

attendant other than an employee of the Veterans' Administration for the performance of such travel, such attendant may be allowed expenses of travel upon a similar basis."

Approved June 16, 1948.

[CHAPTER 487]

AN ACT

To extend for one year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding five years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 100 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 693), is hereby amended by deleting "June 30, 1948" and inserting in lieu thereof the following: "June 30, 1949".

Approved June 16, 1948.

[CHAPTER 491]

AN ACT

To amend the Interstate Commerce Act with respect to certain agreements between carriers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Interstate Commerce Act, as amended, is amended by adding after section 5 thereof a new section as follows:

"SEC. 5a. (1) For purposes of this section—

"(A) The term 'carrier' means any common carrier subject to part I, II, or III, or any freight forwarder subject to part IV, of this Act; and

"(B) The term 'antitrust laws' has the meaning assigned to such term in section 1 of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914.

"(2) Any carrier party to an agreement between or among two or more carriers relating to rates, fares, classifications, divisions, allowances, or charges (including charges between carriers and compensation paid or received for the use of facilities and equipment), or rules and regulations pertaining thereto, or procedures for the joint consideration, initiation or establishment thereof, may, under such rules and regulations as the Commission may prescribe, apply to the Commission for approval of the agreement, and the Commission shall by order approve any such agreement (if approval thereof is not prohibited by paragraph (4), (5), or (6)) if it finds that, by reason of furtherance of the national transportation policy declared in this Act, the relief provided in paragraph (9) should apply with respect to the making and carrying out of such agreement; otherwise the application shall be denied. The approval of the Commission shall be granted only upon such terms and conditions as the Commission may prescribe as necessary to enable it to grant its approval in accordance with the standard above set forth in this paragraph.

"(3) Each conference, bureau, committee, or other organization established or continued pursuant to any agreement approved by the Commission under the provisions of this section shall maintain such accounts, records, files, and memoranda and shall submit to the Commission such reports, as may be prescribed by the Commission,

June 16, 1948
[H. R. 6730]
[Public Law 661]

60 Stat. 299; 61 Stat. 133.
38 U. S. C., Supp. I, § 693.

June 17, 1948
[S. 110]
[Public Law 662]

Interstate Commerce Act, amendment.
24 Stat. 380.
49 U. S. C. § 5.

"Carrier."

"Antitrust laws."

38 Stat. 730.
15 U. S. C. § 12.
Application for approval of agreement.

Post, p. 473.

Maintenance of records, etc.

and all such accounts, records, files, and memoranda shall be subject to inspection by the Commission or its duly authorized representatives.

“(4) The Commission shall not approve under this section any agreement between or among carriers of different classes unless it finds that such agreement is of the character described in paragraph (2) of this section and is limited to matters relating to transportation under joint rates or over through routes; and for purposes of this paragraph carriers by railroad, express companies, and sleeping-car companies are carriers of one class; pipe-line companies are carriers of one class; carriers by motor vehicle are carriers of one class; carriers by water are carriers of one class; and freight forwarders are carriers of one class.

Carriers of different classes.

“(5) The Commission shall not approve under this section any agreement which it finds is an agreement with respect to a pooling, division, or other matter or transaction, to which section 5 of this Act is applicable.

Pooling, division, etc.

24 Stat. 380.
49 U. S. C. § 5.

“(6) The Commission shall not approve under this section any agreement which establishes a procedure for the determination of any matter through joint consideration unless it finds that under the agreement there is accorded to each party the free and unrestrained right to take independent action either before or after any determination arrived at through such procedure.

Joint consideration of matters.

“(7) The Commission is authorized, upon complaint or upon its own initiative without complaint, to investigate and determine whether any agreement previously approved by it under this section, or terms and conditions upon which such approval was granted, is not or are not in conformity with the standard set forth in paragraph (2), or whether any such terms and conditions are not necessary for purposes of conformity with such standard, and, after such investigation, the Commission shall by order terminate or modify its approval of such agreement if it finds such action necessary to insure conformity with such standard, and shall modify the terms and conditions upon which such approval was granted to the extent it finds necessary to insure conformity with such standard or to the extent to which it finds such terms and conditions not necessary to insure such conformity. The effective date of any order terminating or modifying approval, or modifying terms and conditions, shall be postponed for such period as the Commission determines to be reasonably necessary to avoid undue hardship.

Investigation of prior agreements.

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

Hearing.

“(9) Parties to any agreement approved by the Commission under this section and other persons are, if the approval of such agreement is not prohibited by paragraph (4), (5), or (6), hereby relieved from the operation of the antitrust laws with respect to the making of such agreement, and with respect to the carrying out of such agreement in conformity with its provisions and in conformity with the terms and conditions prescribed by the Commission.

Relief from operation of antitrust laws.

“(10) Any action of the Commission under this section in approving an agreement, or in denying an application for such approval, or in terminating or modifying its approval of an agreement, or in prescribing the terms and conditions upon which its approval is to be granted, or in modifying such terms and conditions, shall be construed as having effect solely with reference to the applicability of the relief provisions of paragraph (9).”

Applicability.

JOSEPH W. MARTIN JR

Speaker of the House of Representatives.

H. C. LODGE, JR.

Acting President of the Senate pro tempore.

IN THE SENATE OF THE UNITED STATES,
June 16 (legislative day, June 15), 1948.

Certificate of Senate.

The Senate having proceeded to reconsider the bill (S. 110) entitled "An Act to amend the Interstate Commerce Act with respect to certain agreements between carriers", returned by the President of the United States with his objections, to the Senate, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

CARL A. LOEFFLER
Secretary.

Certificate of origin.

I certify that this Act originated in the Senate.

CARL A. LOEFFLER
Secretary.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 17, 1948.

Certificate of House of Representatives.

The House of Representatives having proceeded to reconsider the bill (S. 110) entitled "An Act to amend the Interstate Commerce Act with respect to certain agreements between carriers", returned by the President of the United States with his objections, to the Senate, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

JOHN ANDREWS
Clerk.

[CHAPTER 492]

AN ACT

June 17, 1948

[S. 153]

[Public Law 663]

Authorizing the Secretary of the Army to have prepared a replica of the Dade Monument for presentation to the State of Florida.

Dade Monument.
Replica.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon payment by the State of Florida to the Department of the Army of such sum as may be necessary to defray all expenses necessarily incident thereto, the Secretary of the Army is authorized and directed to cause to be prepared an exact replica of the Dade Monument, located on the grounds of the United States military reservation at West Point, New York, and to present such replica to the State of Florida for erection in the Dade State Memorial Park.

Approved June 17, 1948.

[CHAPTER 493]

AN ACT

June 17, 1948

[S. 1520]

[Public Law 664]

To amend section 3 of the Act of August 24, 1912 (37 Stat. 554), as amended, so as to provide reimbursement to the Post Office Department by the Navy Department for shortages in postal accounts occurring while commissioned officers of the Navy and Marine Corps are designated custodians of postal effects.

Navy and Coast
Guard mail clerks.

39 U. S. C. § 135.

Bonds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of August 24, 1912 (37 Stat. 554), as amended (39 U. S. C., Supp. V, 135), is hereby further amended to read as follows:

"Every Navy mail clerk and assistant Navy mail clerk and every Coast Guard mail clerk and assistant Coast Guard mail clerk shall give bond to the United States in such penal sum as the Postmaster General may deem sufficient for the faithful performance of his duties