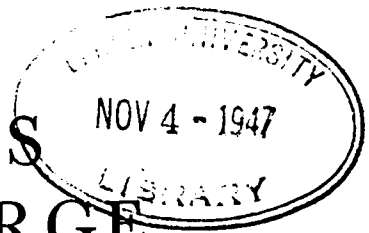


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UNITED STATES STATUTES AT LARGE

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

1946

AND

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

COMPILED, EDITED, INDEXED, AND PUBLISHED BY AUTHORITY OF LAW
UNDER THE DIRECTION OF THE SECRETARY OF STATE

VOLUME 60

IN TWO PARTS

PART 1

PUBLIC LAWS

AND

REORGANIZATION PLANS

*FOUNDING
LEGISLATION
1946*



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1947

or under the provisions of the Act of June 30, 1941 (55 Stat. 394; 10 U. S. C. 982a), who performs or has performed active military service subsequent to retirement shall, upon relief from such active duty, receive retired pay in the amount received by him prior to his recall to active duty, or on the basis of his grade and length of service at the time of relief from active duty, whichever is the greater: *Provided*, That the amount of his retired pay shall not in any event exceed 75 per centum of the enlisted base and longevity pay of the highest enlisted grade held by him.

SEC. 9. No back pay for any period prior to the date of enactment of this Act shall accrue to any person by reason of the enactment of this Act except as otherwise provided in section 3. No person, active or retired, of any of the armed forces, shall suffer, by reason of this Act, any reduction in any pay, allowances, or compensation to which he was entitled upon the effective date of this Act. Retired enlisted personnel of the Navy and Marine Corps, personnel of the Navy and Marine Corps who are members of the Fleet Reserve or Fleet Marine Corps Reserve, and personnel of the Navy and Marine Corps who become eligible and who apply for transfer to the Fleet Reserve or Fleet Marine Corps Reserve shall receive an opportunity to elect to receive retainer and retired pay under the provisions of this Act or to receive such pay under the provisions of law in effect immediately prior to the date of the enactment of this Act, and these persons shall be entitled to receive the pay elected.

Approved August 10, 1946.

[CHAPTER 954]

AN ACT

To establish the Castle Clinton National Monument, in the city of New York, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept, on behalf of the United States, title to the site, comprising approximately one acre and situated in Battery Park, New York City, of the historic structure known as Castle Clinton, together with such structure and any other improvement on or appurtenant to such site. When title to such property is vested in the United States, it shall constitute the Castle Clinton National Monument.

SEC. 2. The administration, protection, and development of the Castle Clinton National Monument shall be under the supervision of the Secretary of the Interior, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended.

Approved August 12, 1946.

[CHAPTER 955]

AN ACT

To establish a national air museum, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established under the Smithsonian Institution a bureau to be known as a national air museum, which shall be administered by the Smithsonian Institution with the advice of a board to be composed of the Commanding General of the Army Air Forces, or his successor, the Chief of Naval Operations, or his successor, the Secretary of the Smithsonian Institution, and two citizens of the United

10 U. S. C. § 980;
Supp. V. §§ 947 note,
980 note, 982a.

Back pay, etc.

Ante, p. 994.

August 12, 1946
[H. R. 5125]
[Public Law 721]

39 Stat. 535.
5 U. S. C. § 485; 16
U. S. C. §§ 1, 2-4, 22,
43.

August 12, 1946
[H. R. 5144]
[Public Law 722]

Smithsonian Insti-
tution.
National air mu-
seum.

Board.

States appointed by the President from civilian life who shall serve at the pleasure of the President. The members of the board shall serve as such members without compensation.

Pay and duties of head of museum.

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

(b) The Secretary of the Smithsonian Institution with the advice of the board may appoint and fix the compensation and duties of the head of a national air museum whose appointment and salary shall not be subject to the civil-service laws or the Classification Act of 1923, as amended. The Smithsonian Institution may employ such other officers and employees as may be necessary for the efficient operation and administration of the museum.

Functions of museum.

SEC. 2. Said national air museum shall memorialize the national development of aviation; collect, preserve, and display aeronautical equipment of historical interest and significance; serve as a repository for scientific equipment and data pertaining to the development of aviation; and provide educational material for the historical study of aviation.

Site.

SEC. 3. The Secretary of the Smithsonian Institution with the advice of the advisory board is hereby directed to investigate and survey suitable lands and buildings for selection as a site for said national air museum and to make recommendations to Congress for the acquisition of suitable lands and buildings for said national air museum.

Seal, etc.

SEC. 4. (a) The board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations as it deems necessary for the administration of its functions. The board may function notwithstanding vacancies and three members of the board shall constitute a quorum for transaction of business.

Quorum.

Report to Congress.

(b) The Smithsonian Institution shall include in its annual report of its operations to Congress a statement of the operations of said national air museum, including all public and private moneys received and disbursed.

Transfer of equipment, etc., from Government departments.

SEC. 5. (a) The heads of executive departments of the Government are authorized to transfer or loan to said national air museum without charge therefor aircraft, aircraft parts, instruments, engines, or other aeronautical equipment or records for exhibition, historical, or educational purposes.

Statue of Brig. Gen. William L. Mitchell.

(b) The Secretary of the Smithsonian Institution, with the advice of the Commission of Fine Arts, is authorized (1) to accept as a gift to the Smithsonian Institution from George H. Stephenson, of Philadelphia, Pennsylvania, a statue of Brigadier General William L. Mitchell of such character as may be deemed appropriate, and (2) without expense to the United States, to cause such statue to be erected at a suitable location on the grounds of the national air museum.

Appropriations authorized.

SEC. 6. There is hereby authorized to be appropriated the sum of \$50,000 for the purposes of this Act and there are hereby authorized to be appropriated annually hereafter such sums as may be necessary to maintain and administer said national air museum including salaries and all other necessary expenses.

Approved August 12, 1946.

[CHAPTER 956]

AN ACT

August 12, 1946
[S. 2426]
[Public Law 723]

Providing for the conveyance to the city of Canton, South Dakota, of the Canton Insane Asylum, located in Lincoln County, South Dakota.

Canton, S. Dak.
Conveyance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Public Buildings is authorized and directed to convey by

28.732
.742
v. 92, pt. 8
July 19 - Aug. 2, 1946



OF AMERICA

UNITED STATES

Congressional Record

PROCEEDINGS AND DEBATES OF THE 79th CONGRESS
SECOND SESSION

VOLUME 92—PART 8

JULY 19, 1946, TO AUGUST 2, 1946
(PAGES 9397 TO 10792)

FOUNDING
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Individual War Memorials, and for other purposes.

Mr. BARKLEY. Mr. President, this measure simply provides for the appointment of a Commission on Individual War Memorials. It is to have no power of action. It is to investigate the question of policy, and will report back, so that there is no commitment involved in the mere appointment of the Commission.

The PRESIDING OFFICER. Is there objection to the consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 158) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That there is hereby established a National Commission on Individual War Memorials to be composed of five members to be appointed by the President of the United States. The members of the Commission shall serve without compensation but traveling, subsistence, and other necessary expenses incurred by them in connection with the work of the Commission may be paid from any funds available for expenditure by the Commission. Such Commission is authorized and directed to prepare an adequate individual historical record of each man or woman who was killed in the military service during World War II. Such records shall be prepared as far as possible in cooperation with the family of the deceased, and placed in metal cases, for presentation to the next of kin of such man or woman as a means of expressing the appreciation of the American people and for the information of generations yet to come.

Sec. 2. The Commission is authorized (1) to appoint such advisory committees as it may deem necessary to advise and consult with it with respect to the composition of such individual memorials; (2) to include among the members of any committee or committees so appointed such representatives of the War Department, the Navy Department, Veterans' Administration, American Red Cross, and such other interested organization as it may deem advisable; and (3) to invite the newspapers of the United States to offer prizes for outstanding poems and pictures for use as memorial expressions in such individual memorials, and to arrange for the exhibition and publication of such materials.

Sec. 3. The Commission is authorized to make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere, and for printing and binding) as may be necessary to carry out the provisions of this resolution.

Sec. 4. There are hereby authorized to be appropriated such sums as may equal the sum of \$20 for each individual war memorial to be prepared under the direction of the Commission.

NATIONAL AIR MUSEUM

Mr. BARKLEY. Mr. President, from the Committee on the Library I report favorably House bill 5144, to establish a national air museum, and for other purposes. I ask unanimous consent that the pending business be laid aside and that the Senate proceed to consider the bill.

Mr. TAFT. Mr. President, I suggest that the bill be read, since it is not on the calendar.

The PRESIDING OFFICER. The clerk will read.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That (a) there is hereby established under the Smithsonian Institu-

tion a bureau to be known as a national air museum, which shall be administered by the Smithsonian Institution with the advice of a board to be composed of the Commanding General of the Army Air Forces, or his successor, the Chief of Naval Operations, or his successor, the Secretary of the Smithsonian Institution, and two citizens of the United States appointed by the President from civilian life who shall serve at the pleasure of the President. The members of the Board shall serve as such members without compensation.

(b) The Secretary of the Smithsonian Institution with the advice of the board may appoint and fix the compensation and duties of the head of a national air museum whose appointment and salary shall not be subject to the civil-service laws or the Classification Act of 1923, as amended. The Smithsonian Institution may employ such other officers and employees as may be necessary for the efficient operation and administration of the museum.

Sec. 2. Said national air museum shall memorialize the national development of aviation; collect, preserve, and display aeronautical equipment of historical interest and significance; serve as a repository for scientific equipment and data pertaining to the development of aviation and provide educational material for the historical study of aviation.

Sec. 3. The Secretary of the Smithsonian Institution with the advice of the advisory board is hereby directed to investigate and survey suitable lands and buildings for selection as a site for said national air museum and to make recommendations to Congress for the acquisition of suitable lands and buildings for said national air museum.

Sec. 4. (a) The board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations as it deems necessary for the administration of its functions. The board may function notwithstanding vacancies and three members of the board shall constitute a quorum for transaction of business.

(b) The Smithsonian Institution shall include in its annual report of its operations to Congress a statement of the operations of said national air museum, including all public and private moneys received and disbursed.

Sec. 5. (a) The heads of executive departments of the Government are authorized to transfer or loan to said national air museum without charge therefor aircraft, aircraft parts, instruments, engines, or other aeronautical equipment or records for exhibition, historical, or educational purposes.

(b) The Secretary of the Smithsonian Institution, with the advice of the Commission of Fine Arts, is authorized (1) to accept as a gift to the Smithsonian Institution from George H. Stephenson, of Philadelphia, Pa., a statue of Brig. Gen. William L. Mitchell of such character as may be deemed appropriate, and (2) without expense to the United States, to cause such statue to be erected at a suitable location on the grounds of the national air museum.

Sec. 6. There is hereby authorized to be appropriated the sum of \$50,000 for the purposes of this act and there are hereby authorized to be appropriated annually hereafter such sums as may be necessary to maintain and administer said national air museum including salaries and all other necessary expenses.

Mr. TAFT. Mr. President, as I understand the bill does not actually authorize the construction of a building. It is to be a matter of later recommendation?

Mr. BARKLEY. That is correct. I might say that the bill has been under consideration for a long time. The House passed it a few days ago unan-

imously. The Smithsonian Institution is urging its passage.

When the bill was first introduced, the air museum was to be administered by other than the Smithsonian Institution, by either the War Department or the Navy Department. It was worked out, however, at a conference participated in by the parties interested, that the appropriate place for the museum would be under the Smithsonian Institution. All the bill does is to set up a board to make recommendations to Congress for the establishment of an air museum.

BOOKS FOR THE ADULT BLIND

Mr. BARKLEY. Mr. President, from the Committee on the Library I report favorably Senate bill 2430 to amend the act entitled "An act to provide books for the adult blind."

The PRESIDING OFFICER. The bill will be received and placed on the calendar.

Mr. BARKLEY. I now ask that the unfinished business be temporarily laid aside, and that the Senate proceed to consider the bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 2430) to amend the act entitled "An act to provide books for the adult blind," which was read, as follows:

Be it enacted, etc., That the act of June 13, 1946 (58 Stat. 276), is amended to read as follows:

"That there is hereby authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, \$1,125,000, which sum shall be expended under the direction of the Librarian of Congress to provide books published either in raised characters, on sound-reproduction recordings, or in any other form for the use of the adult blind residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia. Provided, That of said annual appropriation of \$1,125,000, not exceeding \$200,000 thereof shall be expended for books in raised characters and the balance remaining shall be expended for sound-reproduction recordings and for the purchase, maintenance, and replacement of reproducers for these sound-reproduction recordings, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind readers under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to section 4101 of title 41, United States Code, shall give preference to non-profit-making institutions or agencies whose activities are primarily concerned with the blind, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and conditions involved, determined to be fair and reasonable.

"Sec. 2. This act shall be applicable with respect to the fiscal year ending June 30, 1947, and for each fiscal year thereafter."

Mr. BARKLEY. Mr. President, the bill simply provides for an additional authorization for the benefit of the adult blind. We have from time to time appropriated money for the purchase of books for the blind. We have never been too liberal in that respect. The bill merely authorizes a million and a quarter