitos que sea necesario efectuar para cumplir completamente con la notificación.

I. Cuando se hayan hecho mediciones como consecuencia de una queja de un gobierno signatario o adherido al Convenio, deberán comunicarse inmediatamente a los gobiernos interesados los resultados de dichas mediciones, con las recomendaciones de los representantes ante el Comité.

J. Al recibo de un informe en el sentido de que la inspección de la instalación demuestra que no se han tomado medidas adecuadas para evitar radiaciones superiores al máximo aceptado, juntamente con recomendaciones acerca de las medidas necesarias para la corrección, el gobierno del país en donde esté ubicada la instalación dará pasos

encaminados a que las correcciones o ajustes necesarios se lleven a cabo con anterioridad a la operación de la instalación.

K. Al recibo de un informe que indique que la interferencia investigada es, en efecto, excesiva, el gobierno del país en el cual esté ubicada la estación interferente tomará inmediatamente medidas tendientes a la eliminación de dicha interferencia. Si la interferencia encontrada por el Comité no puede ser eliminada dentro del término de diez días mediante ajustes del equipo, deberá reducirse la potencia de la estación interferente en la medida que sea necesaria para eliminar dicha interferencia.

L. Cuando los representantes de los gobiernos ante el Comité no estén de acuerdo en cuando al informe o las recomendaciones relacionadas con la inspección de instalaciones nuevas o modificadas, o sobre la investigación de una queja relativa a interferencia, cada representante ante el Comité rendirá un informe completo que cubra todos los hechos materiales con respecto a los asuntos sometidos a su consideración. Incluirá en él aquellas recomendaciones que estime apropiadas, y lo transmitirá inmediatamente a los gobiernos interesados. Se enviarán copias de ambos informes al Comité en pleno. Éste revisará el caso y conducirá las investigaciones adicionales que estime necesarias y después hará conocer sus conclusiones y recomendaciones a los gobiernos donde se encuentren ubicadas las estaciones relacionadas con el caso. Al recibo de estas recomendaciones, el gobierno del país en el que se encuentren ubicadas las estaciones concernientes, dará los pasos necesarios para cumplir las recomendaciones del Comité. Si la interferencia comprobada por el Comité no puede ser eliminada dentro de un plazo de diez días mediante ajustes del equipo, la potencia de la estación interferente deberá ser reducida en la medida que sea necesaria para eliminar dicha interferencia.

CERTIFICO: que lo que antecede es una copia fiel y exacta del Convenio Interino (Modus Vivendi) concertado en la Segunda Conferencia Regional Norteamericana de Radiodifusión para regular el uso de la banda normal de radiodifusión en la Región Norteamericana, reunida en Washington, D.C. del cuatro al veinticinco de febrero de mil novecientos cuarenta y seis, y firmado en Washington el día veinticinco de febrero de mil novecientos cuarenta y seis en dos originales redactados en los idiomas castellano e inglés, los cuales están depositados en los archivos del Gobierno de Cuba.

En testimonio de lo cual, yo, Alberto Inocente Alvarez, Ministro de Estado, de la República de Cuba, he hecho fijar el Sello de la República de Cuba y he autenticado con mi firma la presente copia, en la Ciudad de La Habana, este 3^{er} día del mes de junio de mil novecientos cuarenta y seis.

A. INOCENTE ALVAREZ

[SEAL]

October 16, 1945
[T. I. A. S. 1554]

United Nations Food and Agriculture Organization, constitution adopted by the United States of America and other governments. Signed at Quebec October 16, 1945; effective October 16, 1945.

CONSTITUTION OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

PREAMBLE

The Nations accepting this Constitution, being determined to promote the common welfare by furthering separate and collective action on their part for the purposes of

raising levels of nutrition and standards of living of the peoples under their respective jurisdictions,

securing improvements in the efficiency of the production and distribution of all food and agricultural products,

bettering the condition of rural populations, and thus contributing toward an expanding world economy,

hereby establish the Food and Agriculture Organization of the United Nations, hereinafter referred to as the "Organization", through which the Members will report to one another on the measures taken and the progress achieved in the fields of action set forth above.

ARTICLE I

FUNCTIONS OF THE ORGANIZATION

1. The Organization shall collect, analyse, interpret, and disseminate information relating to nutrition, food and agriculture.

2. The Organization shall pro-

mote and, where appropriate, shall recommend national and international action with respect to

(a) scientific, technological, social, and economic research relating to nutrition, food and agriculture;

(b) the improvement of education and administration relating to nutrition, food and agriculture, and the spread of public knowledge of nutritional and agricultural science and practice;

(c) the conservation of natural resources and the adoption of improved methods of agricultural production;

(d) the improvement of the processing, marketing, and distribution of food and agricultural products;

(e) the adoption of policies for the provision of adequate agricultural credit, national and international;

(f) the adoption of international policies with respect to agricultural commodity arrangements.

3. It shall also be the function of the Organization

(a) to furnish such technical assistance as governments may request;

(b) to organize, in cooperation with the governments concerned, such missions as may be

needed to assist them to fulfil the obligations arising from their acceptance of the recommendations of the United Nations Conference on Food and Agriculture; and

(c) generally to take all necessary and appropriate action to implement the purposes of the Organization as set forth in the Preamble.

ARTICLE II

MEMBERSHIP

1. The original Members of the Organization shall be such of the nations specified in Annex I as accept this Constitution in accordance with the provisions of Article XXI.

2. Additional Members may be admitted to the Organization by a vote concurred in by a two-thirds majority of all the members of the Conference and upon acceptance of this Constitution as in force at the time of admission.

ARTICLE III

THE CONFERENCE

1. There shall be a Conference of the Organization in which each Member nation shall be represented by one member.

2. Each Member nation may appoint an alternate, associates, and advisers to its member of the Conference. The Conference may make rules concerning the participation of alternates, associates, and advisers in its proceedings, but any such participation shall be without the right to vote except in the case of an alternate or associate participating in the place of a member.

3. No member of the Conference may represent more than one Member nation.

4. Each Member nation shall

have only one vote.

5. The Conference may invite any public international organization which has responsibilities related to those of the Organization to appoint a representative who shall participate in its meetings on the conditions prescribed by the Conference. No such representative shall have the right to vote.

6. The Conference shall meet at least once in every year.

7. The Conference shall elect its own officers, regulate its own procedure, and make rules governing the convocation of sessions and the determination of agenda.

8. Except as otherwise expressly provided in this Constitution or by rules made by the Conference, all matters shall be decided by the Conference by a simple majority of the votes cast.

ARTICLE IV

FUNCTIONS OF THE CONFERENCE

1. The Conference shall determine the policy and approve the budget of the Organization and shall exercise the other powers conferred upon it by this Constitution.

2. The Conference may by a two-thirds majority of the votes cast make recommendations concerning questions relating to food and agriculture to be submitted to Member nations for consideration with a view to implementation by national action.

3. The Conference may by a two-thirds majority of the votes cast submit conventions concerning questions relating to food and agriculture to Member nations for consideration with a view to their acceptance by the appropriate constitutional procedure.

4. The Conference shall make rules laying down the procedure to be followed to secure:

(a) proper consultation with governments and adequate technical preparation prior to consideration by the Conference of proposed recommendations and conventions; and

(b) proper consultation with governments in regard to relations between the Organization and national institutions or private persons.

5. The Conference may make recommendations to any public international organization regarding any matter pertaining to the purpose of the Organization.

6. The Conference may by a two-thirds majority of the votes cast agree to discharge any other functions consistent with the purposes of the Organization which may be assigned to it by governments or provided for by any arrangement between the Organization and any other public international organization.

ARTICLE V

THE EXECUTIVE COMMITTEE

1. The Conference shall appoint an Executive Committee consisting of not less than nine or more than fifteen members or alternate or associate members of the Conference or their advisers who are qualified by administrative experience or other special qualifications to contribute to the attainment of the purpose of the Organization. There shall be not more than one member from any Member nation. The tenure and other conditions of office of the members of the Executive Committee shall be subject to rules to be made by the Conference.

2. Subject to the provisions of paragraph 1 of this Article, the Conference shall have regard in appointing the Executive Committee to the desirability that its membership should reflect as varied as possible an experience of different types of economy in relation to food and agriculture.

3. The Conference may delegate to the Executive Committee such powers as it may determine, with the exception of the powers set forth in paragraph 2 of Article II, Article IV, paragraph 1 of Article VII, Article XIII, and Article XX of this Constitution.

4. The members of the Executive Committee shall exercise the powers delegated to them by the Conference on behalf of the whole Conference and not as representatives of their respective governments.

5. The Executive Committee shall appoint its own officers and, subject to any decisions of the Conference, shall regulate its own procedure.

ARTICLE VI

OTHER COMMITTEES AND CONFERENCES

1. The Conference may establish technical and regional standing committees and may appoint committees to study and report on any matter pertaining to the purpose of the Organization.

2. The Conference may convene general, technical, regional, or other special conferences and may provide for the representation at such conferences, in such manner as it may determine, of national and international bodies concerned with nutrition, food and agriculture.

ARTICLE VII

THE DIRECTOR-GENERAL

1. There shall be a Director-General of the Organization who shall be appointed by the Conference by such procedure and on such terms as it may determine.

2. Subject to the general supervision of the Conference and its Executive Committee, the Director-General shall have full power and authority to direct the work of the Organization.

3. The Director-General or a representative designated by him shall participate, without the right to vote, in all meetings of the Conference and of its Executive Committee and shall formulate for consideration by the Conference and the Executive Committee proposals for appropriate action in regard to matters coming before them.

ARTICLE VIII

STAFF

1. The staff of the Organization shall be appointed by the Director-General in accordance with such procedure as may be determined by rules made by the Conference.

2. The staff of the Organization shall be responsible to the Director-General. Their responsibilities shall be exclusively international in character and they shall not seek or receive instructions in regard to the discharge thereof from any authority external to the Organization. The Member nations undertake fully to respect the international character of the responsibilities of the staff and not to seek to influence any of their nationals in the discharge of such responsibilities.

3. In appointing the staff the Director-General shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of selecting personnel recruited on as wide a geographical basis as is possible.

4. Each Member nation undertakes, insofar as it may be possible under its constitutional procedure, to accord to the Director-General and senior staff diplomatic privileges and immunities and to accord to other members of the staff all facilities and immunities accorded to non-diplomatic personnel attached to diplomatic missions, or alternatively to accord to such other members of the staff the immunities and facilities which may hereafter be accorded to equivalent members of the staffs of other public international organizations.

ARTICLE IX

SEAT

The seat of the Organization shall be determined by the Conference.

ARTICLE X

REGIONAL AND LIAISON OFFICES

1. There shall be such regional offices as the Director-General with the approval of the Conference may decide.

2. The Director-General may appoint officials for liaison with particular countries or areas subject to the agreement of the government concerned.

ARTICLE XI

REPORTS BY MEMBERS

1. Each Member nation shall

communicate periodically to the Organization reports on the progress made toward achieving the purpose of the Organization set forth in the Preamble and on the action taken on the basis of recommendations made and conventions submitted by the Conference.

2. These reports shall be made at such times and in such form and shall contain such particulars as the Conference may request.

3. The Director-General shall submit these reports, together with analyses thereof, to the Conference and shall publish such reports and analyses as may be approved for publication by the Conference together with any reports relating thereto adopted by the Conference.

4. The Director-General may request any Member nation to submit information relating to the purpose of the Organization.

5. Each Member nation shall, on request, communicate to the Organization, on publication, all laws and regulations and official reports and statistics concerning nutrition, food and agriculture.

ARTICLE XII

COOPERATION WITH OTHER ORGANIZATIONS

1. In order to provide for close cooperation between the Organization and other public international organizations with related responsibilities, the Conference may, subject to the provisions of Article XIII, enter into agreements with the competent authorities of such organizations defining the distribution of responsibilities and methods of cooperation.

2. The Director-General may,

subject to any decisions of the Conference, enter into agreements with other public international organizations for the maintenance of common services, for common arrangements in regard to recruitment, training, conditions of service, and other related matters, and for interchanges of staff.

ARTICLE XIII

RELATION TO ANY GENERAL WORLD ORGANIZATION

1. The Organization shall, in accordance with the procedure provided for in the following paragraph, constitute a part of any general international organization to which may be entrusted the coordination of the activities of international organizations with specialized responsibilities.

2. Arrangements for defining the relations between the Organization and any such general organization shall be subject to the approval of the Conference. Notwithstanding the provisions of Article XX, such arrangements may, if approved by the Conference by a two-thirds majority of the votes cast, involve modification of the provisions of this Constitution: Provided that no such arrangements shall modify the purposes and limitations of the Organization as set forth in this Constitution.

ARTICLE XIV

SUPERVISION OF OTHER ORGANIZATIONS

The Conference may approve arrangements placing other public international organizations dealing with questions relating to food and agriculture under the general authority of the Organization on such terms as may be agreed with

the competent authorities of the organization concerned.

ARTICLE XV

LEGAL STATUS

1. The Organization shall have the capacity of a legal person to perform any legal act appropriate to its purpose which is not beyond the powers granted to it by this Constitution.

2. Each Member nation undertakes, insofar as it may be possible under its constitutional procedure, to accord to the Organization all the immunities and facilities which it accords to diplomatic missions, including inviolability of premises and archives, immunity from suit, and exemptions from taxation.

3. The Conference shall make provision for the determination by an administrative tribunal of disputes relating to the conditions and terms of appointment of members of the staff.

ARTICLE XVI

FISH AND FOREST PRODUCTS

In this Constitution the term "agriculture" and its derivatives include fisheries, marine products, forestry, and primary forestry products.

ARTICLE XVII

INTERPRETATION OF CONSTITUTION

Any question or dispute concerning the interpretation of this Constitution or any international convention adopted thereunder shall be referred for determination to an appropriate international court or arbitral tribunal in the manner prescribed by rules to be adopted by the Conference.

ARTICLE XVIII

EXPENSES

1. Subject to the provisions of Article XXV, the Director-General shall submit to the Conference an annual budget covering the anticipated expenses of the Organization. Upon approval of a budget the total amount approved shall be allocated among the Member nations in proportions determined, from time to time, by the Conference. Each Member nation undertakes, subject to the requirements of its constitutional procedure, to contribute to the Organization promptly its share of the expenses so determined.

2. Each Member nation shall, upon its acceptance of this Constitution, pay as its first contribution its proportion of the annual budget for the current financial year.

3. The financial year of the Organization shall be July 1 to June 30 unless the Conference should otherwise determine.

ARTICLE XIX

WITHDRAWAL

Any Member nation may give notice of withdrawal from the Organization at any time after the expiration of four years from the date of its acceptance of this Constitution. Such notice shall take effect one year after the date of its communication to the Director-General of the Organization subject to the Member nation's having at that time paid its annual contribution for each year of its membership including the financial year following the date of such notice.

ARTICLE XX

AMENDMENT OF CONSTITUTION

1. Amendments to this Consti-

tution involving new obligations for Member nations shall require the approval of the Conference by a vote concurred in by a two-thirds majority of all the members of the Conference and shall take effect on acceptance by two-thirds of the Member nations for each Member nation accepting the amendment and thereafter for each remaining Member nation on acceptance by it.

2. Other amendments shall take effect on adoption by the Conference by a vote concurred in by a two-thirds majority of all the members of the Conference.

ARTICLE XXI

ENTRY INTO FORCE OF CONSTITUTION

1. This Constitution shall be open to acceptance by the nations specified in Annex I.

2. The instruments of acceptance shall be transmitted by each government to the United Nations Interim Commission on Food and Agriculture, which shall notify their receipt to the governments of the nations specified in Annex I. Acceptance may be notified to the Interim Commission through a diplomatic representative, in which case the instrument of acceptance must be transmitted to the Commission as soon as possible thereafter.

3. Upon the receipt by the Interim Commission of twenty notifications of acceptance the Interim Commission shall arrange for this Constitution to be signed in a single copy by the diplomatic representatives, duly authorized thereto, of the nations who shall have notified their acceptance, and

upon being so signed on behalf of not less than twenty of the nations specified in Annex I this Constitution shall come into force immediately.

4. Acceptances the notification of which is received after the entry into force of this Constitution shall become effective upon receipt by the Interim Commission or the Organization.

ARTICLE XXII

FIRST SESSION OF THE CONFERENCE

The United Nations Interim Commission on Food and Agriculture shall convene the first session of the Conference to meet at a suitable date after the entry into force of this Constitution.

ARTICLE XXIII

LANGUAGES

Pending the adoption by the Conference of any rules regarding languages, the business of the Conference shall be transacted in English.

ARTICLE XXIV

TEMPORARY SEAT

The temporary seat of the Organization shall be at Washington unless the Conference should otherwise determine.

ARTICLE XXV

FIRST FINANCIAL YEAR

The following exceptional arrangements shall apply in respect of the financial year in which this Constitution comes into force:

(a) the budget shall be the

provisional budget set forth in Annex II to this Constitution; and

(b) the amounts to be contributed by the Member nations shall be in the proportions set forth in Annex II to this Constitution: Provided that each Member nation may deduct therefrom the amount already contributed by it toward the expenses of the Interim Commission.

ARTICLE XXVI

DISSOLUTION OF THE INTERIM COMMISSION

On the opening of the first session of the Conference, the United Nations Interim Commission on Food and Agriculture shall be deemed to be dissolved and its records and other property shall become the property of the Organization.

ANNEX I

NATIONS ELIGIBLE FOR ORIGINAL MEMBERSHIP

AUSTRALIA	INDIA
BELGIUM	IRAN
BOLIVIA	IRAQ
BRAZIL	LIBERIA
CANADA	LUXEMBOURG
CHILE	MEXICO
CHINA	NETHERLANDS
COLOMBIA	NEW ZEALAND
COSTA RICA	NICARAGUA
CUBA	NORWAY
CZECHOSLOVAKIA	PANAMA
DENMARK	PARAGUAY
DOMINICAN REPUBLIC	PERU
ECUADOR	PHILIPPINE COMMONWEALTH
EGYPT	POLAND
EL SALVADOR	UNION OF SOUTH AFRICA
ETHIOPIA	UNION OF SOVIET SOCIALIST REPUBLICS
FRANCE	UNITED KINGDOM
GREECE	UNITED STATES OF AMERICA
GUATEMALA	URUGUAY
HAITI	VENEZUELA
HONDURAS	YUGOSLAVIA
ICELAND	

ANNEX II

BUDGET FOR THE FIRST FINANCIAL YEAR

The provisional budget for the first financial year shall be a sum of 2,500,000 U. S. dollars, the unspent balance of which shall constitute the nucleus of a capital fund.

This sum shall be contributed

by the Member nations in the following proportions:

	<i>Per cent</i>
Australia	3.33
Belgium	1.28
Bolivia . . . . .	.29
Brazil	3.46
Canada	5.06

	<i>Per cent</i>		<i>Per cent</i>
Chile	1. 15	Luxembourg . . . . .	.05
China	6. 50	Mexico	1. 87
Colombia . . . . .	. 71	Netherlands	1. 38
Costa Rica . . . . .	.05	New Zealand	1. 15
Cuba . . . . .	. 71	Nicaragua . . . . .	.05
Czechoslovakia	1. 40	Norway . . . . .	.62
Denmark . . . . .	. 62	Panama . . . . .	.05
Dominican Republic . . . . .	.05	Paraguay . . . . .	.05
Ecuador . . . . .	.05	Peru . . . . .	.71
Egypt	1. 73	Philippines . . . . .	.25
El Salvador . . . . .	.05	Poland	1. 19
Ethiopia . . . . .	.29	Union of South Africa	2. 31
France	5. 69	U. S. S. R.	8. 00
Greece . . . . .	.38	United Kingdom	15. 00
Guatemala . . . . .	.05	U. S. A.	25. 00
Haiti . . . . .	.05	Uruguay . . . . .	.58
Honduras . . . . .	.05	Venezuela . . . . .	.58
Iceland . . . . .	.05	Yugoslavia . . . . .	.71
India	4. 25	Provision for new Members	2. 00
Iran . . . . .	. 71		
Iraq . . . . .	.44	Total	100. 00
Liberia . . . . .	.05		

Done at Quebec, Canada, this sixteenth day of October, one thousand nine hundred and forty-five, in the English language, in a single copy which will be deposited in the archives of the Food and Agriculture Organization of the United Nations and of which authenticated copies will be transmitted by the Director-General to the governments of the nations enumerated in Annex I to this Constitution and of Members admitted to the Organization by the Conference in accordance with the provisions of Article II.

IN WITNESS WHEREOF *we have appended our signatures:*

For Australia:

ALFRED STIRLING

For the Kingdom of Belgium:

A. WAUTERS

For Bolivia: V ANDRADE

Sujeto a ratificacion de acuerdo a la Constitucion

For Brazil:

LOURIVAL FONTES.

For Canada:

JAMES G. GARDINER

For Chile:

For China:

P. W. TSOU

For Colombia:

The Plenipotentiary of Colombia signs the present agreement ad referendum, subject to ratification in accordance with Colombian constitutional procedure.

GUILLERMO ELISEO SUÁREZ.

For Costa Rica:

For Cuba:

ENRIQUE PEREZ-CISNEROS.

Sujeto a aprobacion por el Senado.

For Czechoslovakia:

FRANTISÈK PAVLÁSEK

For Denmark:

HENRIK KAUFFMANN

For the Dominican Republic:

MARIO E. DE MOYA.

For Ecuador:

L. N. PONCE

Sujeto a ratificación, de acuerdo con la Constitución Ecuatoriana.

For Egypt:

ANIS AZER

For El Salvador:

For Ethiopia:

For France:

TANGUYPRIGENT ANDRÉ MAYER

For Greece:

NICHOLAS G. LÉLY

For Guatemala:

ENRIQUE LOPEZ-HERRARTE.

Ad. Referendum

For Haiti:

E BAKER

For Honduras:

JULIÁN R CÁCERES

For Iceland:

THOR THORS.

For India: G. S. BAJPAL.

For Iran:

For Iraq: ALI JAWDAT

For Liberia:

F. A. PRICE

For the Grand Duchy of Luxembourg:

HUGUES LE GALLAIS

For Mexico:

MANUEL J ZEVADA.

Subject to ratification in accordance with the Mexican Constitution.

For the Kingdom of the Netherlands:

S. L. MANSHOLT.

For New Zealand:

DAVID WILSON.

For Nicaragua:

ALBERTO SEVILLA SACASA.

Ad-Referendum

For the Kingdom of Norway:

ANDERS FJELSTAD

For Panama:

J E HEURTEMATTE

For Paraguay:

For Peru:

J CHAVEZ

Ad referendum.

For the Philippine Commonwealth:

MAXIMO KALAW

For Poland:

ST MIKOLAJCZYK

For the Union of South Africa:

P. R. VILJOEN

For the Union of Soviet Socialist Republics:

For the United Kingdom of Great Britain and Northern Ireland:

On signing the present constitution, I declare that the acceptance of the constitution by the government of the United Kingdom of Great Britain and Northern Ireland includes all colonies and overseas territories of His Majesty, and all territories under His Majesty's Protection, or in respect of which His Majesty has accepted a mandate from the League of Nations which is being exercised by His Government in the United Kingdom.

ROGER MAKINS

For the United States of America:

CLINTON P. ANDERSON

For Uruguay:

Ad referendum de ratificación Legislativa de acuerdo a las disposiciones constitucionales correspondientes

JUAN FELIPE YRIART

For Venezuela:

The Plenipotentiary of Venezuela signed the present agreement ad referendum and therefore it will not become effective with respect to Venezuela until ratified by the public powers of the nation in accordance with Venezuelan constitutional procedure.

M. A. FALCÓN-BRICEÑO

For Yugoslavia:

I certify that the foregoing is a true copy of the Constitution of the Food and Agriculture Organization of the United Nations, opened for signature in Quebec, Canada, on October 16, 1945, in the English language, the signed original of which is deposited in the archives of the Food and Agriculture Organization of the United Nations.

WASHINGTON, D. C.

May 2, 1946

JOHN B. ORR

Director-General

Moscow Agreement, 1945, between the United States of America, the Union of Soviet Socialist Republics, and the United Kingdom. Formulated at the Meeting of the Ministers of Foreign Affairs of those countries held at Moscow December 16-26, 1945. Signed at Moscow December 27, 1945.

December 27, 1945
[T. I. A.S. 1555]

DECEMBER 27, 1945

COMMUNIQUE ON THE MOSCOW CONFERENCE OF THE THREE
FOREIGN MINISTERS

The Foreign Ministers of the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America met in Moscow from December 16 to December 26, 1945, in accordance with the decision of the Crimea Conference, confirmed at the Berlin Conference, that there should be periodic consultation between them. At the meeting of the three Foreign Ministers, discussions took place on an informal and exploratory basis and agreement was reached on the following questions:

Dec 27/45

JAMES F. BYRNES
ERNEST BEVIN
V. MOLOTOV.

DECEMBER 26, 1945

REPORT OF THE MEETING OF THE MINISTERS OF FOREIGN AFFAIRS OF THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM

At the meeting which took place in Moscow from December 16 to December 26, 1945 of the Ministers of Foreign Affairs of the Union of Soviet Socialist Republics, the United States of America and the United Kingdom, agreement was reached on the following questions:

I.

Preparation of peace treaties with Italy, Rumania, Bulgaria, Hungary and Finland:

As announced on the 24th of December, 1945, the Governments of the Soviet Union, the United Kingdom and the United States have agreed and have requested the adherence of the Governments of France and China to the following procedure with respect to the preparation of peace treaties:

Drafting of peace treaties.

1. In the drawing up by the Council of Foreign Ministers of treaties of peace with Italy, Rumania, Bulgaria, Hungary, and Finland, only members of the Council who are, or under the terms of the Agreement establishing the Council of Foreign Ministers adopted at the Berlin Conference are deemed to be, signatory of the Surrender Terms, will participate, unless and until the Council takes further action under the Agreement to invite other members of the Council to participate on questions directly concerning them. That is to say:

- A) the terms of the peace treaty with Italy will be drafted by the Foreign Ministers of the United Kingdom, the United States, the Soviet Union and France;
- B) the terms of the peace treaties with Rumania, Bulgaria, and Hungary by the Foreign Ministers of the Soviet Union, the United States and the United Kingdom;
- C) the terms of the peace treaty with Finland by the Foreign Ministers of the Soviet Union and the United Kingdom.

The Deputies of the Foreign Ministers will immediately resume their work in London on the basis of understandings reached on the questions discussed at the first plenary session of the Council of Foreign Ministers in London.

Conference.

2. When the preparation of all these drafts has been completed, the Council of Foreign Ministers will convoke a conference for the purpose of considering treaties of peace with Italy, Rumania, Bulgaria, Hungary and Finland. The conference will consist of the five members

of the Council of Foreign Ministers together with all members of the United Nations which actively waged war with substantial military force against European enemy states, namely: Union of Soviet Socialist Republics, United Kingdom, United States of America, China, France, Australia, Belgium, Belorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, the Netherlands, New Zealand, Norway, Poland, Union of South Africa, Yugoslavia, Ukrainian Soviet Socialist Republic. The conference will be held not later than May 1, 1946.^[1]

3. After the conclusion of the deliberations of the conference and upon consideration of its recommendations the States signatory to the terms of armistice with Italy, Rumania, Bulgaria, Hungary and Finland—France being regarded as such for the purposes of the peace treaty with Italy—will draw up final texts of peace treaties.

Final texts of peace treaties.

4. The final texts of the respective peace treaties as so drawn up will be signed by representatives of the States represented at the conference which are at war with the enemy states in question. The texts of the respective peace treaties will then be submitted to the other United Nations which are at war with the enemy states in question.

Signing of treaties.

5. The peace treaties will come into force immediately after they have been ratified by the Allied States signatory to the respective armistices, France being regarded as such in the case of the peace treaty with Italy. These treaties are subject to ratification by the enemy states in question.

Entry into force.

II.

Far Eastern Commission and Allied Council for Japan:

A. Far Eastern Commission.

Agreement was reached, with the concurrence of China, for the establishment of a Far Eastern Commission to take the place of the Far Eastern Advisory Commission. The Terms of Reference for the Far Eastern Commission are as follows:

I. ESTABLISHMENT OF THE COMMISSION.

A Far Eastern Commission is hereby established composed of the representatives of the Union of Soviet Socialist Republics, United Kingdom, United States, China, France, the Netherlands, Canada, Australia, New Zealand, India, and the Philippine Commonwealth.

II. FUNCTIONS.

A. The functions of the Far Eastern Commission shall be:

1. To formulate the policies, principles, and standards in conformity with which the fulfillment by Japan of its obligations under the Terms of Surrender may be accomplished.

¹ [The Paris Conference was convened on July 29, 1946 to consider the peace treaties with Italy, Rumania, Bulgaria, Hungary, and Finland.]

2. To review, on the request of any member, any directive issued to the Supreme Commander for the Allied Powers or any action taken by the Supreme Commander involving policy decisions within the jurisdiction of the Commission.

3. To consider such other matters as may be assigned to it by agreement among the participating Governments reached in accordance with the voting procedure provided for in Article V-2 hereunder.

B. The Commission shall not make recommendations with regard to the conduct of military operations nor with regard to territorial adjustments.

C. The Commission in its activities will proceed from the fact that there has been formed an Allied Council for Japan and will respect existing control machinery in Japan, including the chain of command from the United States Government to the Supreme Commander and the Supreme Commander's command of occupation forces.

Post, p. 1903.

III. FUNCTIONS OF THE UNITED STATES GOVERNMENT.

Directives.

1. The United States Government shall prepare directives in accordance with policy decisions of the Commission and shall transmit them to the Supreme Commander through the appropriate United States Government agency. The Supreme Commander shall be charged with the implementation of the directives which express the policy decisions of the Commission.

2. If the Commission decides that any directive or action reviewed in accordance with Article II-A-2 should be modified, its decision shall be regarded as a policy decision.

Interim directives.

3. The United States Government may issue interim directives to the Supreme Commander pending action by the Commission whenever urgent matters arise not covered by policies already formulated by the Commission; provided that any directives dealing with fundamental changes in the Japanese constitutional structure or in the regime of control, or dealing with a change in the Japanese Government as a whole will be issued only following consultation and following the attainment of agreement in the Far Eastern Commission.

4. All directives issued shall be filed with the Commission.

IV. OTHER METHODS OF CONSULTATION.

The establishment of the Commission shall not preclude the use of other methods of consultation on Far Eastern issues by the participating Governments.

V. COMPOSITION.

1. The Far Eastern Commission shall consist of one representative of each of the States party to this agreement. The membership of the Commission may be increased by agreement among the participating Powers as conditions warrant by the addition of representatives of other United Nations in the Far East or having territories therein.

The Commission shall provide for full and adequate consultations, as occasion may require, with representatives of the United Nations not members of the Commission in regard to matters before the Commission which are of particular concern to such nations.

2. The Commission may take action by less than unanimous vote provided that action shall have the concurrence of at least a majority of all the representatives including the representatives of the four following Powers: United States, United Kingdom, Union of Soviet Socialist Republics and China.

Action by less than unanimous vote.

VI. LOCATION AND ORGANIZATION.

1. The Far Eastern Commission shall have its headquarters in Washington. It may meet at other places as occasion requires, including Tokyo, if and when it deems it desirable to do so. It may make such arrangements through the Chairman as may be practicable for consultation with the Supreme Commander for the Allied Powers.

2. Each representative on the Commission may be accompanied by an appropriate staff comprising both civilian and military representation.

3. The Commission shall organize its secretariat, appoint such committees as may be deemed advisable, and otherwise perfect its organization and procedure.

VII. TERMINATION.

The Far Eastern Commission shall cease to function when a decision to that effect is taken by the concurrence of at least a majority of all the representatives including the representatives of the four following Powers: United States, United Kingdom, Union of Soviet Socialist Republics and China. Prior to the termination of its functions the Commission shall transfer to any interim or permanent security organization of which the participating governments are members those functions which may appropriately be transferred.

It was agreed that the Government of the United States on behalf of the four Powers should present the Terms of Reference to the other Governments specified in Article I and invite them to participate in the Commission on the revised basis.

B. Allied Council for Japan.

The following agreement was also reached, with the concurrence of China, for the establishment of an Allied Council for Japan:

1. There shall be established an Allied Council with its seat in Tokyo under the chairmanship of the Supreme Commander for the Allied Powers (or his Deputy) for the purpose of consulting with and advising the Supreme Commander in regard to the implementation of the Terms of Surrender, the occupation and control of Japan, and of directives supplementary thereto; and for the purpose of exercising the control authority herein granted.

Membership.

2. The membership of the Allied Council shall consist of the Supreme Commander (or his Deputy) who shall be Chairman and

United States member; a Union of Soviet Socialist Republics member; a Chinese member; and a member representing jointly the United Kingdom, Australia, New Zealand, and India.

3. Each member shall be entitled to have an appropriate staff consisting of military and civilian advisers.

Meetings.

4. The Allied Council shall meet not less often than once every two weeks.

5. The Supreme Commander shall issue all orders for the implementation of the Terms of Surrender, the occupation and control of Japan, and directives supplementary thereto. In all cases action will be carried out under and through the Supreme Commander who is the sole executive authority for the Allied Powers in Japan. He will consult and advise with the Council in advance of the issuance of orders on matters of substance, the exigencies of the situation permitting. His decisions upon these matters shall be controlling.

6. If, regarding the implementation of policy decisions of the Far Eastern Commission on questions concerning a change in the regime of control, fundamental changes in the Japanese constitutional structure, and a change in the Japanese Government as a whole, a member of the Council disagrees with the Supreme Commander (or his Deputy), the Supreme Commander will withhold the issuance of orders on these questions pending agreement thereon in the Far Eastern Commission.

7. In cases of necessity the Supreme Commander may take decisions concerning the change of individual ministers of the Japanese Government, or concerning the filling of vacancies created by the resignation of individual cabinet members, after appropriate preliminary consultation with the representatives of the other Allied Powers on the Allied Council.

III.

Korea :

Provisional Korean
democratic govern-
ment.

1. With a view to the re-establishment of Korea as an independent state, the creation of conditions for developing the country on democratic principles and the earliest possible liquidation of the disastrous results of the protracted Japanese domination in Korea, there shall be set up a provisional Korean democratic government which shall take all the necessary steps for developing the industry, transport and agriculture of Korea and the national culture of the Korean people.

Joint Commission.

2. In order to assist the formation of a provisional Korean government and with a view to the preliminary elaboration of the appropriate measures, there shall be established a Joint Commission consisting of representatives of the United States command in southern Korea and the Soviet command in northern Korea. In preparing their proposals the Commission shall consult with the Korean democratic parties and social organizations. The recommendations worked out by the Commission shall be presented for the consideration of the Governments of the Union of Soviet Socialist Republics, China, the

Recommendations.

United Kingdom and the United States prior to final decision by the two Governments represented on the Joint Commission.

3. It shall be the task of the Joint Commission, with the participation of the provisional Korean democratic government and of the Korean democratic organizations to work out measures also for helping and assisting (trusteeship) the political, economic and social progress of the Korean people, the development of democratic self-government and the establishment of the national independence of Korea.

The proposals of the Joint Commission shall be submitted, following consultation with the provisional Korean Government for the joint consideration of the Governments of the United States, Union of Soviet Socialist Republics, United Kingdom and China for the working out of an agreement concerning a four-power trusteeship of Korea for a period of up to five years.

4. For the consideration of urgent problems affecting both southern and northern Korea and for the elaboration of measures establishing permanent coordination in administrative-economic matters between the United States command in southern Korea and the Soviet command in northern Korea, a conference of the representatives of the United States and Soviet commands in Korea shall be convened within a period of two weeks.

Four-power trusteeship of Korea.

Conference of representatives of U. S. and Soviet commands in Korea.

IV. China

The three Foreign Secretaries exchanged views with regard to the situation in China. They were in agreement as to the need for a unified and democratic China under the National Government, for broad participation by democratic elements in all branches of the National Government, and for a cessation of civil strife. They reaffirmed their adherence to the policy of non-interference in the internal affairs of China.

Mr. Molotov and Mr. Byrnes had several conversations concerning Soviet and American armed forces in China.

Mr. Molotov stated that the Soviet forces had disarmed and deported Japanese troops in Manchuria but that withdrawal of Soviet forces had been postponed until February 1st at the request of the Chinese Government.

Mr. Byrnes pointed out that American forces were in north China at the request of the Chinese Government, and referred also to the primary responsibility of the United States in the implementation of the Terms of Surrender with respect to the disarming and deportation of Japanese troops. He stated that American forces would be withdrawn just as soon as this responsibility was discharged or the Chinese Government was in a position to discharge the responsibility without the assistance of American forces.

The two Foreign Secretaries were in complete accord as to the desirability of withdrawal of Soviet and American forces from China at the earliest practicable moment consistent with the discharge of their obligations and responsibilities.

V. Rumania.

The three Governments are prepared to give King Michael the advice for which he has asked in his letter of August 21, 1945, on the broadening of the Rumanian Government. The King should be advised that one member of the National Peasant Party and one member of the Liberal Party should be included in the Government. The Commission referred to below shall satisfy itself that

(a) they are truly representative members of the groups of the Parties not represented in the Government;

(b) they are suitable and will work loyally with the Government.

The three Governments take note that the Rumanian Government thus reorganized should declare that free and unfettered elections will be held as soon as possible on the basis of universal and secret ballot. All democratic and anti-fascist parties should have the right to take part in these elections and to put forward candidates. The reorganized Government should give assurances concerning the grant of freedom of the press, speech, religion and association.

A. Y. Vyshinski, Mr. Harriman, and Sir A. Clark Kerr are authorized as a Commission to proceed to Bucharest immediately to consult with King Michael and members of the present Government with a view to the execution of the above-mentioned tasks.

As soon as these tasks are accomplished and the required assurances have been received, the Government of Rumania, with which the Soviet Government maintains diplomatic relations, will be recognized by the Government of the United States of America and the Government of the United Kingdom. [1]

VI.

Bulgaria

It is understood by the three Governments that the Soviet Government takes upon itself the mission of giving friendly advice to the Bulgarian Government with regard to the desirability of the inclusion in the Bulgarian Government of the Fatherland Front, now being formed, of an additional two representatives of other democratic groups, who (a) are truly representative of the groups of the parties which are not participating in the Government, and (b) are really suitable and will work loyally with the Government.

As soon as the Governments of the United States of America and the United Kingdom are convinced that this friendly advice has been accepted by the Bulgarian Government and the said additional representatives have been included in its body, the Government of the United States and the Government of the United Kingdom will recognize the Bulgarian Government, with which the Government of the Soviet Union already has diplomatic relations.

¹ [*Department of State Bulletin*, Feb. 17, 1946, p. 256, and Feb. 24, 1946, p. 206.]

VII.

The Establishment by the United Nations
of a Commission for the Control of
Atomic Energy.

Discussion of the subject of atomic energy related to the question of the establishment of a commission by the General Assembly of the United Nations. The Ministers of Foreign Affairs of the Union of Soviet Socialist Republics, the United States of America, and the United Kingdom have agreed to recommend, for the consideration of the General Assembly of the United Nations, the establishment by the United Nations of a commission to consider problems arising from the discovery of atomic energy and related matters. They have agreed to invite the other permanent members of the Security Council, France and China, together with Canada, to join with them in assuming the initiative in sponsoring the following resolution at the first session of the General Assembly of the United Nations in January 1946:—

Resolved by the General Assembly of the United Nations to establish a Commission, with the composition and competence set out hereunder, to deal with the problems raised by the discovery of atomic energy and other related matters.

I. Establishment of the Commission

A Commission is hereby established by the General Assembly with the terms of reference set out under Section V below.

Post, p. 1908.

II. Relations of the Commission with the Organs of the United Nations

(a) The Commission shall submit its reports and recommendations to the Security Council, and such reports and recommendations shall be made public unless the Security Council, in the interests of peace and security, otherwise directs. In the appropriate cases the Security Council should transmit these Reports to the General Assembly and the members of the United Nations, as well as to the Economic and Social Council and other Organs within the framework of the United Nations.

(b) In view of the Security Council's primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, the Security Council shall issue directions to the Commission in matters affecting security. On these matters the Commission shall be accountable for its work to the Security Council.

III. Composition of the Commission

The Commission shall be composed of one representative from each of those states represented on the Security Council, and Canada when that state is not a member of the Security Council. Each representative on the Commission may have such assistants as he may desire.

IV. Rules of Procedure

The Commission shall have whatever staff it may deem necessary, and shall make recommendations for its rules of procedure to the Security Council, which shall approve them as a procedural matter.

V. Terms of Reference of the Commission

The Commission shall proceed with the utmost dispatch and inquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible. In particular the Commission shall make specific proposals:

- (a) For extending between all nations the exchange of basic scientific information for peaceful ends;
- (b) For control of atomic energy to the extent necessary to ensure its use only for peaceful purposes;
- (c) For the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction;
- (d) For effective safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions.

Work of Commission.

The work of the Commission should proceed by separate stages, the successful completion of each of which will develop the necessary confidence of the world before the next stage is undertaken.

The Commission shall not infringe upon the responsibilities of any Organ of the United Nations, but should present recommendations for the consideration of those Organs in the performance of their tasks under the terms of the United Nations Charter.

Agreement between the United States of America and the United Kingdom respecting the use and disposition of recaptured vessels. Effected by exchange of notes signed at Washington May 7 and June 15, 1945; effective from October 22, 1943.

May 7 and June 15,
1945
[T. I. A. S. 1556]

The British Ambassador to the Acting Secretary of State

BRITISH EMBASSY,
WASHINGTON, D. C.,

May 7th, 1945.

Ref: 826/8/45

DEAR MR. GREW,

With reference to recent conversations which have been held between this Embassy and the State Department I now enclose a memorandum entitled "Memorandum relating to the use and disposal of United Nations vessels captured or found in the course of operations for the liberation of Europe".

2. It is the understanding of His Majesty's Government in the United Kingdom that the United States Government are willing to apply the principles of the annexed memorandum to vessels of all the United Nations on a reciprocal basis and, with this end in view, will enter into similar agreements with all other United Nations willing to do so and will further take such steps as may be necessary to insure that claims in the nature of prize salvage will not be advanced in the United States courts against British vessels recovered in the course of the operations covered by the memorandum or against other vessels so recovered being vessels of other United Nations entering into similar arrangements. I take this opportunity of recalling to your attention the Prize Salvage Act, 1944, whereby His Majesty's Government took power to control and prevent prize salvage claims.
3. On these understandings and with these expressions of intent the present memorandum meets with the approval of His Majesty's Government in the United Kingdom. If it likewise meets with the approval of the United States Government, this note, together with your reply, indicating such approval and the concurrence of the Government of the United States, will be regarded as constituting an agreement between the two Governments. I suggest that the agreement should be regarded as being in effect from the 22nd October, 1943.
4. Similar notes are being exchanged by His Majesty's Government with the representatives of the Norwegian, Netherlands, Belgian and

Greek Governments in London, and also with the representative of the French Provisional Government.

I have the honour to be, with the highest consideration, Sir,

Your most obedient, humble servant,

(for the Ambassador)

JOHN BALFOUR.

The Honourable

JOSEPH C. GREW,

Acting Secretary of State,

Department of State,

Washington, D. C.

MEMORANDUM CONCERNING THE USE AND DISPOSAL OF UNITED NATIONS VESSELS CAPTURED OR FOUND BY THEIR FORCES IN THE COURSE OF OPERATIONS FOR THE LIBERATION OF EUROPE

This Memorandum sets out the principles which shall determine the use and disposal of United Nations vessels captured or found by their Forces in the course of operations for the liberation of Europe.

PART I.

Immediate action to be taken as regards United Nations vessels captured or found in the area of operation.

Objectives.

1. The objectives to be attained are:—

(a) not to impede the Commander-in-Chief or operations in any way;

(b) to put the vessels into useful service as soon as possible, and

(c) to avoid all local disagreements between the various United Nations Forces which may be concerned in their recovery and also between persons or organisations who may be found to be in local control of the vessels.

Responsibility of
Commander-in-
Chief.

2. The Commander-in-Chief shall, accordingly, in the first instance be solely responsible for all clearance and emergency measures in the ports within the area of his control, and for immediate operational purposes shall have absolute discretion over all United Nations vessels captured by the forces under his command, whatever their nationality, or found within the area for which he is responsible. This discretion shall cover such matters as power to order the destruction of such vessels in accordance with military necessity, to order the loading or unloading of vessels, their movements and any other steps necessary to preserve them, to put them into use in his own name insofar as he may consider necessary for the immediate operations in progress.

Use of powers of
military requisition.

3. The Commander-in-Chief for these purposes will use any powers of military requisition which may be necessary, and neither he nor his Government, nor the forces operating under his command will be held responsible in any way for any action or the results of any action taken by him or on his authority apart from any question of

ultimate liability for payments for the use or for the loss of vessels taken up for his service.

4. Any vessel not immediately required by the Commander-in-Chief in the operational area shall be ordered away so that it can be dealt with in accordance with the provisions of Part II of this Memorandum.

Disposition of vessels not immediately required.

5. The Commander-in-Chief will not enter into any general Agreement even of a temporary character dealing with the chartering of groups of United Nations vessels with any Authorities he may find in liberated or captured territories. Any such matters will be dealt with by the Shipping Authorities of the United Nations. The question as to the time at which it may be appropriate to transfer the primary responsibility for dealing with such vessels from the Commander-in-Chief to the Shipping Authorities of the United Nations will be dealt with according to the course of the operations.

Chartering of U. N. vessels.

PART II.

Arrangements to be made for the disposal of United Nations vessels captured or found in the area of operations.

1. (a) The general principle is recognised that the Government of each United Nation shall subject to the provisions of Part I of this Memorandum ultimately be entitled to take over and dispose of, as it thinks fit, vessels belonging to that State. Vessels will be treated as belonging to a State

General principle.

- (i) if they were at the time when they fell into the hands of the enemy registered in the territory of that State;
- (ii) if at the time when they fell into the hands of the enemy they had the right to fly the flag of that State whether or not formally registered in its territory;
- (iii) if they were built for or acquired by or by any national of that State and registered in its territory (if liable to registration) after the occupation of its territory by Germany or her Allies.

(b) This general principle will apply irrespective of the place of capture or of the constitution or nationality of the United Nations force effecting the actual capture and of the flag which the vessel may be flying at the time when captured or found. Thus, if in a Norwegian harbour there were captured a formerly British vessel, a formerly Norwegian vessel and a formerly Netherlands vessel, then, subject to the provisions of Part I of this Memorandum, the first would ultimately be handed over to the United Kingdom Government, the second to the Norwegian Government and the third to the Netherlands Government, even though the forces actually capturing them were not British, Norwegian or Netherlands, but belonging to some other United Nations nationality.

2. The following additional principles are recognised and accepted in respect of any United Nations vessels captured or found in the area of operations:—

Additional principles.

(a) The vessels concerned will be handed back to the Government of the United Nation concerned and not to individual nationals of the

United Nations who were the original owners. It will be for the Government of the United Nation concerned to make the necessary arrangements with its own nationals as regards the ultimate ownership of any such vessels.

(b) The Governments of each United Nation will, in respect of any vessel handed over to it under the terms of this Memorandum:—

- (i) make the vessel available for the common purposes of the United Nations in accordance with the arrangements then existing;
- (ii) accept responsibility for all liabilities in respect of the vessel and
- (iii) indemnify the other United Nations Governments concerned against any claims made against them or any one or more of them arising out of the handing over of the vessel.

Vessels placed in a Prize Court.

(c) Some United Nations vessels have been placed by the enemy in a Prize Court. If such vessels are captured or found, some form of prize proceedings will be required to divest the enemy of their title and to revest it in the Governments of the United Nations concerned. The necessary proceedings will be brought in the Prize Court of the State to which the ship is to be ultimately returned, or, failing that, in a Prize Court of the State of which the Commander-in-Chief is a national, but action in the latter Prize Court would be without prejudice to the operation of the general principle as to return stated in sub-paragraph 1 of Part II above. Except in these cases Prize Court proceedings will only be taken if in any particular instance immediate action is necessary to bring a vessel into service.

Ante, p. 1911.

(d) There may be cases in which it is subsequently proved that the true owner of a particular vessel is a State or National of a State other than that in which the vessel is registered, or that parties who are not nationals of the State of registration hold equities in the vessel or the right to possession thereof. In such cases, it is understood that Allied Governments to whom a vessel has been transferred in accordance with Article 1 of Part II of this Memorandum have by such transfer acquired custody only and will release the vessel or make such other arrangements as may be necessary in the circumstances.

Vessels for which an indemnity has been paid.

(e) In the case of vessels in respect of which total losses have been paid by underwriters, the return to a Government under the arrangements agreed in this Memorandum will be subject to the safeguarding of any rights which underwriters may have. Thus, when the owner of a vessel whether a United Nations Government or a National of a United Nations Government, has been indemnified by the underwriters, the turning over of a vessel to that Government without taking into account such indemnification, would be in the nature of a gift and in such circumstances appropriate equitable adjustments will be made between the Governments concerned.

PART III.*Definitions.*

1. Throughout this Memorandum the term "territory" is used to include Colonies, protectorates and overseas territories or territories under suzerainty or mandate. "Territory."
2. Throughout this Memorandum the term "vessels" is used in the widest sense to include all categories of merchant vessels, e.g. ocean going, coastal and inland craft, but some latitude may be necessary in the application of all its principles to inland craft. "Vessels."
3. Further, the term "vessels" includes merchant vessels which, though operating as naval auxiliaries when captured or found, were not so operating at the time when they fell into the hands of the enemy. Vessels which at the time when they fell into enemy hands were operating as naval auxiliaries are not covered by the proposals set out in this Memorandum. "Vessels."
4. If for any operation or series of operations there is a Supreme Commander-in-Chief, then he is for the purpose of this Memorandum the Commander-in-Chief. If, however, the Naval Command is separate from the Land Command, then for the purpose of this Memorandum the Naval Commander-in-Chief is the Commander-in-Chief as regards ocean going and coastal vessels and the Land Commander-in-Chief as regards all other vessels. Commander-in-Chief.

The Acting Secretary of State to the British Ambassador

DEPARTMENT OF STATE
WASHINGTON
June 15, 1945.

EXCELLENCY:

I have the honor to refer to your note of May 7, 1945 (reference 826/8/45) and to previous communications regarding the disposition to be made of vessels recaptured from the enemy in the European theater of operations and formerly belonging to one of the United Nations or to its nationals. With your note was enclosed a memorandum entitled "Memorandum relating to the use and disposal of United Nations vessels captured or found in the course of operations for the liberation of Europe".

In your note it is stated that His Majesty's Government in the United Kingdom understands that the Government of the United States of America is willing to apply the principles of that memorandum to vessels of all the United Nations on a reciprocal basis and, with this end in view, will enter into similar agreements with all other United Nations willing to do so, and will further take such steps as may be necessary to insure that claims in the nature of prize salvage will not be advanced in the United States courts against British vessels

recaptured in the course of the operations covered by the memorandum or against other vessels so recovered being vessels of the other United Nations entering into similar arrangements. In this connection you call attention to the British Prize Salvage Act, 1944.

You further state that "on these understandings and with these expressions of intent the present memorandum meets with the approval of His Majesty's Government in the United Kingdom". You add that if it likewise meets with the approval of the Government of the United States of America, your note, together with the reply indicating such approval and concurrence by the Government of the United States of America, will be regarded as constituting an agreement between the two countries. You further suggest that the agreement should be regarded as being in effect from October 22, 1943.

I have the honor to inform you that the Government of the United States of America approves the memorandum in question and concurs in the understandings expressed in your note, and will apply the principles embodied in the memorandum, on a reciprocal basis, to British vessels and to the vessels of other members of the United Nations which enter into similar agreements with the United States of America.

In accordance with the suggestion made in your note, that note and the present note in reply will be regarded as constituting an agreement between the Government of the United States of America and His Majesty's Government in the United Kingdom, which will be regarded as being in effect from October 22, 1943.

In view of the present agreement in the case of British vessels, the Government of the United States of America undertakes, on a reciprocal basis, to take such steps as may be necessary to insure that claims in the nature of prize salvage will not be advanced in the United States courts against British vessels recovered in the course of the operations covered by the memorandum. In case similar agreements are concluded by the United States of America with other members of the United Nations, the United States of America will also undertake on the basis of reciprocity to take such steps as may be necessary to insure that claims in the nature of prize salvage will not be advanced in the United States courts against vessels of such other members of the United Nations recovered in the course of the operations covered by the memorandum.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSEPH C. GREW
Acting Secretary of State

His Excellency
The Right Honorable
THE EARL OF HALIFAX, K.G.,
British Ambassador.

Agreement between the United States of America and the United Kingdom amending the agreement of December 4, 1942, respecting marine transportation and litigation. Effected by exchange of notes signed at Washington March 25 and May 7, 1946; effective May 7, 1946.

March 25 and
May 7, 1946
[T. I. A. S. 1558]

The British Ambassador to the Secretary of State

BRITISH EMBASSY,
WASHINGTON, D. C.

25th March, 1946

No. 174.

SIR,

I have the honour to refer to your Note of October 10, 1945 (411.41 Ships/9-2045) in which notice was given that, in view of the termination of lend-lease by the Government of the United States, payments made by the United States Government on behalf of His Majesty's Government in the United Kingdom in the course of operations under the Knock-for-Knock Agreement of December 4, 1942, would be made under lend-lease only in cases where the claim arose prior to the expiration of 60 days following 12.01 a. m., September 2, 1945 (V-J Day).

56 Stat. 1780.

2. You suggested in your Note that discussions should be held between the representatives of the Government of the United States and of His Majesty's Government concerning the continuation of the waiver features of the Knock-for-Knock Agreement of December 4, 1942, and the handling of mutual legal aid and payments under Article IV of that Agreement beyond the 60 day period mentioned above on some basis other than an accounting under the lend-lease Act.

56 Stat. 1791.

3. I understand that the duly appointed representatives of our two Governments have now completed the discussions suggested in your Note under reference and I have the honour to state the agreement which the United Kingdom representatives report was reached as a result of those discussions:-

(i) It has been agreed that lend-lease and reciprocal aid funds will be available to discharge liabilities which arise from casualties occurring before midnight, October 31, 1945, and which are within the agreed scope of legal aid under Article IV of the Agreement and supplemental understandings. The Agreement, in both its waiver and legal aid aspects, will continue to operate thereafter and until notice is given to terminate it, but for liabilities arising from casualties occurring on or after November 1, 1945, which are within the scope of legal aid as determined from time to time, there will be substituted for payments under Mutual Aid the system of accounting on a cash basis which is provided for by the last sentence of Article IV.

56 Stat. 1781.

56 Stat. 1782.

56 Stat. 1781.

(ii) It is understood that for casualties occurring on or after November 1, 1945, the United States Navy will not require legal aid under Article IV of the Agreement or supplemental understandings.

56 Stat. 1780.

(iii) It has been further agreed that the continued operation of the Knock-for-Knock Agreement will be without prejudice to the possible adoption by the shipping authorities of our respective Governments of new policies in relation to the disposition of vessels, changes in status, and changes in insurance arrangements.

56 Stat. 1780.

4. I have the honour to suggest that, if the above statement of the agreement reached is concurred in by the Government of the United States, this note and your acknowledgment of it shall be considered as constituting, on the date of your acknowledgment, an Agreement between the two Governments for the continued operation of the Knock-for-Knock Agreement of December 4, 1942, modified as is required as a result of the termination of mutual wartime arrangements.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble Servant

HALIFAX

The Honourable

JAMES F. BYRNES,

*Secretary of State of the United States,**Washington, D. C.**The Acting Secretary of State to the British Ambassador*

DEPARTMENT OF STATE

WASHINGTON

May 7 1946

EXCELLENCY:

56 Stat. 1780.

I have the honor to acknowledge the receipt of your note no. 174 of March 25, 1946, setting forth the agreement reached by representatives of our two Governments in informal discussions concerning modifications of the Knock-for-Knock Agreement of December 4, 1942 made necessary by the termination of mutual aid arrangements.

The agreement set forth in the note accords with my understanding of the matter and may be regarded as in effect from the date of this acknowledgment.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON

Acting Secretary of State

His Excellency

The Right Honorable

THE EARL OF HALIFAX, K.G.,

British Ambassador.

*Agreement between the United States of America and Czechoslovakia
respecting air transport services. Signed at Praha January 3, 1946;
operative from January 3, 1946; effective definitively June 17, 1946.*

January 3, 1946
[T. I. A. S. 1580]

A i r T r a n s p o r t A g r e e m e n t
between
the United States of America and the Czechoslovak Republic.

D o h o d a o l e t e c k é p ř e p r a v ě
mezi
Spojenými státy severoamerickými a republikou Československou.

Having in mind the resolution recommending a standard form of agreement for provisional air routes and services, included in the Final Act of the International Civil Aviation Conference signed at Chicago on December 7, 1944,¹ and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States of America and the Republic of Czechoslovakia, the two Governments parties to this Agreement agree that the development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE 1.

The contracting parties grant the right specified in the Annex hereto necessary for establishment of the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

Majíce na zřeteli rozhodnutí doporučující vzor dohody o prozatímních leteckých tratích a dopravě, obsažené v Závěrečném aktu konference o Mezinárodním civilním letectví, podepsané v Chicagu dne 7. prosince 1944, a přejíce si vzájemně usnadniti a podporovati zdravý hospodářský rozvoj letecké dopravy mezi Spojenými státy severoamerickými a republikou Československou, obě smluvní strany souhlasí, aby tato doprava mezi jejich příslušnými územími dala se podle těchto ustanovení:

ČLÁNEK 1.

Smluvní strany udělují práva uvedená v připojené Příloze, která jsou nutná ke zřízení mezinárodních civilních leteckých tratí a dopravy, jak uvedeno v této Příloze, při čemž nezáleží na tom, zda tato doprava bude zahájena ihned nebo později podle toho, jak se rozhodne smluvní strana, které se tato práva udělují.

¹[*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents, Department of State publication 2282, Conference Series 64.*]

ARTICLE 2.

/a/ Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the right shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

/b/ It is understood that either contracting party granted commercial rights under this Agree-

ČLÁNEK 2.

/a/ Každá shora zmíněná letecká doprava bude uvedena do provozu, jakmile smluvní strana, která jest podle článku 1 oprávněna jmenovati jeden nebo několik leteckých podniků pro provoz příslušné trati, dá oprávnění některému leteckému podniku pro tuto trať; smluvní strana, která toto právo uděluje, jest povinna, dbajíc ustanovení článku 6 této Dohody, udělití jednomu nebo několika příslušným podnikům potřebné provozní oprávnění s podmínkou, že dříve než tyto podniky takto jmenované budou oprávněny zahájití dopravu vytčenou v této Dohodě, mohou býti vyzvány, aby příslušným leteckým úřadům smluvního státu, který shora zmíněná práva uděluje, podle platných zákonů a nařízení, které tyto úřady obvykle uplatňují, prokázaly požadovanou kvalifikaci, jakož i s podmínkou, že v oblastech vojenského nepřátelství nebo obsazení, anebo v oblastech tím dotčených, bude zahájení této dopravy podrobeno schválení příslušných vojenských úřadů.

/b/ Rozumí se, že smluvní strana, které se podle této Dohody udělují obchodní práva, jest

ment should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3.

In order to prevent discriminatory practices and assure equality of treatment, both contracting parties agree that :

/a/ Each of the contracting parties may impose or permit to be imposed just and reasonable charges of [1] the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

/b/ Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contract-

povinna přistoupiti k jejich výkonu co nejdříve, leč by se vyskytly dočasné překážky.

ČLÁNEK 3.

Abý se zabránilo diskriminacím a zajistilo jednotné zacházení, dohodly se smluvní strany takto :

/a/ Každá smluvní strana může ukládati nebo dovoliti, aby byly ukládány spravedlivé a mírné poplatky za používání veřejných letišť a jiných zařízení v její pravomoci. Každá smluvní strana se však zavazuje, že tyto poplatky nebudou vyšší, než by za použití letišť a zařízení tohoto druhu platila domácí letadla, která konají podobnou mezinárodní dopravu.

/b/ S pohonnými hmotami, mazacími oleji a náhradními součástkami, které na území jedné smluvní strany přiveze druhá smluvní strana nebo její státní příslušníci a které jsou určeny jedině pro potřebu letadel této smluvní strany, bude se zacházeti jako s domácími a podle doložky o nejvyšších výhodách, co se týká celních poplatků, kontrolních dávek a jiných domácích poplatků

¹[Post, p. 1928.]

ing party whose territory is entered.

/c/ The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

ARTICLE 4.

Certificates of airworthiness, certificates of competency and licences issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates

ukládanych smluvní stranou, na jejíž území letadlo vstoupí.

/c/ Pohonné hmoty, mazací oleje, náhradní součástky, obvyklá výzbroj a letadlové zásoby, které jsou chovány na palubě civilních letadel leteckých dopravních podniků smluvních stran, oprávněných provozovatí trati a dopravu, jak uvedeno v Příloze, budou při přiletu na území druhé smluvní strany, nebo při odletu z něho prosty celních poplatků, kontrolních dávek nebo jiných podobných poplatků, i když těchto zásob tato letadla použijí nebo je spotřebují za letů nad tímto územím.

ČLÁNEK 4.

Osvědčení o letové způsobilosti, pilotské diplomy a povolení vydaná nebo za platná prohlášená jednou smluvní stranou budou pro provoz tratí a dopravy, vytčené v Příloze, uznána druhou smluvní stranou za platná. Každá smluvní strana si však vyhrazuje právo, že pro létání nad svým vlastním územím odmítne uznati platnost pilotských diplomů a povolení, které jiný stát vydá jejím vlastním příslušníkům.

of competency and licences granted to its own nationals by another state.

ARTICLE 5.

/a/ The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

/b/ The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or

ČLÁNEK 5.

/a/ Zákony a nařízení jedné smluvní strany, které se na jejím území vztahují na přílet a odlet letadel užívaných v mezinárodním letectví nebo na provoz a létání těchto letadel po dobu jejich pobytu na jejím území, platí pro letadla druhé smluvní strany, a tato letadla se jim musí podrobiti při příletu nebo odletu a po dobu jejich pobytu na území první smluvní strany.

/b/ Zákonům a nařízením smluvní strany, které se na jejím území vztahují na přílet nebo odlet letadlem cestujících, posádek nebo zboží, zejména nařízením, jež upravují přílet, formality odletu, přistěhovalectví, cestovní pasy, clo a karanténu, podrobí se tyto cestující, posádky nebo zboží druhé smluvní strany buď přímo, anebo třetí osobou za ně jednající při příletu, odletu a po dobu jejich pobytu na území první smluvní strany.

while within the territory of the first party.

ARTICLE 6.

Each contracting party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this Agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this Agreement.

ARTICLE 7.

This Agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may

ČLÁNEK 6.

Každá smluvní strana si vyhrazuje právo kdykoliv odmítnouti nebo odvolati osvědčení nebo povolení leteckému dopravnímu podniku druhé smluvní strany, není-li přesvědčena, že podstatná část vlastnictví a skutečný dozor tohoto podniku náleží státním příslušníkům některé smluvní strany, jakož i tehdy, kdy letecký dopravní podnik nedbá zákonů přeletovaného státu, jak uvedeno shora v článku 5, nebo neplní závazků, jež na tuto Dohoda ukládá.

ČLÁNEK 7.

Tato Dohoda a veškeré smlouvy s ní vyplývající budou uloženy u Zatímní mezinárodní organizace civilního letectví.

ČLÁNEK 8.

Má-li některá ze smluvních stran za to, že jest třeba, aby trati nebo podmínky stanovené v připojené Příloze byly změněny, může žádati, aby příslušné úřady

request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 9.

Either contracting party may terminate this Agreement, or the rights for any of the services granted thereunder, by giving one year's notice to the other contracting party.

ARTICLE 10.

The provisions of this Agreement shall become operative from the day it is signed. The Czechoslovak Government shall notify the Government of the United States of America of the approval of the Agreement by the President of the Czechoslovak Republic and the Government of the United

obou smluvních stran vstoupily v jednání, a to během šedesáti dnů ode dne, kdy žádost bude vznesena. Dohodnou-li se tyto úřady vzájemně o nových neb o změněných podmínkách Přílohy, nabudou příslušná doporučení účinnosti, jakmile budou potvrzena výměnou diplomatických not.

ČLÁNEK 9.

Každá z obou smluvních stran může rozvázat tuto Dohodu, neb odvolati oprávnění ke kterékoli dopravě, která podle ní poskytla, dá-li druhé straně výpověď s jedno-
roční lhůtou.

ČLÁNEK 10.

Ustanovení této Dohody budou proveditelná ode dne jejího podpisu. Československá vláda oznámí vládě Spojených států severoamerických souhlas presidenta Československé republiky s Dohodou a vláda Spojených států severoamerických bude pokládat Dohodu za definitivní ode dne, kdy Československá vláda učiní takové

States of America shall consider the Agreement as becoming definitive upon the date of such notification by the Czechoslovak Government. [1]

In witness whereof the respective Plenipotentiaries have signed this Agreement in duplicate in the English and Czech languages, both texts having equal force and have hereunto affixed their seals.

Done at Praha the third day of January 1946.



[SEAL]

¹[Post, p. 1929.]

Tomu na svědectví příslušní plnomocníci podepsali tuto Dohodu dvojmo v jazycích anglickém a českém, při čemž oba texty mají stejnou platnost, a k tomu připojili své pečeti.

Dáno v Praze dne třetího ledna 1946.



[SEAL]

A N N E X

A.

1/ The Government of the United States of America will grant to a Czechoslovak airline, to be designated by the Czechoslovak Government, with regard to the territory of the United States of America, the necessary operating permission to the air service on the route Praha-Bruxelles-London-Foynes-New Foundland-New York, in both directions.

2/ This operating permission shall include :

The right to take on in the United States of America passengers, cargo and mail destined for the territory of Czechoslovakia or of any other States and the right to put down in the United States of America passengers, cargo and mail taken on in the territory of Czechoslovakia or any other States.

P Ř Í L O H A

A.

1/ Vláda Spojených států severoamerických udělí Československému leteckému podniku, který jmenuje vláda Československá, potřebné oprávnění k provozu letecké linky Praha-Brusel-Londýn-Foynes-New Foundland-New York, v obou směrech, pokud tato linka vede přes území Spojených států severoamerických.

2/ Toto provozní oprávnění bude v sobě zahrnovati :

Právo nakládati ve Spojených státech severoamerických cestující, zboží a poštu určené do území Československa, nebo kterýchkoli jiných států a právo vykládati ve Spojených státech severoamerických cestující, zboží a poštu naložené na území Československa, neb kterýchkoli jiných států.

B.

1/ The Government of the Czechoslovak Republic will grant to an American airline, to be designated by the Government of the United States of America with regard to the territory of Czechoslovakia, the necessary operating permission to the air services on the route New Foundland-Foynes-London-Bruxelles-Praha-Vienna-Budapest-Bucuresti-Istanbul-Ankara-Beirut-Baghdad-Karachi-Calcutta, in both directions.

2/ This operating permission shall include :

The right to take on in Czechoslovakia passengers, cargo and mail destined for the territory of the United States of America or of any other States and the right to put down in Czechoslovakia passengers, cargo and mail taken on in the territory of the United States of America or any other States.

B.

1/ Vláda republiky Československé udělí Americkému leteckému podniku, který jmenuje vláda Spojených států severoamerických, potřebné oprávnění k provozu letecké linky New Foundland-Foynes-Londýn-Brusel-Praha-Vídeň-Budapešť-Bukurešť-Istanbul-Ankara-Beirut-Bagdad-Karachi-Calcutta, v obou směrech, pokud tato linka vede přes území Československa.

2/ Toto provozní oprávnění bude v sobě zahrnovati :

Právo nakládati v Československu cestující, zboží a poštu určené do území Spojených států severoamerických, nebo kterýchkoli jiných států a právo vykládati v Československu cestující, zboží a poštu, naložené na území Spojených států severoamerických, nebo kterýchkoli jiných států.

The American Embassy to the Czechoslovak Ministry for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

URGENT

No. 993

The American Embassy presents its compliments to the Ministry for Foreign Affairs and has the honor to refer to the text of the air transport agreement between the Czechoslovak Republic and the United States of America of January 3, 1946, and to request confirmation by note that the original English text in possession of the Ministry reads "charges for" in the fourth line of Article 3-A.

L. A. S.

PRAHA, May 3, 1946

The Czechoslovak Ministry for Foreign Affairs to the American Embassy

MINISTERSTVO ZAHRANIČNÍCH VĚCÍ

Č. 78.571/IV-7/46.

S odvoláním na notu velvyslanectví Spojených států ze dne 3. května t.r., číslo 993, klade si ministerstvo zahraničních věcí za čest potvrditi, že původní anglický text Dohody o letecké přepravě mezi Československou republikou a Spojenými státy, který je v držení zdejšího úřadu, obsahuje ve čtvrtém řádku článku 3 a slova "charges for".

V. C.

V PRAZE, dne 17. května 1946.

*Velvyslanectví Spojených států
v Praze.*

Translation

MINISTRY FOR FOREIGN AFFAIRS

No. 78.571/IV-7/46

Referring to the note of the Embassy of the United States dated May 3, 1946, number 993, the Ministry for Foreign Affairs has the honor to confirm that the original English text of the Agreement regarding Air Transportation between the Czechoslovak Republic and

the United States, which is in the possession of this office, contains the words "charges for" in the fourth line of article 3.

V. C.

Prague, May 17, 1946.

*To the Embassy of the United States
in Prague.*

The Czechoslovak Ambassador to the Acting Secretary of State

The Czechoslovak Ambassador presents his compliments to His Excellency, the Acting Secretary of State, and with reference to the Air Transport Agreement between the Czechoslovak Republic and the United States of America, Article 10, has the honor to inform His Excellency that the said Agreement has been approved by the President of the Czechoslovak Republic on March 27, 1946.

J. S.

CZECHOSLOVAK EMBASSY,
WASHINGTON, D.C.
June 17, 1946.

6123/46.

December 21, 1945,
and January 3, 1946
[T. I. A. S. 1565]

Canol Project: Agreement between the United States of America and Canada respecting the disposition of storage and loading facilities at Prince Rupert. Effected by exchange of notes signed at Ottawa December 21, 1945, and January 3, 1946.

The American Ambassador to the Canadian Secretary of State for External Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 423

Ottawa, Canada December 21, 1945

SIR:

57 Stat. 1416.

I have the honor to refer to my predecessor's note No. 738 of August 14, 1942, and to your reply No. 125 of August 15, 1942, regarding the establishment of an oil supply line which would be supplementary to that known as the Canol Project, which was dealt with by my predecessor's note of June 27th and your reply of June 29, 1942.

57 Stat. 1413.

In that exchange of notes it was agreed that the pipeline from Skagway to Whitehorse and the storage and loading facilities at Prince Rupert should remain the property of my Government until agreement after the war upon their disposition. It was further agreed that the pipeline and the other facilities mentioned should not be dismantled until such action was recommended by the Permanent Joint Board on Defence.

58 Stat. 1565.

Having in mind the fact that the major United States facilities at Prince Rupert are in process of being disposed of in accordance with the 33rd Recommendation of the Permanent Joint Board on Defence, which formed the subject of the Canadian Ambassador's note to the Secretary of State of November 22, 1944, and the Secretary of State's reply of December 20, 1944, I have now been directed to propose that the storage and loading facilities at Prince Rupert mentioned in the exchange of notes of August 14-15, 1942, and including several buildings and structures, an open storage yard, a railroad spur, and a dock, be disposed of under the procedure established by the 33rd Recommendation without the prerequisite reference to the Board contemplated in that exchange of notes.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON

The Right Honorable
*The Secretary of State
for External Affairs,
Ottawa.*

*The Canadian Secretary of State for External Affairs to the
American Ambassador*

DEPARTMENT OF EXTERNAL AFFAIRS.

No. 2

OTTAWA, *January 3rd, 1946.*

EXCELLENCY :

I have the honour to refer to your Note No. 423 of December 21st, 1945, regarding the disposition of storage and loading facilities at Prince Rupert which were erected under the exchange of Notes which authorized the establishment of an oil supply line supplementary to that known as the Canol Project.

2. I am pleased to inform you that the Canadian Government agrees to your proposal that these facilities be disposed of under the procedure established by the 33rd Recommendation of the Permanent Joint Board on Defence without further reference to the Board.

58 Stat. 1565.

Accept, Excellency, the renewed assurances of my highest consideration.

N A ROBERTSON
for Secretary of State
for External Affairs.

His Excellency,

*United States Ambassador to Canada,
United States Embassy,
Ottawa.*

October 4 and 28, and
November 5, 1945
[T. I. A. S. 1571]

Arrangement providing for participation by the United States of America in the Central Commission of the Rhine. Effected by exchange of notes signed at London October 4 and 29, and November 5, 1945.

The British Secretary of State for Foreign Affairs to the American Ambassador

FOREIGN OFFICE, S. W. 1.

No. W 12978/142/803.

4th October, 1945.

Immediate.

YOUR EXCELLENCY,

As Your Excellency is aware, informal discussions have recently taken place in London between representatives of the Governments of the United Kingdom, United States, France, Belgium and the Netherlands regarding the urgent need for the immediate coordination of all activities undertaken with a view to restoring navigation on the Rhine. As a result of these discussions the representatives agreed to recommend to their Governments that the necessary steps should be taken to invite the Central Commission of the Rhine to resume its functions without delay on an emergency and interim basis. It was, of course, understood that the resumption by the Commission of its pre-war functions would in no way prejudice the future determination of the permanent regime of the Rhine.

2. The above mentioned representatives also recommended that while the Commission operated on an interim basis it should include a representative of the United States Government. They proposed, for the consideration of the Governments concerned, either that the Allied military authorities controlling German riparian territory should be represented at the meetings of the Commission by liaison officers or that the Commission should include a representative of the Allied Control Commission in Germany. Lastly, they proposed that all the Governments and bodies represented on the Commission should have an equal voice in its decisions.

3. I have the honour to enquire whether Your Excellency's Government are prepared to endorse these recommendations and to propose that, in the event of all the Governments concerned signifying their agreement, His Majesty's Government should on their behalf address a communication to the Chairman of the Central Commission of the Rhine inviting him to summon a meeting of the Commission at an early date.

I have the honour to be, with the highest consideration,
Your Excellency's obedient Servant,
(For the Secretary of State)
N. J. A. CHEETHAM

His Excellency
The Honourable
JOHN G. WINANT,
etc., etc., etc.,
1, Grosvenor Square,
W.1.

*The American Ambassador to the British Secretary of State for
Foreign Affairs*

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

No. 5028

LONDON, October 29, 1945

SIR:

I am instructed by my Government to acknowledge your note of October 4 and to say that the United States Government will be prepared to participate in the Central Commission of the Rhine on the following assumptions:

1. The United States will participate in the Central Commission of the Rhine on an equal basis as all other participating States, it being understood that each State will have one representative and one vote, and that the decisions of the Commission shall be taken on the basis of a majority of the members present and voting.

2. The United States will pay an equal share of the expenses of the Commission on the assumption that the expenses will be kept to a minimum necessary to enable the Commission to discharge its agreed functions.

3. The United States Government believes that it might eventually be desirable to have a representative of the Allied Control Commission in Germany on the Central Commission of the Rhine. However, in order to expedite the establishment of the Commission at the earliest possible date, the United States accepts the alternative that the Allied Military authorities controlling German riparian, territory should be represented at the meetings of the Commission by liaison officers.

4. It is understood that the Central Commission of the Rhine will be established on a purely provisional basis without prejudice to the conclusion of negotiations by the interested Governments for the establishment of a permanent regime. It is also understood that the Commission will exercise the powers and functions accorded to the pre-war Rhine Commission by the Conventions of 1868^[1] and 1919^[2] and that it will coordinate its activities with ECITO.

59 Stat. 1740.

¹ [*Recueil des Traités de la France, 1867-1872, vol X, pp. 177-209.*]

² [*Treaties, Conventions, International Acts, Protocols, and Agreements between the United States of America and Other Powers, vol. III, pp. 3493-3497.*]

The Government hopes that it may be possible for the Commission to convene at an early moment in order that it may render its assistance to the task of restoring navigation on this important means of communication.

Accept, Sir, the renewed assurances of my highest consideration.

For the Ambassador:

W. J. GALLMAN
Minister Counselor

The Right Honorable

ERNEST BEVIN, M.P.,

*Secretary of State for Foreign Affairs,
The Foreign Office, S.W.1.*

*The British Secretary of State for Foreign Affairs to the American
Ambassador*

FOREIGN OFFICE, S.W.1.

No. W 14390/142/803.

5th November, 1945.

Immediate.

YOUR EXCELLENCY,

In your note No. 5028 of 29th October, Your Excellency was so good as to inform me that the United States Government had agreed to the proposal that steps should be taken to invite the Central Commission of the Rhine to resume its functions on an emergency and interim basis and with the participation of a representative of the United States Government.

2. I now have the honour to inform Your Excellency that the Belgian and Netherlands Governments and the French Provisional Government have also agreed to the above proposal and are of the opinion that in present circumstances the Allied military authorities controlling German riparian territory should be represented at the meetings of the Commission by liaison officers.

3. His Majesty's Government are accordingly requesting the French Provisional Government to invite the President of the Commission to summon a meeting at an early date.^[1]

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

(For the Secretary of State)

R. A. GALLOP

His Excellency

The Honourable

JOHN G. WINANT,

etc., etc., etc.,

1, Grosvenor Square, W.1.

¹ [The Central Commission of the Rhine met on Dec. 12, 1945. The countries represented were: Belgium, France, Great Britain, the Netherlands, Switzerland, and the United States.]

Interim agreement between the United States of America and Switzerland respecting air transport services. Effected by exchange of notes signed at Bern August 3, 1945; effective August 3, 1945.

August 3, 1945
[T. I. A. S. 1576]

The American Minister to the Chief of the Swiss Federal Political Department

LEGATION OF THE
UNITED STATES OF AMERICA
Bern, August 3, 1945

EXCELLENCY,

I have the honor to refer to the negotiations which have taken place between the Governments of the United States of America and Switzerland for the conclusion of a reciprocal Interim Agreement relating to Air Transport Services. I understand that these negotiations have now resulted in the Agreement which is annexed hereto.

I shall be glad to have you inform me whether the Swiss Government understands that the terms of the Agreement resulting from the negotiations referred to are as set forth in the annex to this letter.

If your answer is in the affirmative, the Government of the United States of America will regard the Agreement as becoming effective upon the date of your answer in accordance with the provisions of the first paragraph of Article 8 of the Agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

LELAND HARRISON

His Excellency

Dr. MAX PETITPIERRE

Federal Counselor

Chief of the Federal Political Department

Bern

**INTERIM AGREEMENT BETWEEN THE UNITED STATES OF
AMERICA AND SWITZERLAND RELATING TO AIR TRANS-
PORT SERVICES**

Having in mind the resolution recommending a standard form of agreement for provisional air routes and services, included in the final act of the International Civil Aviation Conference signed at Chicago on December 7, 1944, [1] and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States of America and Switzerland, the two governments parties to this arrangement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE 1

The Contracting Parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted.

ARTICLE 2

(a) Each of the air services so described shall be placed in operation as soon as the Contracting Party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the Contracting Party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the Contracting Party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this Agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either Contracting Party granted commercial rights under this Agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

¹[*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282, Conference Series 64.]

Inauguration of air services.

Post, p. 1938.

ARTICLE 3

In order to prevent discriminatory practices and to assure equality of treatment, both Contracting Parties agree that:

(a) Each of the Contracting Parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the Contracting Parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one Contracting Party by the other Contracting Party or its nationals, and intended solely for use by aircraft of such other Contracting Party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the Contracting Party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one Contracting Party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other Contracting Party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by or aboard such aircraft on flights in that territory.

Post, p. 1938.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party shall be recognized as valid by the other Contracting Party for the purpose of operating the routes and services described in the Annex. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

Certificates of airworthiness, etc.

Post, p. 1938.

ARTICLE 5

(a) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other Contracting Party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first Party.

Laws and regulations.

(b) The laws and regulations of one Contracting Party as to the admission to or departure from its territory of passengers, crew, mail or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew, mail or cargo of the other Contracting Party upon entrance into or departure from, or while within the territory of the first Party.

ARTICLE 6

Withholding or revocation of certificate or permit.

Each Contracting Party reserves the right to withhold or revoke a certificate or permit to an airline of the other Party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either Party to this Agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this Agreement.

ARTICLE 7

Registration of Agreement.

This Agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Effective date; termination.

This Agreement shall become effective on the date of the diplomatic notes to which it is annexed.

Either Contracting Party may terminate this Agreement, or the rights for any of the services granted thereunder, by giving one year's notice to the other Contracting Party.

ARTICLE 9

Modification of routes or conditions set forth in Annex.

In the event either of the Contracting Parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ANNEX TO INTERIM AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND SWITZERLAND RELATING TO AIR TRANSPORT SERVICES

A. Airlines of the United States of America authorized under the present Agreement are accorded rights of transit and non-traffic stop in Swiss territory, as well as the right to pick up and to discharge international traffic in passengers, cargo and mail at Geneva (or other suitable airport) on the following route:

The United States, over a North Atlantic route to Ireland and thence to Paris and Switzerland, and beyond to Italy, Greece, and the Near and Middle East, via intermediate points; in both directions.

B. Airlines of Switzerland authorized under the present Agreement are accorded rights of transit and non-traffic stop in the territory of the United States of America, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at New York, on the following route:

Switzerland, via intermediate points (non-traffic stops), to New York; in both directions.

The Chief of the Swiss Federal Political Department to the American Minister

LE CHEF
DU
DÉPARTEMENT POLITIQUE
FÉDÉRAL

BERNE, le 3 août 1945.

MONSIEUR LE MINISTRE,

Par lettre de ce jour, vous voulez bien me soumettre le projet ci-annexé d'accord provisoire sur les transports aériens entre la Suisse et les Etats-Unis d'Amérique établi au cours des pourparlers qui viennent de prendre fin.

J'ai l'honneur de porter à la connaissance de Votre Excellence que le Conseil fédéral suisse accepte cet accord et qu'il le considère comme en vigueur dès aujourd'hui, conformément à l'article 8, 1er alinéa. de l'accord.

Veuillez agréer, Monsieur le Ministre, l'assurance de ma haute considération.

MAX PETITPIERRE.

Annexe.

Son Excellence

Monsieur LELAND HARRISON,
Ministre des Etats-Unis d'Amérique
Berne

Translation

THE CHIEF
OF THE
FEDERAL POLITICAL DEPARTMENT

BERN, August 3, 1945.

MR. MINISTER,

By a letter dated today you are good enough to submit to me the enclosed Draft of the Provisional Air Transport Agreement between Switzerland and the United States of America drawn up during the diplomatic conversations which have just ended.

I have the honor to inform Your Excellency that the Swiss Federal Council accepts this Agreement and that it considers it as in effect as of today, in conformity with Article 8, paragraph 1, of the Agreement.

Please accept, Mr. Minister, the assurance of my high consideration.

MAX PETITPIERRE.

Ante, p. 1938.

Enclosure.

His Excellency

LELAND HARRISON,
Minister of the United States of America
Bern

**ACCORD PROVISOIRE SUR LES LIGNES AERIENNES ENTRE
LA SUISSE ET LES ETATS-UNIS D'AMERIQUE**

Conclu à Berne, par échange de lettres, le 3 août 1945.

Date de l'entrée en vigueur: 3 août 1945.

Vu la recommandation concernant le modèle uniforme d'accord sur les routes aériennes provisoires qui figure dans l'acte final de la conférence internationale de l'aviation civile signé, à Chicago, le 7 décembre 1944,

attendu qu'il est désirable d'encourager et de favoriser réciproquement une saine évolution dans le domaine économique des transports par air entre la Suisse et les Etats-Unis d'Amérique;

les deux Gouvernements parties au présent accord provisoire conviennent que la création et le développement des lignes aériennes entre leurs territoires nationaux respectifs seront soumis aux dispositions ci-après:

ARTICLE PREMIER.

Les parties contractantes accordent les droits spécifiés à l'annexe ci-jointe, nécessaires à l'établissement des routes et lignes aériennes civiles internationales décrites à ladite annexe, que ces lignes aient, à fonctionner immédiatement ou ultérieurement au choix de la partie contractante à laquelle ces droits auront été accordés.

ARTICLE 2.

a) Chacune des lignes aériennes ainsi décrites sera mise en exploitation aussitôt que la partie contractante qui, en vertu de l'article premier, a le droit de désigner une ou plusieurs entreprises de transports aériens pour desservir la route dont il s'agit aura donné pareille autorisation. L'autre partie contractante, qui accorde ce droit, devra, sous réserve de l'article 6 ci-après, délivrer l'autorisation d'exploitation nécessaire à l'entreprise ou aux entreprises intéressées. Toutefois, l'entreprise ou les entreprises ainsi désignées pourront être appelées à justifier de leur qualification devant les autorités aéronautiques de la partie contractante qui accorde le droit en question et conformément aux lois et règlements normalement appliqués par ces autorités avant d'être autorisées à entreprendre l'exploitation prévue par le présent accord. En outre, dans les zones de guerre ou occupées militairement, ou encore dans les régions affectées par la guerre ou l'occupation, la mise en exploitation sera subordonnée à l'approbation des autorités militaires intéressées.

b) Il est entendu que chaque partie contractante exercera aussitôt que possible, à moins d'empêchement temporaire, les droits commerciaux que lui assure le présent accord.

ARTICLE 3.

Pour éviter des différences d'application et assurer l'égalité de traitement entre elles, les parties contractantes conviennent que

a) Chaque partie contractante pourra prélever ou permettre que soient prélevés des droits justes et raisonnables pour l'usage des aéroports publics et autres installations sous son contrôle. Les parties contractantes conviennent, toutefois, que ces droits n'excéderont pas ceux que leurs aéronefs affectés à des lignes internationales analogues paieraient pour l'utilisation de ces aéroports et de ces installations.

b) Les carburants, les huiles lubrifiantes et les pièces de rechange introduits sur le territoire d'une partie contractante par l'autre partie ou ses nationaux et destinés uniquement à l'usage des aéronefs de cette autre partie contractante recevront le traitement national et celui de la nation la plus favorisée en ce qui concerne les droits de douane, frais de visite et autres droits et taxes prélevés par la partie contractante sur le territoire de laquelle est entré l'aéronef.

c) Les carburants, les huiles lubrifiantes, les pièces de rechange, l'équipement normal et les provisions de bord restant dans les aéronefs civils des entreprises de transports aériens d'une partie contractante autorisée à exploiter les lignes décrites à l'annexe seront, à leur arrivée sur le territoire de l'autre partie contractante ou à leur départ, exemptés des droits de douane, frais de visite ou autres droits et taxes de ce genre, même si ces approvisionnements sont employés ou consommés par ou sur lesdits aéronefs au cours de vols au-dessus du territoire dont il s'agit.

ARTICLE 4.

Les certificats de navigabilité, les brevets d'aptitude et les licences délivrés ou rendus exécutoires par une partie contractante seront reconnus par l'autre partie contractante pour l'exploitation des lignes décrites à l'annexe. Chaque partie contractante se réserve, cependant, le droit de refuser de reconnaître pour les vols au-dessus de son propre territoire les brevets d'aptitude et les licences accordés à ses propres ressortissants par un autre Etat.

ARTICLE 5.

a) Les lois et règlements d'une partie contractante régissant l'entrée et la sortie du territoire de celle-ci pour les aéronefs exerçant la navigation aérienne internationale ou régissant l'exploitation et la navigation desdits aéronefs pendant qu'ils se trouvent à l'intérieur de ce territoire s'appliqueront aux aéronefs de l'autre partie et lesdits aéronefs devront s'y conformer à l'arrivée, au départ et pendant qu'ils se trouvent à l'intérieur du territoire de cette partie.

b) Les lois et règlements d'une partie contractante régissant sur son territoire l'entrée ou la sortie par aéronef des passagers, des équipages, des envois postaux ou des marchandises, tels que ceux qui s'appliquent à l'entrée, aux formalités de congé, à l'immigration, aux passeports, aux douanes et à la quarantaine, seront observés par ou pour les passagers, équipages, envois postaux ou marchandises de l'autre partie à l'arrivée, au départ et pendant qu'ils se trouvent à l'intérieur du territoire de la première partie contractante.

ARTICLE 6.

Chaque partie contractante se réserve le droit de refuser ou de retirer un certificat ou un permis à une entreprise de transports aériens de l'autre partie chaque fois qu'elle n'est pas convaincue qu'une part substantielle des droits de propriété ainsi que le contrôle effectif de cette entreprise sont entre les mains de ressortissants de l'une ou l'autre des parties au présent accord, ou chaque fois qu'une entreprise de transports aériens ne se conforme pas aux lois de l'Etat survolé, comme il est indiqué à l'article 5 ci-dessus, ou ne remplit pas les obligations que lui impose le présent accord.

ARTICLE 7.

Le présent accord et tous les contrats s'y rapportant seront enregistrés auprès de l'Organisation provisoire de l'aviation civile internationale.

ARTICLE 8.

Le présent accord entrera en vigueur à la date des lettres diplomatiques auxquelles il est annexé.

Chaque partie contractante pourra, par avis donné un an d'avance à l'autre partie, mettre fin à l'accord ou aux droits afférents à l'une des lignes ainsi autorisées.

ARTICLE 9.

Si l'une des parties contractantes désire modifier les routes ou les conditions indiquées à l'annexe ci-jointe, elle pourra demander que les autorités compétentes des deux parties se consultent, cette consultation devant commencer dans un délai de soixante jours à compter de la date de la demande. Si ces autorités conviennent que les conditions de l'annexe doivent être complétées ou révisées, leurs recommandations à cet égard acquerront force obligatoire après avoir été confirmées par un échange de lettres diplomatiques.

ANNEXE

A L'ACCORD PROVISOIRE SUR LES LIGNES AERIENNES ENTRE LA SUISSE ET LES ETATS-UNIS D'AMERIQUE

A. Les entreprises aériennes des Etats-Unis d'Amérique autorisées en vertu du présent accord reçoivent le droit de transit, le droit d'atterrissage sur territoire suisse pour des raisons non-commerciales, ainsi que le droit d'embarquer et celui de débarquer à Genève (ou

à un autre aéroport convenable) des passagers, des marchandises et des envois postaux appartenant au trafic international sur la route aérienne allant, par des points intermédiaires, des Etats-Unis en Irlande par l'Atlantique Nord, de là à Paris et en Suisse, puis en Italie, en Grèce et dans le Proche et le Moyen-Orient, et vice-versa.

B. Les entreprises aériennes de la Suisse autorisées en vertu du présent accord reçoivent le droit de transit, le droit d'atterrissage sur le territoire des Etats-Unis pour des raisons non-commerciales, ainsi que le droit d'embarquer et celui de débarquer à New York des passagers, des marchandises et des envois postaux appartenant au trafic international sur la route aérienne allant, par des points intermédiaires (escales non-commerciales), de Suisse à New York, et vice-versa.

August 14, 1945
[T. I. A. S. 1579]

Agreement between the United States of America and France respecting the exchange of official publications. Effected by exchange of notes signed at Paris August 14, 1945; effective January 1, 1946.

The American Ambassador to the French Minister for Foreign Affairs

No. 709

PARIS, August 14, 1945

EXCELLENCY:

I have the honor to refer to the conversations which have taken place between representatives of the Government of the United States of America and representatives of the Provisional Government of the French Republic in regard to the exchange of official publications, and to inform Your Excellency that the Government of the United States of America agrees that there shall be an exchange of official publications between the two Governments, in accordance with the following provisions:

1. Each of the two Governments shall furnish regularly a copy of each of the official publications of its various departments, agencies, offices, divisions, and institutions, in accordance with a list which it shall communicate to the other Government through diplomatic channels, the two lists having been agreed upon after consultation between the two Governments. The list of each Government may be revised from time to time and may be extended, without the necessity of subsequent negotiations, to include any other official publication of such Government not specified in the list, or publications of new offices which such Government may create in the future.

2. The official exchange office for the transmission of publications of the United States of America shall be the Smithsonian Institution. The official exchange office for the transmission of publications of the French Republic shall be the Direction des Bibliothèques de France, 53 rue Saint-Dominique, Paris.

3. The publications shall be received on behalf of the United States of America by the Library of Congress and on behalf of the French Republic by the Bibliothèque Nationale, 58 rue de Richelieu, Paris.

4. The present agreement does not obligate either of the two Governments to furnish blank forms, circulars which are not of a public character, or confidential publications.

5. Each of the two Governments shall bear the postal, rail and shipping costs and other charges arising in its own country in connection with the sending of publications under the present agreement.

6. The present agreement shall not be considered as a modification of any existing exchange agreement between a department or agency

of one of the Governments and a department or agency of the other Government.

Upon the receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Provisional Government of the French Republic, the Government of the United States of America will consider the agreement to be concluded and in effect beginning January 1st, 1946.

Accept, Excellency, the renewed assurances of my highest consideration.

JEFFERSON CAFFERY.

His Excellency
 GEORGES BIDAULT,
Minister for Foreign Affairs,
Paris

The French Minister for Foreign Affairs to the American Ambassador

MINISTÈRE
 DES
 AFFAIRES ÉTRANGÈRES

Direction des Unions
 80, rue de Lille
 Inv. 84-40

RÉPUBLIQUE FRANÇAISE

Paris, le 14 Août 1945

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur de me référer aux conversations qui ont eu lieu au sujet de l'échange de publications officielles entre les représentants du Gouvernement Provisoire de la République Française et les Représentants du Gouvernement des Etats-Unis d'Amérique d'autre part, et de faire savoir à Votre Excellence que le Gouvernement Provisoire de la République Française accepte qu'il soit procédé à un échange de publications officielles entre les deux Gouvernements, conformément aux dispositions suivantes:

1° Chacun des deux Gouvernements fournira régulièrement un exemplaire de toutes les publications de ses divers ministères et des organismes, bureaux, instituts officiels conformément à une liste qu'il communiquera à l'autre Gouvernement par la voie diplomatique, les deux Gouvernements s'étant préalablement consultés et mis d'accord au sujet des deux listes. La liste établie par chaque Gouvernement pourra être révisée à un moment ou à un autre et étendue, sans qu'il soit nécessaire d'engager de nouvelles négociations, en vue d'y faire figurer toutes autres publications officielles du Gouvernement intéressé non prévues dans la liste ou les publications d'organismes nouveaux que ledit Gouvernement pourra créer à l'avenir.

L'organisme officiel d'échange pour la transmission des publications de la République Française sera la Direction des Bibliothèques de France, 53, rue Saint-Dominique PARIS (7°).

2° l'organisme officiel d'échange pour la transmission des publications des Etats-Unis d'Amérique sera l'Institut SMITHSON.

3° Les publications seront reçues pour le compte de la République Française, par la Bibliothèque Nationale et pour le compte des Etats-Unis d'Amérique, par la Bibliothèque du Congrès.

4° Le présent accord ne mettra aucun des deux Gouvernements dans l'obligation de fournir des imprimés ou des circulaires ne présentant pas un caractère public, ou des publications de caractère confidentiel.

5° Chacun des deux Gouvernements supportera les frais de port par poste, chemin de fer et bateau et les autres charges découlant, dans son propre territoire, de l'envoi de publications en vertu du présent accord.

6° Le présent accord ne sera pas considéré comme modifiant un accord d'échange quelconque conclu antérieurement entre un ministère ou un autre organisme de l'un des Gouvernements et un ministère ou un organisme de l'autre Gouvernement.

Dès réception d'une communication de Votre Excellence, indiquant que les dispositions ci-dessus peuvent être acceptées par le Gouvernement des Etats-Unis d'Amérique du Nord, le Gouvernement Provisoire de la République Française considérera que l'accord sera conclu et prendra effet à dater du 1er Janvier 1946./.

Veillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

BIDAULT

Son Excellence

l'Honorable JEFFERSON CAFFERY
Ambassadeur des Etats-Unis.

Translation

MINISTRY OF
FOREIGN AFFAIRS

Direction of Unions
80 rue de Lille
Inv. 84-40

FRENCH REPUBLIC

Paris, August 14, 1945

MR. AMBASSADOR:

I have the honor to refer to the conversations which were held on the subject of the exchange of official publications between the representatives of the Provisional Government of the French Republic, on the one hand, and the representatives of the Government of the United States of America, on the other hand, and to inform Your Excellency that the Provisional Government of the French Republic agrees to proceed to an exchange of official publications between the two Governments, in accordance with the following provisions:

1. Each of the two Governments shall furnish regularly one copy of all the publications of its various departments and of the agencies, offices and official institutes, according to a list which it will communicate to the other Government through the diplomatic channels, the two Governments having previously consulted each other and agreed upon the matter of the two lists. The list drawn up by each Government may be revised at any time and added to, without the necessity

of entering into new negotiations, with a view to including therein, any other official publications of the Government concerned which were not included in the list, or the publications of new agencies which the said Government may create in the future.

The official exchange agency for the transmittal of the publications of the French Republic shall be the *Direction des Bibliothèques de France* (Office of the Director of Libraries of France), 53, rue Saint-Dominique, Paris 7°.

2. The official exchange agency for the transmittal of the publications of the United States of America shall be the Smithsonian Institution.

3. The publications shall be received on behalf of the French Republic by the *Bibliothèque Nationale*, and by the Library of Congress on behalf of the United States of America.

4. The present Agreement shall not place either of the two Governments under the obligation of furnishing printed material or circulars which are not of a public character, or publications of a confidential nature.

5. Each of the two Governments shall defray the costs of transportation by mail, railroad and boat, and all other charges deriving, in its own territory, from the transmittal of publications by virtue of this Agreement.

6. This Agreement shall not be considered as modifying any agreement for exchange previously concluded between a department or other agency of one of the Governments and a department or agency of the other Government.

Upon receipt of a communication from Your Excellency indicating that the foregoing provisions can be accepted by the Government of the United States of North America, the Provisional Government of the French Republic will consider the Agreement concluded and in effect from January 1, 1946.

Please accept, Mr. Ambassador, the assurances of my very high consideration.

BIDAULT

His Excellency

The Honorable JEFFERSON CAFFERY,
Ambassador of the United States.

March 1 and 23, 1944
[T. I. A. S. 1581]

Agreement between the United States of America and Canada respecting claims arising out of traffic accidents involving vehicles of United States and Canadian armed forces. Effected by exchange of notes signed at Ottawa March 1 and 23, 1944.

The Canadian Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 16

OTTAWA, March 1, 1944.

EXCELLENCY:

I have the honour to refer to my Note No. 130 of October 21, 1943, [1] proposing a basis for the settlement of claims arising out of traffic accidents involving vehicles of the Armed Forces of Canada and vehicles of the Armed Forces of the United States.

The Government of Canada agree to the changes in the proposed Agreement suggested in your Note No. 75 of December 22, 1943. [1]

The Government of Canada are now prepared to enter into an agreement with the Government of the United States establishing the basis to be adopted for the settlement of claims arising out of traffic accidents involving vehicles of the Armed Forces of Canada and vehicles of the Armed Forces of the United States in the following terms:—

- (a) The agreement would cover all vehicles of the Armed Forces of the Government of Canada (hereinafter called Canadian vehicles) and all vehicles of the Armed Forces of the Government of the United States (hereinafter called United States vehicles).
- (b) The agreement would apply to accidents wherever they occur which take place on or after December 7th, 1941, which have not already been disposed of, and which involve a Canadian or United States vehicle.
- (c) Neither Government would make any claim against the other for any damage caused in an accident to which this agreement applies to any vehicle, stores or other property of the Government of Canada and used by the Royal Canadian Navy, the Canadian Army or the Royal Canadian Air Force, or to any vehicle, stores or other property of the Government of the United States and used by the United States Army, the United States Army Air Force, the United States Navy or the United States Navy Air Force.
- (d) Neither Government would make any claim against the other in respect of the death of or injury to any member or civilian employee of the Armed Forces of Canada or of the United States caused by a United States vehicle or a Canadian vehicle in an

¹ [Not printed.]

accident to which this agreement applies, provided that no claims which members or civilian employees of the Armed Forces of Canada or of the United States may have in their own right on account of injury or death, would be affected by this agreement.

2. I shall be glad if you will inform me whether the Government of the United States agree to an arrangement on this basis. If so, this note and your reply to that effect will be regarded as constituting an agreement between our two Governments which will continue in force in respect of all accidents which may occur prior to the expiration of three months from the date on which either of the two Governments gives notice to the other of its intention to terminate the agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

J E READ

for Secretary of State for External Affairs

The UNITED STATES AMBASSADOR TO CANADA,
United States Embassy,
Ottawa, Ontario.

*The American Ambassador to the Canadian Secretary of State for
External Affairs*

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 121.

Ottawa, Canada, March 23, 1944.

SIR:

I have the honor to acknowledge the receipt of your note No. 16 of March 1, 1944, outlining a proposed agreement with the Government of the United States establishing the basis to be adopted for the settlement of claims arising out of traffic accidents involving vehicles of the Armed Forces of Canada and vehicles of the Armed Forces of the United States.

I have now been authorized to inform you that the arrangement, as set forth in your note under acknowledgment, is agreeable to my Government and that your note, together with this reply, will be regarded as constituting an agreement between our two Governments on the subject.

RAY ATHERTON

The Right Honorable
*The Secretary of State
for External Affairs,*
Ottawa.

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